

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

Convened January 12, 1970

Adjourned Sine Die February 12, 1970



DON ELDRIDGE, *Speaker*
THOMAS L. COPELAND, *Speaker Pro Tempore*
MALCOLM McBEATH, *Chief Clerk*
DONALD R. WILSON, *Assistant Chief Clerk*
LU ANN DILLARD, *Minute Clerk*

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Compiled, Edited and Indexed by

MALCOLM McBEATH, *Chief Clerk*

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Patricia Connolly, *Journal Clerk*

Eljo Sutherland, *Assistant Journal Clerk*

FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 12, 1970.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Rolland Swanson of the Salem Lutheran Church of Mount Vernon:

"O God, our refuge and strength and our very present help: This is Thy world, the object of Thy love and the arena of man's achievements, the scene of man's struggles. This is Thy time, exciting and filled with new opportunities but confusing and plagued with anxiety; and we are Thy people, called to live under Thee in Thy Kingdom to serve.

"Look, we pray, with favor upon the Governor of this commonwealth, and upon the members of this House of Representatives and their colleagues in the Senate, as this legislature now begins its special session.

"As the issues and needs of our state come before this Assembly for consideration and responsive action, grant the wisdom and grace to recognize the difference between stubbornness and stewardship; between selfishness and service; between scheme and scruple; between the significant and the simple. Grant courage and integrity to do what informed reason and wise judgment calls for. Bless Thou the works of our hands, the deliberations of our hearts and minds these days. May the results of these labors be pleasing in Thy sight and satisfying to the welfare of our state.

"Hear us in the name of Christ, Our Saviour and Lord. Amen."

MESSAGE FROM THE SECRETARY OF STATE

January 12, 1970.

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

MR. SPEAKER:

I, A. Ludlow Kramer, Secretary of State of the State of Washington and custodian of the Seal of said State, do hereby certify that: I have carefully compared the annexed copy of a proclamation by the Governor calling a Second Extraordinary Session of the 41st Legislature to convene on the 12th day of January, 1970, with the original copy of said proclamation now on file in this office, and find the same to be a full, true and correct copy of said original, and the whole thereof, together with all official endorsements thereon.

IN TESTIMONY WHEREOF, I have set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol at Olympia on this the date of January 12, 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State

PROCLAMATION BY THE GOVERNOR

Office of the Governor, December 9, 1969.

The 41st Session of the Washington State Legislature and the first extraordinary session of this legislature accomplished much constructive work during its 120 days, chief among which was the passage of tax reform legislation and a constitutional amendment for reference to the people in November, 1970.

However other critical issues remain, issues which cannot be held over for yet another year but which demand legislative action now. The grave fiscal problems facing the state, the crisis in local financing, the uncertain race to preserve our environment, the orderly administration of government; these issues demand action now and to resolve them we cannot afford the luxury of the leisurely approach.

Just as the legislature faced and the people of the state will face the decision for a responsible fiscal system for Washington, so we must face the reality that biennial sessions are inadequate to the emergent problems of a rapidly growing, expanding and developing state. Although many look with longing to former days and contemplate annual legislative sessions with regret, it is imperative that we proceed, under the restraints contained in our state Constitution, to annual sessions.

In convening this extraordinary session for the reasons outlined below I do so in the hope that it will be brief and will address itself quickly and surely to the issues at hand. We in Washington have the tradition of a citizen legislature composed of men and women who hold other positions and who are able to engage in the demanding business of legislation as a public service. Prolonged sessions every biennium are difficult enough; unduly extended annual sessions would destroy the citizen legislature and transform it either into a professional body or one perhaps not truly representative of the citizens of this state. Either of these eventualities would weaken our representative system and prove inimical to our form of government.

I know these sentiments are felt by most legislators and citizens and I am confident the length and accomplishments of the 1970 extraordinary session will be such as to advance the cause of representative self-government rather than to retard it.

The major areas of concern which indicate the need for an extraordinary session are:

The Environment. There is no more crucial issue in this state than the protection of our environment. Unfortunately, the record of legislation approved in the 1969 sessions is sparse. We cannot afford to wait until 1971 but must have action in 1970. As trustees of a great heritage this generation cannot stand by as the environment of our state is damaged beyond repair. Legislation to create a Department of Environmental Quality, stringently regulate surface mining, implement HJR 1, passed by the people in 1968, provide for the orderly development of land adjacent to our ocean beaches, inventory of our scenic rivers and shorelands and amend the Water Pollution Control Act is of the highest priority, and should receive the prompt attention of the legislature.

Unemployment Compensation. It is time for a strengthened Unemployment Compensation Act and increased benefits for unemployed persons to cease being an issue and become a reality. We can do a better job for both the employer and the unemployed workman. Unemployment Compensation should be removed from the morass of political in-fighting and the passage of an equitable bill with adequate benefits should be an important element of legislative business.

Executive Reorganization. An efficient and effective structure for the management of state government is essential if it is to be responsive to the needs of the people. The creation of Departments of Environmental Quality, Social and Health Services and Transportation are essential to achieve this end.

Fiscal Matters. A number of fiscal matters should be considered, chief among which is the passage of enabling legislation to allow local units of government to raise their own revenues in a more effective manner.

Housing Development. Rapidly escalating costs are creating a situation in which housing that meets the needs of our citizens is a luxury few can afford. Legislation is critically needed to encourage the development of an adequate quantity of housing of good quality.

Voting and the Age of Majority. An amendment to the constitution providing for 18-year-old voting and legislation to amend our present archaic and inconsistent statutes relative to the age of majority should be passed.

These matters have not been dealt with yet and an emergency exists constituting an extraordinary occasion within the meaning of Article III, Section 7, of the Constitution of the State of Washington:

NOW, THEREFORE, I, Daniel J. Evans, Governor of the State of Washington, by virtue of the authority vested in me by the Constitution, do hereby convene the Legislature of the State of Washington in Extraordinary Session in the capitol at Olympia on the twelfth day of January, A.D. 1970, at the hour of nine o'clock a.m.; and

I DO HEREBY SPECIFY, in accordance with the requirements of the Constitution that the purposes for which the Legislature is convened are:

To consider the enactment of the several measures specified above for the benefit of the people of the State of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia, this 9th day of December, A.D. Nineteen Hundred Sixty-Nine.

(SEAL OF THE STATE OF WASHINGTON)

DANIEL J. EVANS
Governor

BY THE GOVERNOR:
A. LUDLOW KRAMER
Secretary of State

MESSAGE FROM THE SECRETARY OF STATE

January 12, 1970.

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

SIR:

I, A. LUDLOW KRAMER, Secretary of State of the State of Washington, do hereby certify that the following is a full, true and correct list of the persons elected to the office of State Representative at the State General Election held in the several voting precincts of the State of Washington on the fifth day of November, 1968, as shown by the official returns of said election now on file in the office of Secretary of State; together with a list of persons recently appointed to the office of State Representative and that all of the following are entitled to seats in the House of Representatives of the State of Washington, at the second extraordinary session of the Forty-first Legislature convening on the twelfth day of January, A.D., 1970:

LIST OF REPRESENTATIVES ELECTED NOVEMBER 5, 1968

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 1	Alan Bluechel	King, part
No. 1	Art Brown	King, part
No. 2A	Joe D. Haussler	Okanogan
No. 2B	William Schumaker	Pend Oreille, Stevens & Ferry
No. 3	Mrs. Joseph E. Hurley	Spokane, part
No. 3	Wm. J. S. (Bill) May	Spokane, part
No. 4	Jim (Keenly) Kuehnle	Spokane, part
No. 4	Gordon W. Richardson	Spokane, part
No. 5A	Geraldine McCormick	Spokane, part
No. 5B	Gerald L. Saling	Spokane, part
No. 6	A. J. (Bud) Pardini	Spokane, part
No. 6	Jerry C. Kopet	Spokane, part
No. 7	Edward F. Harris	Spokane, part
No. 7	Carlton A. Gladder	Spokane, part
No. 8A	Irving Newhouse	Yakima, part
No. 8B	Max Benitz	Benton, part
No. 9A	Robert F. Goldsworthy	Whitman
No. 9B	Otto Amen	Lincoln, Adams
No. 10	Joe Mentor	Island, & Kitsap, part
No. 10	F. (Pat) Wanamaker	Island, & Kitsap, part
No. 11A	Vaughn Hubbard	Asotin, Columbia, Garfield, and Walla Walla, part
No. 11B	Thomas L. Copeland	Walla Walla, part
No. 12	Robert (Bob) Curtis	Chelan, Douglas
No. 12	Horace W. Bozarth	Chelan, Douglas
No. 13	S. E. (Sid) Flanagan	Grant, Kittitas
No. 13	Stewart Bledsoe	Grant, Kittitas
No. 14	Marjorie Lynch	Yakima, part
No. 14	Chet Hatfield	Yakima, part
No. 15	Keith J. Spanton	Yakima, part
No. 15	Sid W. Morrison	Yakima, part
No. 16A	C. E. Evans	Benton, part
No. 16B	Dan Jolly	Franklin
No. 17	Robert O'Dell	Klickitat, Skamania, and Clark, part
No. 17	Harold S. Zimmerman	Klickitat, Skamania, and Clark, part

No. 18	Arlie U. DeJarnatt	Cowlitz, Wahkiakum
No. 18	Alan Thompson	Cowlitz, Wahkiakum
No. 19	Robert L. (Bob) Charette	Pacific, & Grays Harbor, part
No. 19	Eric O. Anderson	Pacific, & Grays Harbor, part
No. 20	Elmer Jastad	Lewis, & Grays Harbor, part
No. 20	Hugh Kalich	Lewis, & Grays Harbor, part
No. 21	Dale E. Hoggins	Snohomish, part
No. 21	Bill Kiskaddon	Snohomish, part
No. 22	Hal Wolf	Thurston
No. 22	Floyd R. Conway	Thurston
No. 23	C. W. (Red) Beck	Kitsap, part
No. 23	Robert W. Randall	Kitsap, part
No. 24	Paul H. Conner	Cllam, Mason, & Jefferson
No. 24	Charles R. Savage	Cllam, Mason, & Jefferson
No. 25	Frank (Buster) Brouillet	Pierce, part
No. 25	Leonard A. Sawyer	Pierce, part
No. 26	A. A. Adams	Pierce, part
No. 26	Thomas A. Swayze, Jr.	Pierce, part
No. 27	Lorraine Wojahn	Pierce, part
No. 27	Frank Marzano	Pierce, part
No. 28	Helmut L. Jueling	Pierce, part
No. 28	Ned Shera	Pierce, part
No. 29	P. J. (Jim) Gallagher	Pierce, part
No. 29	R. Ted Bottiger	Pierce, part
No. 30	Norwood Cunningham	King, part
No. 30	Paul Barden	King, part
No. 31	William S. Leckenby	King, part
No. 32A	Mary Ellen McCaffree	King, part
No. 33	John L. O'Brien	King, part
No. 33	William (Bill) Chatalas	King, part
No. 34	John M. Rosellini	King, part
No. 34	Dave Ceccarelli	King, part
No. 35	John Merrill	King, part
No. 35	John Bagnariol	King, part
No. 36	Gladys Kirk	King, part
No. 36	John S. Murray	King, part
No. 37	George Fleming	King, part
No. 37	David G. Sprague	King, part
No. 38	Richard King	Snohomish, part
No. 38	John Martinis	Snohomish, part
No. 39	Henry G. Backstrom	Snohomish, part
No. 39	Charles Moon	Snohomish, part
No. 40	Don Eldridge	San Juan, Skagit
No. 40	Duane Berentson	San Juan, Skagit
No. 41	Axel C. Julin	King, part
No. 41	George W. Clarke	King, part
No. 42	Dick J. Kink	Whatcom
No. 42	Cas Farr	Whatcom
No. 42	Fred A. Veroske	Whatcom
No. 43	Newman Clark	King, part
No. 43	Jonathan Whetzel	King, part
No. 44	Dwight S. Hawley	King, part
No. 44	Lois North	King, part
No. 45	Mark Litchman, Jr.	King, part
No. 45	Robert A. Perry	King, part
No. 46	Audley F. Mahaffey	King, part
No. 46	George W. Scott	King, part
No. 47	Gary Grant	King, part
No. 48	Richard U. Chapin	King, part; Snohomish, 1 precinct
No. 48	Al Leland	King, part; Snohomish, 1 precinct
No. 49	Daniel G. Marsh	Clark, part
No. 49	Richard L. Smythe	Clark, part

APPOINTED STATE REPRESENTATIVES

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 31	Norman B. Ackley (Appointed to fill vacancy caused by the resignation of Edward Heavey.)	King, part

No. 32B	Alvin C. Williams (Appointed to fill vacancy caused by the resignation of Pete Francis.)	King, part
No. 47	A. N. (Bud) Shinpoch (Appointed to fill vacancy caused by the resignation of Avery Garrett.)	King, part

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this twelfth day of January, A. D., 1970.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER
Secretary of State

The Honorable Robert T. Hunter, Chief Justice of the Supreme Court of the State of Washington, administered the oath of office to Norman B. Ackley, Alvin C. Williams and A. N. (Bud) Shinpoch.

The Speaker declared nominations for Assistant Chief Clerk to be in order.

The Speaker recognized Mr. May.

Mr. May: "Mr. Speaker, ladies and gentlemen of the House, it gives me a great deal of pleasure to nominate a gentleman and a good friend for the position of Assistant Chief Clerk of the House of Representatives. He served as a temporary Secretary of the Senate in 1969. He was Assistant Secretary of the Senate since 1959 under the late Ward Bowden. He is an approved mediator for the National Mediation Board, Washington, D. C. He attended the University of Minnesota and the University of Mississippi, studying engineering, labor relations and business administration. He served on the platform committee and as assistant parliamentarian to the democratic conventions in Pierce County and the State of Washington. So without further ado, ladies and gentlemen of the House, I submit the name of Donald R. Wilson for the position of Assistant Chief Clerk of the House of Representatives."

The Speaker recognized Mr. Copeland.

Mr. Copeland: "Mr. Speaker, ladies and gentlemen, I want to join with Bill in expressing my sincere appreciation for the years of service that Don has rendered this legislature. It is a very technical field he is operating in, and I want to say this side of the aisle certainly joins with you, Bill, in the selection, and we hope this pattern continues through the years. I think it is providing real continuity to efficiency in this legislature. I am more than happy to second the nomination of Don Wilson."

MOTION

On motion of Mr. Bledsoe, the nominations for Assistant Chief Clerk of the House of Representatives were closed and Donald R. Wilson was elected unanimously.

The Speaker appointed Representatives Backstrom and Wolf to escort Mr. Wilson to the rostrum, where the Honorable Robert T. Hunter, Chief Justice of the State Supreme Court, administered the oath of office to him.

The Speaker instructed Representatives Charette and Clarke (George W.) to come forward and escort Chief Justice Hunter from the House chamber.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-1, by Mr. Bledsoe:

BE IT RESOLVED, That the rules which governed the House of Representatives during the Forty-first Legislative Session of 1969 be adopted by this House as temporary rules of the Forty-first Second Extraordinary Session until permanent rules be adopted, and that the Committee on Rules and Administration be authorized and directed to formulate the permanent rules of the House for the present second extraordinary session.

Mr. Bledsoe moved adoption of the resolution.

Debate ensued, Representative Bledsoe speaking in favor of the resolution, and Representative O'Brien speaking against it.

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

Further debate ensued, Representative Newhouse speaking in favor of adoption of the resolution, and Representatives Grant and Sprague speaking against it.

ROLL CALL

The Clerk called the roll on the adoption of House Resolution No. 70-1, and the resolution was adopted by the following vote: Yeas, 52; nays, 44; absent or not voting, 3.

Voting yea: Representatives Amen, Barden, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Farr, Flanagan, Gladder, Goldsworthy, Hatfield, Hawley, Hoggins, Hubbard, Jueling, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Savage, Schumaker, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—52.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Benitz, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Evans, Fleming, Gallagher, Grant, Haussler, Hurley, Jastad, Jolly, Kalich, King, Kink, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Sawyer, Shipoch, Sprague, Thompson, Williams, Wojahn—44.

Absent or not voting: Representatives Harris, Julin, Scott—3.

HOUSE RESOLUTION NO. 70-2, by Mr. Bledsoe:

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

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

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Newhouse, Whetzel and Charette to notify the Senate that the House of Representatives is now organized and ready for business.

The committee retired.

HOUSE RESOLUTION NO. 70-3, by Mr. Bledsoe:

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

BE IT FURTHER RESOLVED, That the Chief Clerk of the House, by and with the approval of the Speaker of the House, be authorized and directed to establish salaries of the employees of the House.

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

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 1, by Representative Bledsoe:

Notifying Governor that the legislature is organized.

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

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

COMMITTEE FROM THE SENATE

Senators Francis, Twigg and Connor appeared at the bar of the House and reported that the Senate was organized and ready for business.

The committee retired.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 2, by Representative Bledsoe:

Joint session to receive Governor's message to the legislature.

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

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

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 1, the Speaker appointed Representatives Copeland, Conway and O'Brien to notify the Governor, jointly with the committee from the Senate, that the legislature is organized and ready for business.

MOTION

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

The Speaker declared the House to be at ease.

The Speaker called the House to order

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1, by Representatives Scott, Sawyer, Brouillet and Backstrom:

An Act relating to environmental quality; amending section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 1st ex. sess. and RCW 70.94.221; amending section 53, chapter 168, Laws of 1969 1st ex. sess. and RCW 70.94.431; adding new sections to chapter 232, Laws of 1957 and to chapter 70.94 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 2, by Representatives Evans, Cunningham, DeJarnatt and Mentor:

An Act relating to motor vehicles; and amending section 48, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.350.

Referred to Committee on Transportation.

HOUSE BILL NO. 3, by Representatives Copeland and Shera:

An Act relating to professional service corporations; adding a new section to chapter 122, Laws of 1969 and to chapter 18.100 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 4, by Representatives Mentor, Wanamaker and Randall:

An Act relating to state government; and adding new sections to chapter 220, Laws of 1969 ex. sess. and to chapter 43.100 RCW.

Referred to Committee on Higher Education.

HOUSE BILL NO. 5, by Representatives Conner and Marzano:

An Act relating to taxation; creating a tax exemption for sheltered workshops; and adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 6, by Representative Conner:

An Act relating to the sale of convict-made goods; and amending section 1, chapter 294, Laws of 1927 as amended by section 1, chapter 178, Laws of 1933, and RCW 19.20.020.

Referred to Committee on Public Institutions and Youth Development.

HOUSE BILL NO. 7, by Representatives Gallagher and Backstrom:

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

Referred to Committee on Business and Professions.

HOUSE BILL NO. 8, by Representatives Gallagher and Backstrom:

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

Referred to Committee on Business and Professions.

HOUSE BILL NO. 9, by Representatives Goldsworthy, Lynch, Marsh, Hawley, Gallagher, Ceccarelli, Merrill, Savage, Spanton, Kalich, Jastad, Wolf, Hubbard, Barden, Marzano, Beck, Bozarth, Conner, Cunningham, Kirk, Anderson, Litchman, Backstrom and Martinis:

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

Referred to Committee on Appropriations.

HOUSE BILL NO. 10, by Representatives Beck and Conner:

An Act relating to the Washington toll bridge authority; amending section 19, chapter 7, Laws of 1961 ex. sess. and RCW 47.60.360; and amending section 20, chapter 7, Laws of 1961 ex. sess. and RCW 47.60.370.

Referred to Committee on Transportation.

HOUSE BILL NO. 11, by Representatives Flanagan, Charette, Wolf, Bozarth, Amen, Zimmerman, Evans, Curtis, Hubbard, Benitz, Veroske, O'Dell, Bledsoe, Backstrom and Berentson:

An Act relating to education; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 12, by Representatives Charette, Grant, Williams, Shinpoch, Bagnariol, Gallagher, Conner, King, Litchman, Backstrom and Marzano:

An Act relating to unemployment compensation; amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320; amending section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010; amending section 3, chapter 286, Laws of 1955 and RCW 50.20.030; amending section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; amending section 83, chapter 35, Laws of 1945 as amended by section 5, chapter 215, Laws of 1951 and RCW 50.20.150; amending section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010; adding new sections to chapter 35, Laws of 1945, and to Title 50 RCW, as a new chapter therein; repealing sections 10, 11, 12, 15, and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050, and 50.28.060; repealing section 3, chapter 235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040; declaring an emergency; and providing an effective date.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 13, by Representatives Goldsworthy, Flanagan, Zimmerman, Amen, Jastad, Haussler, Jolly, Veroske, O'Dell, Bozarth, Hubbard, Gladder, Hurley, Conner, Benitz and Bledsoe:

An Act relating to education; amending sections 13 and 14, chapter 244, Laws of 1969 ex. sess. and RCW 28.41.140 and 28A.41.140; declaring an emergency; and prescribing effective dates.

Referred to Committee on Appropriations.

HOUSE BILL NO. 14, by Representatives Farr and Chatalas:

An Act relating to the practice of dentistry; amending sections 8, 22 and 23, chapter 112, Laws of 1935 and RCW 18.32.230, 18.32.080, and 18.32.380; amending section 7, chapter 93, Laws of 1953 as amended by section 38, chapter 52, Laws of 1957 and RCW 18.32.350; repealing sections 32, 33, 34, 35, and 36, chapter 52, Laws of 1957, section 6, chapter 93, Laws of 1953 and RCW 18.32.240, 18.32.250, 18.32.260, 18.32.270, and 18.32.280; making an appropriation; and providing penalties.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 15, by Representatives Wolf, Haussler, Newhouse, Chapin, Conway, Kalich, North, Cunningham, Barden, Jastad, Bluechel, Brown, Bledsoe and Mahaffey:

An Act relating to mining; requiring reclamation of surface mining sites; requiring a permit; requiring site inspection; prescribing powers, duties and functions of the department of environmental quality in relation thereto; adding a new chapter to Title 76 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 16, by Representatives Conway and Wolf:

An Act relating to state and local government; providing fire protection for the state capitol; adding a new section to chapter 43.19 RCW; and declaring an emergency.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 17, by Representatives Wolf, Jastad, Curtis and Ceccarelli:

An Act relating to unfair business practices; adding a new section to chapter 216, Laws of 1961 and to chapter 19.86 RCW; adding a new section to chapter 221, Laws of 1939 and to chapter 19.90 RCW; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 18, by Representatives Wolf, Savage and Conway:

An Act relating to the state capitol historical association and museum; amending section 5, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.070; and adding a new section to chapter 44, Laws of 1941 and to chapter 27.36 RCW.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 19, by Representatives Wolf, Curtis and Ceccarelli:

An Act relating to intoxicating liquor; and amending section 23I added to chapter 62, Laws of 1933 ex. sess., by section 1, chapter 217, Laws of 1937, as last amended by section 5, chapter 21, Laws of 1969 ex. sess., and RCW 66.24.310.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 20, by Representatives Wolf and Curtis:

An Act relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961, as last amended by section 31, chapter 262, Laws of 1969 ex. sess. and RCW 82.08.020; amending section 82.08.150, chapter 15, Laws of 1961, as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; and providing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 21, by Representatives Whetzel and Clark (Newman H.):

An Act relating to revenue and taxation; amending section 82.02.020, chapter 15,

Laws of 1961 as amended by section 16, chapter 236, Laws of 1967 and RCW 82.02.020; adding a new chapter to Title 82 RCW; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 22, by Representatives McCaffree, Whetzel, Haussler, Zimmerman, Brown, Clarke (George W.) and Flanagan:

An Act relating to the taxation of property; adding a new chapter to chapter 15, Laws of 1961 and to Title 84 RCW; and providing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 23, by Representatives Marsh, Kirk, Leckenby, Bagnariol, Ceccarelli and Merrill:

An Act relating to child agencies; and adding a new section to chapter 150, Laws of 1935 and to chapter 26.36 RCW.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 24, by Representatives Kalich and Hawley:

An Act relating to public retirement; and amending section 18, chapter 274, Laws of 1947 as last amended by section 7, chapter 128, Laws of 1969 and RCW 41.40.170.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 25, by Representatives Kalich and Backstrom:

An Act relating to gambling; authorizing certain forms of gambling; allowing local elections to authorize certain forms of gambling; permitting local control of certain forms of gambling thereafter; providing penalties; repealing section 217, chapter 249, Laws of 1909 and RCW 9.47.010; repealing section 218, chapter 249, Laws of 1909 and RCW 9.47.020; repealing section 220, chapter 249, Laws of 1909 and RCW 9.47.030; repealing section 212, chapter 249, Laws of 1909 and RCW 9.59.010; repealing section 213, chapter 249, Laws of 1909 and RCW 9.59.020; and prescribing an effective date.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 26, by Representatives Newhouse, Charette, Bledsoe, Wolf, Cunningham, Barden, Amen, Benitz, North, Bluechel, Marsh, Pardini, Curtis, O'Dell, Zimmerman and Spanton:

An Act relating to the taxation of property; adding a new chapter to chapter 15, Laws of 1961 and to Title 84 RCW; and providing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 27, by Representatives Chapin, Brouillet, McCaffree, Randall, Cunningham, Barden, Bluechel, North, Bottiger, Zimmerman, Brown, Litchman, Bledsoe, Lynch, Leckenby and Adams (by Special Levy Study Commission request):

An Act relating to revenue and taxation; providing for the disposition of income tax revenues in support of the common schools; amending section 3, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.020; and adding new sections to chapter 262, Laws of 1969 ex. sess. and to chapter 82.30 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 28, by Representative Bagnariol:

An Act relating to revenue and taxation; authorizing the imposition of certain taxes by cities, towns and counties; providing for a credit therefor; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 29, by Representative Kalich:

An Act relating to education; amending sections 13 and 14, chapter 244, Laws of 1969 ex. sess. and RCW 28.41.140 and 28A.41.140; declaring an emergency; and prescribing effective dates.

Referred to Committee on Appropriations.

HOUSE BILL NO. 30, by Representatives Marzano, Backstrom, Anderson, Kalich, Jastad, Beck, Adams, King, Marsh, Martinis, Litchman, Gallagher, Ceccarelli, Merrill, Hawley and Savage:

An Act relating to veterans' benefits; providing for the payment of a bonus to certain veterans of the armed forces from the state of Washington from the proceeds of a bond issue repayable from an excise tax on cigarettes and such additional means as the legislature shall provide; providing a burial allowance; making an appropriation; providing penalties; and providing for submission of this act to a vote of the people.

Referred to Committee on Appropriations.

MESSAGES FROM THE SENATE

January 12, 1970.

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

The Speaker declared the House to be at ease.

The Speaker called the House to order.

REPORT OF SPECIAL COMMITTEE

The special committee, consisting of Representatives Newhouse, Whetzel and Charette appointed to notify the Senate that the House was organized and ready for business, appeared before the bar of the House and reported that the Senate had been notified.

The report was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The special committee, consisting of Representatives Copeland, Conway and O'Brien appointed under the provisions of House Concurrent Resolution No. 1 to notify the Governor, jointly with a committee from the Senate, that the legislature is organized and ready for business, appeared before the bar of the House and reported that the Governor had been notified.

The report was received and the committee was discharged.

JOINT SESSION

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

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

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

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

The Clerk called the roll of the House, and all members were present.

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

The committee retired.

The President of the Senate appointed the following committee to escort the elected state officials to seats at the front of the House chamber: Senators Stortini and Pritchard, and Representatives Morrison and Marsh.

The committee retired.

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

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

The President of the Senate: "Honored members of the legislature, ladies and gentlemen:

"The purpose of this Joint Session is to receive a message from His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington. At this time it is the pleasure and the privilege of the President to present to you His Excellency, Governor Evans."

Governor Evans: "I come here this morning mindful of the telegram sent to John Lindsay during one of his rare illnesses while Mayor of New York. It said this:

"The City Council of New York sends its condolences and wishes you a speedy recovery—by a vote of 19 to 17."

"This is, if not a popular session—then at least an extraordinary one. It may, in fact, be more a precedent than a thing of the moment. But if it is an extraordinary session, then I would remind you—as I have reminded the cabinet and all members of this administration—that these are extraordinary times, and that the past must serve us today as history serves the historian—not as gospel, but as a guideline; not as permanent wisdom, but as wise counsel.

"We are this month setting forth into a new decade—a decade which before it is done will test every truth we now hold to be self-evident; every institution we hold sacred, and every plan we hold infallible.

"For whatever reason—whether because or in spite of youth; whether united or divided by wealth, or race, or by the conquest of space; whether loud in defiance or silent in protest—the 1970's are not likely to be known as the decade of leisure. Not in the history of all mankind have those of us who represent the people been faced with such awesome challenges. Nor have those of us in state government been so vulnerable to the demands of a single generation—both old and young—which finds much in the past to deplore and little in the present to commend.

"Our commonplace problems—the problems of growth and full employment, of education and welfare, of adequate roads and basic services—remain. But today we must view each of them in a new context. For the words of this decade are not *more* and *bigger* and *faster*. Our words are *balance* and *quality* and *design*.

"We have seen the old, the commonplace and the traditional fail to meet the new, the unknown and the revolutionary. We have felt the barb of an aroused younger generation and the fears of a concerned older generation.

"We have been witness to the first recognition that government—in order to govern—must be afforded greater flexibility, better financing and more effective planning.

"In the 1970's there is not one of us exempt from change; not the farmer from Eastern Washington; not the executive in the suburbs; not the faceless dweller of the urban ghetto. We are, for the first time in history, bound together by the common bond of swift and uncompromising change. We live not in the splendid isolation of the past, but on the threshold of an era in which geography is measured by the minute and progress is defined as the art of staying even.

"This is the era when in that same New York City, the budget request of the welfare department exceeds—for the first time—the budget of the educational system. And we must tell ourselves—for the first time—that this same shuddering confrontation of priorities will likely some day occur in Washington.

"All of us, in many ways, have been guilty. We share the responsibility for successfully promoting the State of Washington as 'that other Eden'—that place in these United States exempt from the travail of New York and California, where opportunity is assured, where natural resources are unlimited, where scenery is as close as your fingertips and solitude is an arm's length away.

"We must now share equally in the responsibility to deal with the overwhelming impact of change. This extraordinary session was not conceived by whim, nor was it shaped by politics. It was called because in the judgment of this administration there are compelling needs which must be answered now—not in 1971.

"I ask you these questions:

"What price must the people pay for 12 more months of chaotic abuse of our saltwater beaches?

"What price must they pay for 12 more months of stripping the mountains and polluting our lakes and streams and open spaces?

"What price must they pay for 12 more months of government bound by the inefficiency of present organization?

"What price must they pay for 12 more months of inadequacy in meeting the responsibilities of unemployment compensation; or in meeting the housing needs of low income families?

"What price must they pay for 12 more months of leaving our cities and counties the choice between begging and bankruptcy?

"I have heard it said, more in anger than in sorrow, that the people are unhappy with this extraordinary session of the Legislature. I do not believe this. And I don't believe anyone else here believes it either. I pledged that this administration will reject partisan political advantage and I hope you will do likewise.

"The people of this state are aware of change. They are aware that government must operate differently today than it did yesterday; they are aware that our cities are endangered by increasing problems and limited resources; they are aware of pollution and congestion and the decline of open spaces—and that time, once our great ally, is now our present and deadly enemy. I think the people are aware that the revolution of technology is upon us, the age of the computer and the society of numbers. And I think they are aware—because of this—that money spent in prompt and proper legislation is not a waste of the taxpayer's dollar; it is an investment in the taxpayer's future.

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

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

"It is my hope that this special session will attend promptly to the business which comes before it. We have at this moment the opportunity to deal with legislation of high priority and to do so in a manner which all of the people will commend. We have the opportunity in the first month of a new decade to reaffirm the role of the citizen legislator and to reassure the people that in times of great stress and grave challenge, our system can function with an efficiency and a sense of purpose which transcends ordinary politics.

"If there is a danger in action; so there is a greater danger in delay. For while this state may be salvageable, it is by no means secure. And not one of us here today wants to be known as part of that body of men who played it safe and authored a disaster.

"Last December, in calling this special session, I outlined six areas which this administration views as critical to the future of Washington.

"The first of these areas is our environment—that often misconstrued phenomena which is part rural, part urban, some parts sophisticated technology and some parts wild heritage, at once a term of both the ecologist and the sociologist which can be used with equal impact by mountaineers and municipal planners. But this much we have in common—that the precious resource of our natural inheritance can no longer be squandered either by design or by default; it can no longer be subject to the viciousness of neglect or the vagaries of bureaucratic politics.

"We are more than casual observers of our environment—we are trustees, charged with the responsibility to preserve and protect and bound by the knowledge that if we are derelict, then we will leave behind us a heritage of neglect and a resource of wasted promise.

"In this special session, by executive request, I will once again ask for a consolidation of the pollution control authority into a single agency of state government—the Department of Environmental Quality. I will further ask for stringent regulation on surface mining operations; for legislation to implement the voters favorable decision on House Joint Resolution 1; for landmark legislation providing for the orderly development of land adjacent to our ocean beaches; for an inventory of our scenic rivers and shorelands and for important and necessary amendments to the present Water Pollution Control Act.

"These are not dramatic or unusual requests. But they do deal directly with one of our most essential challenges—the question of whether, in 1970, we have the vision to preserve not just for ourselves but for our children the priceless quality of life which should be ours here in Washington.

"The second priority area deals with what is rapidly becoming the historic question of unemployment compensation. It is not the intention of this administration to dictate what form this legislation should take; but it is the commitment of this administration to see an end to the ten years of political infighting which have caused frustration to every member of this legislature, and which—in the process—has caused hardship not to business, not to labor, and not to government, but to the very people that this program was intended to benefit in the first place. It is time for each side to yield and for each side to benefit. It is time for all of us to respond not to organized labor and not to organized business but to reason. And it is time to remove this bone once and for all from the throat of the legislature.

"The third priority area is that of executive reorganization. I believe there is great wisdom in the thought that legislation is only so good as the government's power to administer it. This does not imply that government should or can be run on strict business principles; but neither does it imply that there is any value in inefficiency nor any virtue in the unnecessary proliferation of bureaucracy.

"Just as there is sufficient evidence that the urgency of our environmental problem requires the consolidation of existing agencies into a Department of Environmental Quality, so does the urgency of our transportation problem require the creation of a Department of Transportation. For the third time in five years I will ask the legislature for this mandate—a five-year period in which we added over 500,000 registered vehicles to our highway system while the California Assembly was passing a bill outlawing the internal combustion automobile. It has come to the point that we not only should—but must—approach our transportation system in a unified manner, weighing the need for balance by a single scale. And this is possible only through a unified Department of Transportation.

"I shall ask for necessary funding for a 10-year program for maintaining and expanding our unique cross sound transportation system. In like manner, and for equally apparent reasons, I will ask for the consolidation of the present Departments of Health, Institutions and Public Assistance, the Division of Vocational Rehabilitation, and the Veterans Rehabilitation Council into a single Department of Social and Health Services, bringing under one responsibility the wide range of programs designed to assure basic and adequate standards of health, correction and public welfare to every citizen of the state.

"The fourth priority area is a recurring one—the problem of meeting the dollar requirements of government in a time of rising costs and increasing demands. The supplemental budget presented is in precarious balance. It requires restraint by all of us and will not require a general tax increase, which I believe to be wise in this year of economic transition. While there are several fiscal matters which will come to the attention of this special session, none is of greater importance than that of providing our cities and counties with an increased taxing capacity to meet local needs.

"I have indicated publicly that this administration will support legislation allowing these units of local government to levy a sales tax of up to one-half of one percent. I would also support other additional proposals aimed at greater flexibility for local governmental financing. No tax increase is ever a desirable one, but all citizens must carefully and responsibly look at the alternatives. With heavy demands being made on our cities and counties in terms of salaries and operating costs, the choice is clearly between an increase in local taxing capacity and a cutback in essential services, including those of police and fire protection.

"This administration believes that local officials should have the ability to meet the special needs of their constituents, and that the responsibility for these special needs belongs logically to the respective local units of government.

"The fifth priority area addresses itself to the evolving crisis in housing. Low income housing, so much maligned and so little understood, is only a part of this crisis—for we are approaching the point where rapidly escalating land and construction costs are affecting a much broader range of family incomes.

"The individual home, so long a symbol of the inherent stability of the American social and economic system, is frankly and seriously in jeopardy. This administration believes that it is therefore urgently necessary to create legislation which will encourage the development of an adequate quantity of housing of good quality.

"I cannot stress the dimensions of this problem too strongly; in the next thirty years we will have to find the means to house 130,000,000 new Americans—the equivalent of the nation's entire population in 1940. Perhaps no problem so clearly demonstrates the 'bricks and mortar' requirements of the next several decades, and the magnitude of the undertaking should cause every citizen—and every official of government—to be vitally aware of the potential consequences—national, state and local.

"The sixth and final priority of this special session strikes deeply at the heart of the emerging America of the 1970's. Events of the past few years—from the campuses to the battlefields of Vietnam—have left no doubt about the deep involvement of youth in our national life and security. We have, increasingly, become a younger nation. And, as our social and economic system has accommodated this trend, so have the vast majority of our younger people matured more quickly and evidenced a deep and abiding concern not only for themselves, but for the future of the country they will soon inherit.

"This administration deeply believes that the State of Washington, a young state in itself, should now take the lead in causing the voting age to be lowered from 21 to 18 through the Constitutional Amendment process.

"We have told our youth over and over again; devote yourselves to the constructive needs of the future and not to the destruction of the present system. I can think of no better way to achieve that end than to involve them directly in the political process that governs their lives and—all too frequently—their deaths.

"Equally urgent is to begin the task of eliminating inconsistency in the age of majority. Youth responsibility and the rights of youth are inseparable.

"If some doubt the urgency of these priorities, none can doubt the symbolism which they hold for the decade of the 70's. For just as the environmental question implies the debate on our future quality of life, so does the problem of governmental efficiency question the validity and the capacity of our institutions.

"Just as the finances of city and county government test our ability to survive in an urban age, so does housing test our commitment to the basic and fundamental necessity of human welfare.

"And just as unemployment compensation stands as a measure of our willingness to redress the grievances of an economic system, so does the 18-year-old vote measure our acceptance of the coming of age of our children.

"I think it is evident that what we are about to undertake in January of 1970 is being watched for much more than the urgency of individual issues. It is a test of more than substance; it is a test of the commitment of government to the great problems of this decade. And it is a test of the commitment of those people charged with the responsibility to govern.

"This decade, more than any before, will extract its full measure of service from all of us. It will, by the sheer and dynamic force of change, separate the public servants from the politicians, the farsighted from the shortsighted, the men and women of principle and courage from those who pursue a lesser calling.

"It is more than fitting that we are assembled here today. To begin a new decade, a new era and a new assault upon the problems of one state in the expanding universe of a new world.

"If we are to be judged harshly by those who follow us, then let it be for what we did and not for what we failed to do.

"For that is the test of true commitment and the price of true progress.

"Thank you."

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

The committee retired.

The President of the Senate instructed the committee consisting of Senators Stortini and Pritchard, and Representatives Morrison and Marsh to come forward and escort the elected state officials from the House chamber.

The committee retired.

The President of the Senate: "Mr. Speaker, members of the House, members of the House staff, the members of the Senate and the President join in expressing appreciation to you for the wonderful arrangements this morning and a word of gratitude for your wonderful hospitality and many courtesies. Thank you so much."

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

The Speaker requested the Sergeants at Arms of the House and the Senate to escort the President, the President Pro Tempore and the Senators to the Senate chamber.

MOTION

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

The House resumed its session.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 31, by Representative Beck:

An Act relating to highways; authorizing engineering studies to determine the feasibility of constructing a bridge across Puget Sound; making an appropriation; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 32, by Representatives Kopet, Chatalas, Swayze and Marsh (by Legislative Budget Committee request):

An Act relating to taxing districts; amending section 7, chapter 59, Laws of 1955 and RCW 27.12.070; amending section 1, chapter 59, Laws of 1955 and RCW 27.12.222; amending section 2, chapter 244, Laws of 1969 ex. sess. and RCW 28.47.801; amending section 2, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.801; amending section 1, page 324, Laws of 1909 as last amended by section 1, chapter 142, Laws of 1969 and RCW 28.51.010; amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 142, Laws of 1969 and RCW 28A.51.010; amending section 2, page 324, Laws of 1909 and RCW 28.51.020; amending section 28A.51.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.020; amending section 1, chapter 62, Laws of 1965 and RCW 28.58.550; amending section 28A.58.550, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.550; amending section 35.37.040, chapter 7, Laws of 1965 and RCW 35.37.040; amending section 35.58.450, chapter 7, Laws of 1965 as last amended by section --, chapter -- (HB --), Laws of 1970 1st ex. sess. and RCW 35.58.450; amending section 35.61.100, chapter 7, Laws of 1965 and RCW 35.61.100; amending section 35.61.110, chapter 7, Laws of 1965 and RCW 35.61.110; amending section 35A.40.090, chapter 119, Laws of 1967 ex. sess. and RCW 35A.40.090; amending section 36.67.010, chapter 4, Laws of 1963 and RCW 36.67.010; amending section 36.67.020, chapter 4, Laws of 1963 as amended by section 2, chapter 107, Laws of 1967 and RCW 36.67.020; amending section 13, chapter 218, Laws of 1963 and RCW 36.68.520; amending

section 36.69.140, chapter 4, Laws of 1963 as last amended by section 5, chapter 26, Laws of 1969 and RCW 36.69.140; amending section 36.76.010, chapter 4, Laws of 1963 as amended by section 72, chapter 232, Laws of 1969 ex. sess. and RCW 36.76.010; amending section 36.76.080, chapter 4, Laws of 1963 and RCW 36.76.080; amending section 2, chapter 4, Laws of 1917 and RCW 37.16.010; amending section 3, chapter 4, Laws of 1917 as amended by section 74, chapter 232, Laws of 1969 ex. sess. and RCW 37.16.020; amending section 4, chapter 107, Laws of 1937 and RCW 39.28.030; amending section 1, chapter 158, Laws of 1961 as amended by section 1, chapter 92, Laws of 1963 and RCW 39.30.010; amending section 1, chapter 143, Laws of 1917 as last amended by section 3, chapter 142, Laws of 1969 and RCW 39.36.020; amending section 31, chapter 181, Laws of 1961 and RCW 47.57.530; amending section 1, chapter 21, Laws of 1965 and RCW 52.08.080; amending section 3, chapter 24, Laws of 1951 2nd ex. sess. as amended by section 4, chapter 176, Laws of 1953 and RCW 52.16.080; amending section 4, chapter 65, Laws of 1955 and RCW 53.08.030; amending section 12, chapter 65, Laws of 1955 as last amended by section 1, chapter 54, Laws of 1965 ex. sess. and RCW 53.36.030; amending section 7, chapter 1, Laws of 1931 as amended by section 14, chapter 232, Laws of 1969 ex. sess. and RCW 54.24.018; amending section 42, chapter 210, Laws of 1941 as amended by section 15, chapter 140, Laws of 1945 and RCW 56.16.050; amending section 19, chapter 114, Laws of 1929 and RCW 57.20.110; amending section 20, chapter 114, Laws of 1929 and RCW 57.20.120; amending section 1, chapter 3, Laws of 1911 and RCW 88.32.230; amending section 134, chapter 254, Laws of 1927 and RCW 89.30.400; amending section 135, chapter 254, Laws of 1927 and RCW 89.30.403; amending section 16, chapter 26, Laws of 1965 as amended by section 8, chapter 164, Laws of 1967 and RCW 86.05.920; adding a new section to chapter 39.36 RCW; and prescribing an effective date.

Referred to Committee on Local Government.

HOUSE BILL NO. 33, by Representatives Goldsworthy and Saling (by Executive request):

An Act adopting a supplemental budget; making supplemental appropriations for the fiscal biennium beginning July 1, 1969, and ending June 30, 1971; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 34, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to revenue and taxation; amending and reenacting section 1, chapter 7, Laws of 1963, as last amended by section 3, chapter 255, Laws of 1969 ex. sess., and by section 30, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.050; amending and reenacting section 82.04.280, chapter 15, Laws of 1961, as last amended by section 5, chapter 255, Laws of 1969 ex. sess., and by section 38, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.280; amending and reenacting section 2, chapter 132, Laws of 1967 ex. sess., as amended by section 2, chapter 224, Laws of 1969 ex. sess., and by section 63, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.129; amending and reenacting section 84.52.050, chapter 15, Laws of 1961 as last amended by section 1, chapter 216, Laws of 1969 ex. sess., and by section 65, chapter 262, Laws of 1969 ex. sess., and RCW 84.52.050; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 35, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to motor vehicles; amending section 46.44.092, chapter 12, Laws of 1961 as last amended by section 60, chapter 281, Laws of 1969 ex. sess., and RCW 46.44.092; reenacting section 4, chapter 39, Laws of 1963 as last amended by section 24, chapter 199, Laws of 1969 ex. sess., and by section 3, chapter 218, Laws of 1969 ex. sess., and RCW 46.81.030; reenacting section 6, chapter 39, Laws of 1963 as amended by section 25, chapter 199, Laws of 1969 ex. sess., and by section 4, chapter 218, Laws of 1969 ex. sess., and RCW 46.81.050; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 36, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to elections; reenacting section 29.21.150, chapter 9, Laws of 1965 as last amended by section 89, chapter 176, Laws of 1969 ex. sess., and by section 11, chapter 221, Laws of 1969 ex. sess., and by section 57, chapter 283, Laws of 1969 ex. sess., and RCW 29.21.150; reenacting section 29.21.180, chapter 9, Laws of 1965 as last amended by section 1, chapter 131, Laws of 1969, and by section 90, chapter 176, Laws of 1969 ex. sess., and by section 58, chapter 283, Laws of 1969 ex. sess., and RCW 29.21.180; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 37, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to metropolitan municipal corporations; reenacting section 35.58.450, chapter 7, Laws of 1965 as last amended by section 16, chapter 232, Laws of 1969 ex. sess., and by section 17, chapter 255, Laws of 1969 ex. sess., and RCW 35.58.450; reenacting section 35.58.460, chapter 7, Laws of 1965 as last amended by section 17, chapter 232, Laws of 1969 ex. sess., and by section 18, chapter 255, Laws of 1969 ex. sess., and RCW 35.58.460; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 38, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to state government; reenacting section 2, chapter 1, Laws of 1961 as last amended by section 6, chapter 45, Laws of 1969, and by section 21, chapter 36, Laws of 1969 ex. sess., and RCW 41.06.020; reenacting section 8, chapter 1, Laws of 1961 as amended by section 5, chapter 45, Laws of 1969, and by section 2, chapter 152, Laws of 1969 ex. sess. and RCW 41.06.080; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 39, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to intoxicating liquor; reenacting section 23-J added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937, as last amended by section 1, chapter 21, Laws of 1969 ex. sess., and by section 2, chapter 275, Laws of 1969 ex. sess., and RCW 66.24.160; reenacting section 23S-3 added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 5, Laws of 1949, as last amended by section 1, chapter 136, Laws of 1969 ex. sess., and by section 6, chapter 178, Laws of 1969 ex. sess., and RCW 66.24.420; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 40, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to state lands; amending and reenacting section 4, chapter 105, Laws of 1967 ex. sess. as amended by section 3, chapter 273, Laws of 1969 ex. sess. and RCW 79.24.630; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 41, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to education; reenacting section 10, page 368, Laws of 1909 as amended by section 39, chapter 176, Laws of 1969 ex. sess. and section 42, chapter 199, Laws of 1969 ex. sess. and RCW 28.27.102; reenacting section 3, chapter 276, Laws of 1959 as last amended by section 40, chapter 176, Laws of 1969 ex. sess. and section 1, chapter 184, Laws of 1969 ex. sess. and RCW 28.48.010; reenacting section 2, chapter 68, Laws of 1955 as last amended by section 1, chapter 53, Laws of 1969 and section 1, chapter 153, Laws of 1969 ex. sess. and RCW 28.58.100; reenacting section 3, chapter 68, Laws of 1955 as last amended by section 1, chapter 15, Laws of 1969 ex. sess., section 1, chapter

34, Laws of 1969 ex. sess. and section 69, chapter 176, Laws of 1969 ex. sess. and RCW 28.67.070; reenacting section 14, chapter 8, Laws of 1967 ex. sess. as amended by section 8, chapter 261, Laws of 1969 ex. sess. and section 22, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.140; reenacting section 34, chapter 8, Laws of 1967 ex. sess. as amended by section 12, chapter 261, Laws of 1969 ex. sess. and section 2, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.340; reenacting section 35, chapter 8, Laws of 1967 ex. sess. as amended by section 35, chapter 232, Laws of 1969 ex. sess. and section 13, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.350; reenacting section 36, chapter 8, Laws of 1967 ex. sess. as last amended by section 14, chapter 261, Laws of 1969 ex. sess. and section 1, chapter 276, Laws of 1969 ex. sess. and RCW 28.85.360; reenacting section 6, page 359, Laws of 1909 as amended by section 76, chapter 176, Laws of 1969 ex. sess. and section 47, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.030; reenacting section 1, page 357, Laws of 1909 as amended by section 78, chapter 176, Laws of 1969 ex. sess. and section 49, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.070; reenacting section 3, page 357, Laws of 1909 as amended by section 79, chapter 176, Laws of 1969 ex. sess. and section 50, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.080; reenacting section 28A.02.070, chapter 223, Laws of 1969 ex. sess. as amended by section 101, chapter 176, Laws of 1969 ex. sess. and section 24, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02.070; reenacting section 28A.27.102, chapter 223, Laws of 1969 ex. sess. as amended by section 107, chapter 176, Laws of 1969 ex. sess. and section 53, chapter 199, Laws of 1969 ex. sess. and RCW 28A.27.102; reenacting section 28A.48.010, chapter 223, Laws of 1969 ex. sess. as amended by section 108, chapter 176, Laws of 1969 ex. sess. and section 3, chapter 184, Laws of 1969 ex. sess. and RCW 28A.48.010; reenacting section 28A.67.070, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 15, Laws of 1969 ex. sess., section 12, chapter 34, Laws of 1969 ex. sess. and section 143, chapter 176, Laws of 1969 ex. sess. and RCW 28A.67.070; reenacting section 28B.50.140, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 261, Laws of 1969 ex. sess. and section 30, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.140; reenacting section 28B.50.340, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 238, Laws of 1969 ex. sess. and section 26, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.340; reenacting section 28B.50.350, chapter 223, Laws of 1969 ex. sess. as amended by section 106, chapter 232, Laws of 1969 ex. sess. and section 27, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.350; reenacting section 28B.50.360, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 238, Laws of 1969 ex. sess. and section 28, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.360; reenacting section 28A.87.030, chapter 223, Laws of 1969 ex. sess. as amended by section 147, chapter 176, Laws of 1969 ex. sess. and section 56, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.030; reenacting section 28A.87.080, chapter 223, Laws of 1969 ex. sess. as amended by section 149, chapter 176, Laws of 1969 ex. sess. and section 59, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.080; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.10.080; amending sections 1 and 4, chapter 105, Laws of 1969 as codified in RCW 28A.10.100 and 28A.10.110 and RCW 28A.10.100 and 28A.10.110; amending section 28A.47.784, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 77, Laws of 1969 and RCW 28A.47.784; amending section 28B.10.280, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.280; adding a new section to chapter 28B.40 RCW; repealing sections 28B.75.010 through 28B.75.070, chapter 223, Laws of 1969 ex. sess. and RCW 28B.75.010 through 28B.75.070; declaring an emergency; making effective dates; and providing for the expiration of certain sections.

Referred to Committee on Judiciary.

HOUSE BILL NO. 42, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

An Act relating to education; repealing section 2, chapter 97, page 262, Laws of 1909 as amended by section 1, chapter 71, Laws of 1969 and RCW 28.05.010; repealing section 2, chapter 71, Laws of 1969 and RCW 28.05.015; repealing sections 1, 4 and 5, chapter 56, Laws of 1967 ex. sess. as amended by sections 1, 2 and 3, chapter 77, Laws of 1969 and RCW 28.47.784, 28.47.787 and 28.47.788; repealing section 1, chapter 54, Laws of 1965 as

amended by section 1, chapter 97, Laws of 1969 and RCW 28.02.120; repealing section 31, chapter 157, Laws of 1955 as last amended by section 2, chapter 105, Laws of 1969 and RCW 28.10.080; repealing section 5, chapter 169, Laws of 1947 as last amended by section 1, chapter 125, Laws of 1969 and RCW 28.58.360; repealing section 10, chapter 266, Laws of 1947 as last amended by section 4, chapter 131, Laws of 1969 and RCW 28.57.338; repealing sections 5 and 6, chapter 131, Laws of 1969 and RCW 28.57.425 and 28.57.426; repealing section 13, chapter 268, Laws of 1959 as amended by section 7, chapter 131, Laws of 1969 and RCW 28.57.430; repealing section 2, chapter 154, Laws of 1965 ex. sess. as last amended by section 1, chapter 138, Laws of 1969 and RCW 28.41.130; repealing section 1, page 324, Laws of 1909 as last amended by section 1, chapter 142, Laws of 1969 and RCW 28.51.010; repealing section 1, chapter 92, Laws of 1951 as amended by section 1, chapter 2, Laws of 1969 ex. sess. and RCW 28.13.010; repealing section 6, chapter 154, Laws of 1965 ex. sess. as amended by section 1, chapter 3, Laws of 1969 ex. sess. and RCW 28.41.170; repealing section 15, chapter 268, Laws of 1961 as amended by section 1, chapter 26, Laws of 1969 ex. sess. and RCW 28.58.310; repealing sections 2, 3, 5 and 6, chapter 241, Laws of 1961 as amended by sections 2, 3, 4 and 5, chapter 34, Laws of 1969 ex. sess. and RCW 28.58.450, 28.58.460, 28.58.480 and 28.58.490; repealing section 1, page 362, Laws of 1909 as last amended by section 6, chapter 34, Laws of 1969 ex. sess. and RCW 28.88.010; repealing sections 7 through 11, chapter 34, Laws of 1969 ex. sess. and RCW 28.58.151, 28.19.601, 28.19.602, 28.58.445 and 28.67.065; repealing section 1, chapter 224, Laws of 1961 as amended by section 1, chapter 49, Laws of 1969 ex. sess. and RCW 28.58.135; repealing sections 6 and 7, chapter 143, Laws of 1965 as amended by sections 1 and 2, chapter 52, Laws of 1969 ex. sess. and RCW 28.72.060 and 28.72.070; repealing section 1, chapter 203, Laws of 1941 as last amended by section 1, chapter 57, Laws of 1969 ex. sess. and RCW 28.05.050; repealing section 1, page 364, Laws of 1909 as amended by section 1, chapter 109, Laws of 1969 ex. sess. and RCW 28.27.010; repealing sections 2 and 3, chapter 124, Laws of 1965 ex. sess. as amended by sections 1 and 2, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.010 and 28.65.020; repealing section 3, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.095; repealing sections 5, 7, 9, 10, 11, 12 and 14, chapter 124, Laws of 1965 ex. sess. as amended by sections 4, 5, 6, 7, 8, 9 and 10, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.040, 28.65.060, 28.65.080, 28.65.090, 28.65.100, 28.65.110 and 28.65.120; repealing sections 11, 12 and 13, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.180, 28.65.141 and 28.65.142; repealing sections 16 and 18, chapter 124, Laws of 1965 ex. sess. as amended by sections 14 and 17, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.150 and 28.65.170; repealing sections 15 and 16, chapter 119, Laws of 1969 ex. sess. and RCW 28.65.153 and 28.65.155; repealing section 4, chapter 76, Laws of 1957 as last amended by section 22, chapter 150, Laws of 1969 ex. sess. and RCW 28.81.170; repealing section 2, chapter 153, Laws of 1969 ex. sess. and RCW 28.04.125; repealing section 2, page 230, chapter 97, Laws of 1909 as amended by section 31, chapter 176, Laws of 1969 ex. sess. and RCW 28.02.020; repealing section 3, chapter 20, Laws of 1955 as amended by section 15, chapter 283, Laws of 1969 ex. sess. and RCW 28.02.070; repealing section 3, page 231, chapter 97, Laws of 1909 as last amended by section 33, chapter 176, Laws of 1969 ex. sess. and RCW 28.03.030; repealing section 2, chapter 49, Laws of 1965 ex. sess. as last amended by section 34, chapter 176, Laws of 1969 ex. sess. and RCW 28.03.050; repealing sections 7 and 10, chapter 154, Laws of 1965 ex. sess. as amended by sections 35 and 36, chapter 176, Laws of 1969 ex. sess. and RCW 28.24.080 and 28.24.110; repealing sections 4 and 9, pages 365 and 367, chapter 97, Laws of 1909 as amended by sections 37 and 38, chapter 176, Laws of 1969 ex. sess. and RCW 28.27.040 and 28.27.080; repealing section 9, chapter 141, Laws of 1945 as last amended by section 41, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.030; repealing sections 5 and 6, pages 312 and 313, chapter 97, Laws of 1909 as last amended by sections 42 and 43, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.050 and 28.48.055; repealing section 1, chapter 139, Laws of 1925 ex. sess. as amended by section 44, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.060; repealing section 13, page 314, chapter 97, Laws of 1909 as amended by section 45, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.090; repealing section 1, page 309, chapter 97, Laws of 1909 as last amended by section 46, chapter 176, Laws of 1969 ex. sess. and RCW 28.48.100; repealing sections 11 and 12, chapter 266, Laws of 1947 as amended by sections 47 and 48,

chapter 176, Laws of 1969 ex. sess. and RCW 28.57.030 and 28.57.040; repealing section 13, chapter 266, Laws of 1947 as last amended by section 49, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.050; repealing sections 19 and 21, chapter 266, Laws of 1947 as last amended by sections 50 and 51, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.070 and 28.57.090; repealing sections 3 and 9, chapter 266, Laws of 1947 as amended by sections 52 and 53, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.130 and 28.57.140; repealing section 5, chapter 266, Laws of 1947 as last amended by section 54, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.150; repealing section 15, chapter 266, Laws of 1947 as amended by section 55, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.170; repealing section 16, chapter 266, Laws of 1947 as last amended by section 56, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.180; repealing sections 17, 18 and 26, chapter 266, Laws of 1947 as amended by sections 57, 58 and 59, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.190, 28.57.200 and 28.57.240; repealing section 5, chapter 268, Laws of 1959 as amended by section 60, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.245; repealing section 23, chapter 130, Laws of 1961 as amended by section 61, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.255; repealing sections 28, 31 and 32, chapter 266, Laws of 1947 as amended by sections 62, 63 and 64, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.260, 28.57.290 and 28.57.300; repealing sections 24 and 34, chapter 266, Laws of 1947 as last amended by sections 65 and 66, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.350 and 28.57.370; repealing section 38, chapter 266, Laws of 1947 as amended by section 67, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.390; amending section 1, chapter 30, Laws of 1963 as amended by section 68, chapter 176, Laws of 1969 ex. sess. and RCW 28.58.530; repealing section 43, chapter 118, Laws of 1897 as last amended by section 70, chapter 176, Laws of 1969 ex. sess. and RCW 28.70.040; repealing section 2, page 338, chapter 97, Laws of 1909 as last amended by section 71, chapter 176, Laws of 1969 ex. sess. and RCW 28.70.060; repealing sections 3 and 5, pages 336 and 337, chapter 97, Laws of 1909 as last amended by sections 72 and 73, chapter 176, Laws of 1969 ex. sess. and RCW 28.70.110 and 28.70.140; repealing section 21, chapter 139, Laws of 1965 as amended by section 74, chapter 176, Laws of 1969 ex. sess. and RCW 28.71.100; repealing section 5, chapter 128, Laws of 1917 as last amended by section 75, chapter 176, Laws of 1969 ex. sess. and RCW 28.81.100; repealing section 2, page 357, chapter 97, Laws of 1909 as amended by section 77, chapter 176, Laws of 1969 ex. sess. and RCW 28.87.050; repealing section 1, chapter 126, Laws of 1917 as amended by section 80, chapter 176, Laws of 1969 ex. sess. and RCW 28.87.090; repealing sections 4, 5 and 15, pages 358 and 361, chapter 97, Laws of 1909 as amended by sections 81, 82 and 83, chapter 176, Laws of 1969 ex. sess. and RCW 28.87.100, 28.87.110 and 28.87.170; repealing section 2, page 363, chapter 97, Laws of 1909 as last amended by section 84, chapter 176, Laws of 1969 ex. sess. and RCW 28.88.020; repealing section 3, page 298 and section 3, page 301, chapter 97, Laws of 1909 as amended by sections 85 and 86, chapter 176, Laws of 1969 ex. sess. and RCW 28.63.020 and 28.63.022; repealing section 3, chapter 169, Laws of 1947 as amended by section 2, chapter 184, Laws of 1969 ex. sess. and RCW 28.58.340; repealing section 1, chapter 196, Laws of 1969 ex. sess. and RCW 28.81.055; repealing section 11, page 368, Laws of 1909 as amended by section 43, chapter 199, Laws of 1969 ex. sess. and RCW 28.27.104; repealing section 5, chapter 77, Laws of 1903 as amended by section 44, chapter 199, Laws of 1969 ex. sess. and RCW 28.27.190; repealing section 2, chapter 106, Laws of 1909 as amended by section 45, chapter 199, Laws of 1969 ex. sess. and RCW 28.58.281; repealing section 11, page 360, section 12, page 361, section 7, page 359 and section 9, page 360, Laws of 1909 as amended by sections 46 through 52, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.010, 28.87.060, 28.87.130 and 28.87.140; repealing section 13, chapter 244, Laws of 1969 ex. sess. and RCW 28.41.140; repealing section 2, chapter 217, Laws of 1969 ex. sess. and RCW 28.41.145; repealing section 1, chapter 191, Laws of 1959 as amended by section 1, chapter 222, Laws of 1969 ex. sess. and RCW 28.76.420; repealing sections 4, 7 and 8, chapter 229, Laws of 1961 as amended by sections 6, 7 and 8, chapter 232, Laws of 1969 ex. sess. and RCW 28.76.192, 28.76.194 and 28.76.200; repealing section 3, chapter 284, Laws of 1947 as amended by section 9, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.370; repealing section 4, chapter 254, Laws of 1957 as last amended by section 10, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.530; repealing section 8, chapter 193, Laws of 1959 as amended by

section 11, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.547; repealing sections 4 and 7, chapter 12, Laws of 1961 ex. sess. as amended by sections 12 and 13, chapter 232, Laws of 1969 ex. sess. and RCW 28.80.530 and 28.80.560; repealing section 39, chapter 8, Laws of 1967 ex. sess. as amended by section 36, chapter 232, Laws of 1969 ex. sess. and RCW 28.85.390; repealing section 12, page 329, Laws of 1909 as last amended by section 66, chapter 232, Laws of 1969 ex. sess. and RCW 28.51.180; repealing sections 5 and 6, pages 333 and 334, Laws of 1909 as amended by sections 67 and 68, chapter 232, Laws of 1969 ex. sess. and RCW 28.52.050 and 28.52.055; repealing section 4, chapter 14, Laws of 1961 ex. sess. as amended by section 69, chapter 232, Laws of 1969 ex. sess. and RCW 28.81.530; repealing section 8, chapter 14, Laws of 1961 ex. sess. as amended by section 70, chapter 232, Laws of 1969 ex. sess. and RCW 28.81.570; repealing section 1, chapter 187, Laws of 1959 as last amended by section 2, chapter 237, Laws of 1969 ex. sess. and RCW 28.76.410; repealing sections 32 and 37, chapter 81, Laws of 1967 ex. sess. as amended by sections 1 and 4, chapter 238, Laws of 1969 ex. sess. and RCW 28.85.320 and 28.85.370; repealing sections 2, 3, 5, 6, 9, 10, 24, 25 and 31, chapter 8, Laws of 1967 ex. sess. as amended by sections 2, 3, 4, 5, 6, 7, 9, 10 and 11, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.020, 28.85.030, 28.85.050, 28.85.060, 28.85.090, 28.85.100, 28.85.240, 28.85.250 and 28.85.310; repealing section 15, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.535; repealing section 5, chapter 139, Laws of 1921 as last amended by section 3, chapter 269, Laws of 1969 ex. sess. and RCW 28.77.070; repealing section 4, chapter 164, Laws of 1921 as amended by section 4, chapter 269, Laws of 1969 ex. sess. and RCW 28.80.060; repealing section 5, chapter 269, Laws of 1969 ex. sess. and RCW 28.81.084; repealing section 6, page 308, Laws of 1909 as amended by section 14, chapter 283, Laws of 1969 ex. sess. and RCW 28.02.060; repealing section 3, chapter 258, Laws of 1947 as last amended by section 16, chapter 283, Laws of 1969 ex. sess. and RCW 28.04.060; repealing section 3, chapter 49, Laws of 1965 ex. sess. as amended by section 18, chapter 283, Laws of 1969 ex. sess. and RCW 28.67.076; repealing sections 17 and 58, chapter 8, Laws of 1967 ex. sess. as amended by sections 20 and 21, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.170 and 28.85.580; repealing RCW 28.47.792 through 28.47.799, 28.10.100 through 28.10.110, 28.75.010 through 28.75.220 and 28.75.900 through 28.75.930, 28.75.230, 28.77.235, 28.80.246, 28.85.221, 28.19.500 through 28.19.595 and 28.19.600 through 28.19.610; 28.76.421; 28.76.540; 28.47.800 through 28.47.811; 28.85.875; 28.90.100 through 28.90.180; 28.77.215; 28.76.560, 28.89.010 through 28.89.120, 28.89.900 and 28.89.910; 28.67.066, 28.67.074, 28.76.570, 28.93.010 through 28.93.030, 28.85.551, 28.58.610, 28.02.061, 28.85.850 through 28.85.869; 28.85.572 through 28.85.575, 28.85.145, 28.85.245, 28.85.246, 28.96.010 through 28.96.100 and 28.96.300; and making an effective date.

Referred to Committee on Judiciary.

HOUSE BILL NO. 43, by Representatives Wanamaker, Hoggins, Kink, Mentor, Brown, Kiskaddon, Randall, Backstrom, Farr, King, Berentson, Veroske, Brouillet and Martinis:

An Act relating to environmental education; making an appropriation; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 44, by Representatives Wanamaker, Jastad, Kalich, Mentor and Amen:

An Act relating to education; amending section 2, chapter 154, Laws of 1965 ex. sess. as last amended by section 1, chapter 138, Laws of 1969 and RCW 28.41.130; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 138, Laws of 1969 and RCW 28A.41.130; declaring an emergency and providing effective dates; and providing for the expiration of a certain section hereof.

Referred to Committee on Appropriations.

HOUSE BILL NO. 45, by Representatives Barden, Cunningham, Mentor and Wanamaker:

An Act relating to state government; transferring to the state highway commission the powers, duties, and functions of the Washington toll bridge authority relating to the state

ferry system; defining terms; providing for the assumption of indebtedness and payment therefor; prescribing standards for the establishment of tolls; transferring appropriations, records, equipment and documents; and prescribing an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 46, by Representatives Wolf, Bottiger, Conway and Conner:

An Act relating to the Washington public employees' retirement system; and adding a new section to chapter 41.40 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 47, by Representatives Flanagan, Williams, Richardson, Amen, Bledsoe, Bluechel, Brown, Chapin, Clarke (George W.), Conway, Cunningham, Curtis, Evans, Farr, Harris, Hawley, Hoggins, Hubbard, Julin, Kirk, Kopet, Leckenby, Mahaffey, Marsh, McCaffree, Mentor, Murray, North, O'Dell, Pardini, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Ceccarelli and Copeland (by Executive request):

An Act relating to state government; creating a state department of environmental quality and setting out its powers, duties and functions; creating an environmental quality advisory council and setting forth its powers, duties and functions; abolishing certain state agencies and transferring the powers, duties, and functions thereof, as well as transferring certain powers, duties, and functions of existing state agencies; amending section 1, chapter 32, Laws of 1969 and RCW 43.17.010; amending section 2, chapter 32, Laws of 1969 and RCW 43.17.020; repealing section 1, chapter 242, Laws of 1967 and RCW 43.27A.010; repealing section 3, chapter 242, Laws of 1967 and RCW 43.27A.030; repealing section 4, chapter 242, Laws of 1967 and RCW 43.27A.040; repealing section 5, chapter 242, Laws of 1967 and RCW 43.27A.050; repealing section 6, chapter 242, Laws of 1967 as amended by section 2, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.060; repealing section 7, chapter 242, Laws of 1967 and RCW 43.27A.070; repealing section 10, chapter 242, Laws of 1967 as amended by section 1, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.100; repealing section 11, chapter 242, Laws of 1967 and RCW 43.27A.110; repealing section 16, chapter 242, Laws of 1967 and RCW 43.27A.140; repealing section 17, chapter 242, Laws of 1967 and RCW 43.27A.150; repealing section 18, chapter 242, Laws of 1967 and RCW 43.27A.160; repealing section 19, chapter 242, Laws of 1967 and RCW 43.27A.170; repealing section 1, chapter 188, Laws of 1961 as last amended by section 32, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.300; repealing section 2, chapter 188, Laws of 1961 and RCW 70.94.310; repealing section 3, chapter 188, Laws of 1961 as amended by section 33, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.320; repealing section 3, chapter 216, Laws of 1945 as amended by section 2, chapter 13, Laws of 1967 and RCW 90.48.021; repealing sections 4 and 5, chapter 216, Laws of 1945 and RCW 90.48.022 and 90.48.023; repealing section 6, chapter 216, Laws of 1945 as amended by section 3, chapter 13, Laws of 1967 and RCW 90.48.024; repealing section 7, chapter 216, Laws of 1945 as amended by section 4, chapter 13, Laws of 1967 and RCW 90.48.025; repealing section 8, chapter 216, Laws of 1945 as amended by section 5, chapter 13, Laws of 1967 and RCW 90.48.026; repealing section 9, chapter 216, Laws of 1945 and RCW 90.48.027; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; and providing an effective date.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 48, by Representatives Smythe, Bluechel, North, Brown, Evans, Farr, Hoggins, Mahaffey, Mentor, Murray, Scott and Whetzel (by Executive request):

An Act relating to the environment and its preservation; authorizing an inventory of certain rivers and related adjacent lands, and providing for the conservation and management thereof; authorizing an inventory of certain marine shorelines and providing for the conservation and management thereof; creating a scenic shorelands system; and adding a new chapter to Title 43 RCW.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 49, by Representatives Morrison, King, Evans, Amen, Benitz, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Cunningham, Curtis, Gladder, Harris, Hawley, Hubbard, Kirk, Kiskaddon, Lynch, Mentor, Murray, North, O'Dell, Pardini, Shera, Smythe, Veroske, Wanamaker, Wolf, Martinis and Conner (by Executive request):

An Act relating to the location of thermal power plants; providing for the regulation of siting and transmission line routing; establishing a thermal power plant site evaluation council; adding a new chapter to Title 80 RCW; and prescribing penalties.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 50, by Representatives Murray, Bottiger, Pardini, Adams, Gallagher, Bagnariol, Martinis, Merrill, Shera, Richardson, Curtis, Litchman, Leland, Kopet, North, Ceccarelli, Kuehnle and Chapin:

An Act relating to gambling; amending section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010; repealing section 5, page 98, Laws of 1879 as last amended by section 3, chapter 7, Laws of 1957 and RCW 4.24.080; repealing section 99, page 93, Laws of 1854 as last amended by section 217, chapter 249, Laws of 1909 and RCW 9.47.010; repealing section 218, chapter 249, Laws of 1909 and RCW 9.47.020; repealing section 220, chapter 249, Laws of 1909 and RCW 9.47.030; repealing section 1, chapter 119, Laws of 1937 and RCW 9.47.040; repealing section 2, chapter 119, Laws of 1937 and RCW 9.47.050; repealing section 221, chapter 249, Laws of 1909 and RCW 9.47.060; repealing section 100, page 93, Laws of 1854 as last amended by section 222, chapter 249, Laws of 1909 and RCW 9.47.070; repealing section 226, chapter 249, Laws of 1909 and RCW 9.47.110; repealing section 228, chapter 249, Laws of 1909 and RCW 9.47.130; repealing section 1, chapter 6, Laws of 1909 and RCW 9.47.140; defining crimes; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 51, by Representatives Zimmerman, Hoggins, Murray, Amen, Bluechel, Brown, Chapin, Clarke (George W.), Conway, Curtis, Evans, Farr, Hawley, Hubbard, Kirk, Leckenby, Lynch, McCaffree, Mentor, North, Pardini, Schumaker, Scott, Shera, Veroske and Whetzel (by Executive request):

An Act relating to water pollution; amending section 1, chapter 133, Laws of 1969 ex. sess. and RCW 90.48.320; amending section 2, chapter 133, Laws of 1969 ex. sess. and RCW 90.48.325; amending section 3, chapter 133, Laws of 1969 ex. sess. and RCW 90.48.330; amending section 4, chapter 133, Laws of 1969 ex. sess. and RCW 90.48.335; amending section 7, chapter 133, Laws of 1969 ex. sess. and RCW 90.48.350; amending section 10, chapter 133, Laws of 1969 ex. sess. and RCW 90.48.315; adding new sections to chapter 133, Laws of 1969 ex. sess. and to chapter 90.48 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 52, by Representatives Julin, King, Kiskaddon, Bluechel, Chapin, Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray, North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request):

An Act relating to water pollution; amending section 11, chapter 216, Laws of 1945 as amended by section 6, chapter 13, Laws of 1967 and RCW 90.48.035; amending section 12, chapter 13, Laws of 1967 and RCW 90.48.135; amending sections 13 and 14, chapter 139, Laws of 1967 ex. sess. and RCW 90.48.142 and 90.48.144; and amending section 6, chapter 71, Laws of 1955 as amended by section 20, chapter 13, Laws of 1967 and RCW 90.48.210.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 53, by Representatives Lynch, Harris, Farr, Amen, Bledsoe, Bluechel, Chapin, Cunningham, Curtis, Evans, Goldsworthy, Hoggins, Hubbard, Kirk, Kiskaddon, Kopet, Leckenby, Mahaffey, McCaffree, Mentor, Murray, North, Shera, Smythe, Veroske and Zimmerman (by Executive request):

An Act relating to state government; creating a department of social and health services; prescribing its composition, powers, duties and functions; transferring certain

powers, duties and functions thereto from the department of health, the department of public assistance, the department of institutions, the veterans' rehabilitation council, and the division of vocational rehabilitation of the coordinating council for occupational education; abolishing the departments of health, institutions, and public assistance; abolishing the division of vocational rehabilitation of the coordinating council for occupational education; amending section 2, chapter 176, Laws of 1933 as last amended by section 41, chapter 8, Laws of 1967 ex. sess. and RCW 28.10.010; amending section 31, chapter 157, Laws of 1955 as last amended by section 2, chapter 105, Laws of 1969 and RCW 28.10.080; amending section 16, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.160; amending section 22, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.220; amending section 28A.10.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.10.010; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter --, Laws of 1970 ex. sess. (HB --) and RCW 28A.10.080; amending section 28B.50.160, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.160; amending section 28B.50.220, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.220; amending section 1, chapter 32, Laws of 1969 and RCW 43.17.010; amending section 2, chapter 32, Laws of 1969 and RCW 43.17.020; amending section 43.20.030, chapter 8, Laws of 1965 and RCW 43.20.030; amending section 5, chapter 242, Laws of 1967 and RCW 43.27A.050; amending section 43.61.010, chapter 8, Laws of 1965 and RCW 43.61.010; amending section 43.61.020, chapter 8, Laws of 1965 and RCW 43.61.020; amending section 43.61.030, chapter 8, Laws of 1965 and RCW 43.61.030; amending section 43.61.040, chapter 8, Laws of 1965 and RCW 43.61.040; amending section 43.61.050, chapter 8, Laws of 1965 and RCW 43.61.050; amending section 43.61.070, chapter 8, Laws of 1965 and RCW 43.61.070; amending section 72.01.010, chapter 28, Laws of 1959 and RCW 72.01.010; amending section 72.02.040, chapter 28, Laws of 1959 and RCW 72.02.040; amending section 72.05.020, chapter 28, Laws of 1959 and RCW 72.05.020; amending section 72.06.010, chapter 28, Laws of 1959 and RCW 72.06.010; amending section 5, chapter 207, Laws of 1961 as amended by section 3, chapter 88, Laws of 1965 and RCW 70.98.050; amending section 6, chapter 207, Laws of 1961 and RCW 70.98.060; amending section 7, chapter 207, Laws of 1961 as last amended by section 1, chapter 44, Laws of 1969 and RCW 70.98.070; amending section 6, chapter 172, Laws of 1967 and RCW 74.15.060; amending section 18, chapter 172, Laws of 1967 as amended by section 3, chapter 172, Laws of 1969 ex. sess. and RCW 74.32.051; amending section 19, chapter 172, Laws of 1967 and RCW 74.32.053; amending section 2, chapter 39, Laws of 1965 and RCW 74.36.010; amending section 3, chapter 39, Laws of 1965 and RCW 74.36.020; amending section 4, chapter 39, Laws of 1965 and RCW 74.36.030; amending section 5, chapter 39, Laws of 1965 and RCW 74.36.040; amending section 1, chapter 33, Laws of 1967 ex. sess. and RCW 74.36.100; adding a new section to chapter 1, Laws of 1961, and to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; repealing section 19, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.190; repealing section 28B.50.190, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.190; repealing section 21, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.210; repealing section 28B.50.210, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.210; repealing section 26, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.260; repealing section 28B.50.260, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.260; repealing section 43.20.020, chapter 8, Laws of 1965 and RCW 43.20.020; repealing section 72.01.020, chapter 28, Laws of 1959 and RCW 72.01.020; repealing section 72.01.030, chapter 28, Laws of 1959 as amended by section 1, chapter 134, Laws of 1967 and RCW 72.01.030; repealing section 72.01.040, chapter 28, Laws of 1959 and RCW 72.01.040; repealing section 1, chapter 169, Laws of 1953 and RCW 72.01.042; repealing section 2, chapter 169, Laws of 1953 and RCW 72.01.043; repealing section 1, chapter 293, Laws of 1959 and RCW 72.01.061; repealing section 2, chapter 293, Laws of 1959 and RCW 72.01.062; repealing section 4, chapter 293, Laws of 1959 and RCW 72.01.064; repealing section 5, chapter 293, Laws of 1959 and RCW 72.01.065; repealing section 6, chapter 293, Laws of 1959 and RCW 72.01.066; repealing section 7, chapter 293, Laws of 1959 and RCW 72.01.067; repealing section 72.01.070, chapter 28, Laws of 1959 and RCW 72.01.070; repealing section 72.01.080, chapter 28, Laws of 1959 and RCW 72.01.080; repealing section 72.01.330, chapter 28, Laws of 1959 and RCW 72.01.330; repealing section 72.01.340, chapter 28, Laws of 1959 and RCW 72.01.340; repealing section

72.01.350, chapter 28, Laws of 1959 and RCW 72.01.350; repealing section 72.01.360, chapter 28, Laws of 1959 and RCW 72.01.360; repealing section 72.02.010, chapter 28, Laws of 1959 and RCW 72.02.010; repealing section 72.02.020, chapter 28, Laws of 1959 and RCW 72.02.020; repealing section 72.02.030, chapter 28, Laws of 1959 and RCW 72.02.030; repealing section 3, chapter 134, Laws of 1967 and RCW 72.04A.010; repealing section 4, chapter 134, Laws of 1967 and RCW 72.04A.020; repealing section 5, chapter 134, Laws of 1967 and RCW 72.04A.030; repealing section 6, chapter 134, Laws of 1967 and RCW 72.04A.040; repealing section 72.05.030, chapter 28, Laws of 1959 and RCW 72.05.030; repealing section 72.05.040, chapter 28, Laws of 1959 and RCW 72.05.040; repealing section 72.06.020, chapter 28, Laws of 1959 and RCW 72.06.020; repealing section 72.06.030, chapter 28, Laws of 1959 and RCW 72.06.030; repealing section 72.06.040, chapter 28, Laws of 1959 and RCW 72.06.040; repealing sections 72.50.010 through 72.50.110, chapter 28, Laws of 1959 and RCW 72.50.010 through 72.50.110; repealing section 6, chapter 39, Laws of 1965 and RCW 74.36.050; providing for the expiration of certain sections and for certain effective dates.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 54, by Representatives Berentson, Sprague, Cunningham, Bluechel, Brown, Chapin, Clarke (George W.), McCaffree, Murray, North, Scott, Veroske, Williams and Shera (by Executive request):

An Act relating to state government; creating a department of transportation and prescribing its general structure, personnel, powers, duties and functions; transferring to the jurisdiction of the department of transportation certain powers, duties and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the traffic safety commission, the canal commission and the urban arterial board; abolishing certain state agencies; renaming Title 47 RCW and adding certain code chapters thereto; amending section 47.01.030, chapter 13, Laws of 1961 as amended by section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; amending section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090; amending section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080; amending section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; amending section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; amending section 47.01.160, chapter 13, Laws of 1961 as amended by section 29, chapter 170, Laws of 1965 ex. sess. and RCW 47.01.160; amending section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070; amending section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180, Laws of 1969 ex. sess. and RCW 47.56.030; amending section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070; amending section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080; amending section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090; amending section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120; amending section 47.56.245, chapter 13, Laws of 1961 as amended by section 53, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.245; amending section 3, chapter 257, Laws of 1961 and RCW 47.56.254; amending section 4, chapter 165, Laws of 1947 as last amended by section 2, chapter 68, Laws of 1967 and RCW 14.04.040; amending section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; amending section 3, chapter 147, Laws of 1967 ex. sess. as amended by section 1, chapter 105, Laws of 1969 ex. sess. and RCW 43.59.030; amending section 9, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.080; amending section 1, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.010; amending section 4, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.040; amending section 8, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.070; amending section 14, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.130; amending section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140; amending section 1, chapter 32, Laws of 1969 and RCW 43.17.010; amending section 2, chapter 32, Laws of 1969 and RCW 43.17.020; adding new sections to Title 46 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.01 RCW; adding new sections to Title 47 RCW; adding a new section to chapter 14.04 RCW; adding new sections to chapter 43.59 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; repealing section 3, chapter 165, Laws of 1947 as amended by section 1, chapter 68, Laws of 1967 and RCW 14.04.030; repealing section 7, chapter 147, Laws of

1967 ex. sess. and RCW 43.59.060; repealing section 1, chapter 156, Laws of 1965 and RCW 46.01.010; repealing section 2, chapter 156, Laws of 1965 and RCW 46.01.020; repealing section 9, chapter 156, Laws of 1965 and RCW 46.01.090; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100; repealing section 47.01.110, chapter 13, Laws of 1961 and RCW 47.01.110; repealing section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120; repealing section 47.01.130, chapter 13, Laws of 1961 as amended by section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020; repealing section 3, chapter 123, Laws of 1965 ex. sess. as amended by section 1, chapter 36, Laws of 1967 and RCW 91.12.030; and repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; and providing an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 55, by Representatives McCaffree, King, Swayze, Bledsoe, Ceccarelli, Evans, Farr, Kiskaddon, Leckenby, Murray, Smythe, Williams, Grant and Chatalas (by Executive request):

An Act prescribing age qualifications for certain purposes; amending sections 1 and 5, page 404, Laws of 1854 as last amended by section 1, chapter 230, Laws of 1963 and RCW 26.04.010; amending section 3, page 81, Laws of 1866 as amended by section 2381, Code of 1881 and RCW 26.04.130; amending sections 13 and 14, page 83, Laws of 1866 as last amended by section 4, chapter 230, Laws of 1963 and RCW 26.04.210; amending section 2, chapter 215, Laws of 1949 as amended by section 1, chapter 15, Laws of 1965 ex. sess. and RCW 26.08.020; amending sections 2, 3 and 4, pages 92 and 93, Laws of 1866 and RCW 26.28.030, 26.28.040 and 26.28.050; amending section 11.12.010, chapter 145, Laws of 1965 and RCW 11.12.010; amending sections 6 and 7, page 132, Laws of 1854 as last amended by section 1, chapter 30, Laws of 1891 and RCW 4.08.050; amending section 10, page 4, Laws of 1869 as last amended by section 10, Code of 1881 and RCW 4.24.020; amending section 497, page 220, Laws of 1854 as last amended by section 11, Code of 1881 and RCW 4.24.030; amending section 1, chapter 57, Laws of 1911 and RCW 2.36.070; amending section 54, chapter 53, Laws of 1965 and RCW 23A.12.010; providing penalties; and making an effective date.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 56, by Representatives Leckenby, Sprague, Mentor, Benitz, Chapin, Murray, Pardini, Williams and Zimmerman (by Executive request):

An Act relating to factory built housing; providing for promulgation of rules and regulations governing the structural soundness thereof and the safety of components therein; adding new sections to chapter 8, Laws of 1965 and to chapter 43.22 RCW; and prescribing penalties.

Referred to Committee on Local Government.

HOUSE BILL NO. 57, by Representatives Leckenby, Sprague, McCaffree, Ceccarelli, Fleming, King, Mentor, Murray, Williams and Chatalas (by Executive request):

An Act relating to state government; providing for the utilization of private enterprise to improve housing conditions for persons of low income; prescribing certain powers, duties, and functions with respect to housing; authorizing the certification of nonprofit regional housing development corporations and prescribing certain of their powers, duties, and functions; and providing an effective date.

Referred to Committee on Local Government.

HOUSE BILL NO. 58, by Representatives Julin, Adams, Murray, Bledsoe, Bluechel, Farr, Flanagan, Mahaffey, Marsh, Mentor and Martinis:

An Act relating to the seacoast, and other areas subject to marine water flowage, and providing for improved planning of the use thereof, and the protection and preservation thereof for the public benefit; adding a new chapter to Title 43 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Natural Resources.

HOUSE JOINT MEMORIAL NO. 1, by Representative Grant:
 Repealing Washington's request for a constitutional convention.
 Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 1, by Representatives Clarke (George W.), Kopet, Barden, Pardini, Shera, Gladder, Bozarth, Hurley, Flanagan and Spanton:
 Limiting any income tax to five percentum of income taxed by constitutional amendment.
 Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 2, by Representatives Kalich, Beck and Hubbard:
 Amending the Constitution to allow legislative control of gambling and lotteries.
 Referred to Committee on Business and Professions.

HOUSE JOINT RESOLUTION NO. 3, by Representatives Copeland, Chatalas, Conner, Ceccarelli, Merrill, Beck and Litchman:
 Providing for annual sessions of the legislature.
 Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 4, by Representatives Grant, King, Ceccarelli, Litchman, Wojahn, Beck, Conner, Fleming, Sprague, Hubbard, Charette, Perry, Backstrom, Williams, Adams, Shinpoch, Chatalas and Savage:
 Allowing 18-year-old persons to vote.
 Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 5, by Representatives Swayze, Ceccarelli, Brown, Bledsoe, Bluechel, Chapin, Clarke (George W.), Curtis, Kiskaddon, Kopet, Leckenby, Mahaffey, Murray, Pardini, Merrill and Litchman (by Executive request):
 Amending Constitution to require annual sessions of the legislature.
 Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 6, by Representatives McCaffree, Charette, Bledsoe, Backstrom, Ceccarelli, Cunningham, King, Kiskaddon, Leckenby, Marsh, Murray, Smythe, Grant and Chatalas (by Executive and Secretary of State request):
 Proposing constitutional amendment to lower voting age to eighteen years.
 Referred to Committee on State Government and Legislative Procedures.

MOTION

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

AFTERNOON SESSION

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

The Clerk called the roll and all members were present except Representatives Chapin, Harris, Mentor and Scott. Representatives Chapin and Scott were excused.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE CONCURRENT RESOLUTION NO. 1,
 HOUSE CONCURRENT RESOLUTION NO. 2.

MOTION

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Tuesday, January 13, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 13, 1970.

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

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

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

MESSAGES FROM THE SENATE

January 12, 1970.

Mr. Speaker: The Senate has passed SENATE CONCURRENT RESOLUTION NO. 1, and the same is herewith transmitted, SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 59, by Representatives Clarke (George W.), Charette and Clark (Newman H.):

An Act relating to the annual conference of judges; and amending section 6, chapter 259, Laws of 1957 and RCW 2.56.060.

Referred to Committee on Judiciary.

HOUSE BILL NO. 60, by Representatives McCaffree and Kiskaddon:

An Act relating to revenue and taxation; creating new sections; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 61, by Representatives McCaffree and Kiskaddon:

An Act relating to revenue and taxation; creating new sections; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 62, by Representatives McCaffree and Kiskaddon:

An Act relating to revenue and taxation; creating new sections; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 63, by Representatives Richardson, Charette and Clarke (George W.):

An Act relating to municipal corporations and other public agencies.

Referred to Committee on Local Government.

HOUSE BILL NO. 64, by Representatives Grant, Gallagher, King, Kink, Ceccarelli, Rosellini, Sprague and Bagnariol:

An Act relating to elections; providing for the regulation and reporting of campaign contributions and expenditures; establishing an elections commission; adding a new chapter to chapter 9, Laws of 1965 and to Title 29 RCW; repealing section 29.18.140, chapter 9,

Laws of 1965 as amended by section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; and prescribing penalties.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 65, by Representatives Hoggins, Bottiger and Wolf:

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

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 66, by Representatives Flanagan, Jolly, Benitz, Haussler and Evans:

An Act relating to irrigation district improvement districts; amending section 11, chapter 162, Laws of 1917 as amended by section 26, chapter 129, Laws of 1921 and RCW 87.03.485; amending section 12, chapter 162, Laws of 1917 as last amended by section 27, chapter 129, Laws of 1921 and RCW 87.03.490; amending section 13, chapter 162, Laws of 1917 as last amended by section 1, chapter 68, Laws of 1957 and RCW 87.03.495; amending section 14, chapter 162, Laws of 1917 as amended by section 29, chapter 129, Laws of 1921 and RCW 87.03.500; amending section 1, chapter 128, Laws of 1935 and RCW 87.03.505; amending section 2, chapter 128, Laws of 1935 and RCW 87.03.510; amending section 17, chapter 180, Laws of 1919 and RCW 87.03.525; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Agriculture.

HOUSE BILL NO. 67, by Representative Kink:

An Act relating to abortion; amending section 38, page 81, Laws of 1854, as last amended by section 196, chapter 249, Laws of 1909 and RCW 9.02.010; amending section 197, chapter 249, Laws of 1909 and RCW 9.02.020; adding two new sections to chapter 249, Laws of 1909 and to chapter 9.02 RCW; providing a penalty; and providing for submission of this act to a vote of the people.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 68, by Representatives Leckenby, DeJarnatt and Mentor:

An Act relating to persons confined to institutions for convicted felons.

Referred to Committee on Public Institutions and Youth Development.

HOUSE BILL NO. 69, by Representatives Leckenby, DeJarnatt and Mentor:

An Act relating to persons confined in state correctional institutions; amending section 72.08.343, chapter 28, Laws of 1959 and RCW 72.08.343; and amending section 72.12.122, chapter 28, Laws of 1959 and RCW 72.12.122.

Referred to Committee on Public Institutions and Youth Development.

HOUSE BILL NO. 70, by Representative Farr:

An Act relating to dentistry; and amending section 20, chapter 112, Laws of 1935 and RCW 18.32.290.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 71, by Representatives Newhouse, Haussler and Morrison:

An Act authorizing participation in the Economic Opportunity Act of 1964; amending section 1, chapter 14, Laws of 1965 and RCW 36.32.410; amending section 2, chapter 14, Laws of 1965 and RCW 43.06.110; adding a new section to chapter 7, Laws of 1965 and to chapter 35.21 RCW; and declaring an emergency.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 72, by Representatives Schumaker, Beck and Clarke (George W.):
An Act relating to interstate purchase of shotguns and rifles; and creating new sections.

Referred to Committee on Judiciary.

HOUSE BILL NO. 73, by Representatives O'Brien, Morrison and Ceccarelli (by Public Employees' Retirement System request):

An Act relating to the Washington public employees' retirement system; amending section 4, chapter 231, Laws of 1957 as last amended by section 15, chapter 174, Laws of 1963 and RCW 41.40.361; and adding a new section to chapter 41.40 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 74, by Representatives Morrison, O'Brien, Fleming, Charette, Bagnariol, Gladder, Shera, Kuehne, Richardson and Ceccarelli (by Public Employees' Retirement System and Public Pension Commission request):

An Act relating to the retirement and pensions of law enforcement officers and fire fighters; amending section 3, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.030; amending section 4, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.040; amending section 5, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.050; amending section 9, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.090; amending section 10, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.100; amending section 11, chapter 209, Laws of 1969 ex. sess. as amended by section 3, chapter 215, Laws of 1969 ex. sess. and RCW 41.26.110; amending section 12, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.120; amending section 13, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.130; amending section 14, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.140; amending section 15, chapter 209, Laws of 1969 ex. sess. as amended by section 4, chapter 219, Laws of 1969 ex. sess. and RCW 41.26.150; amending section 16, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.200; amending section 17, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.160; amending section 18, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.190; amending section 22, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.170; amending section 23, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.180; amending section 24, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.240; amending section 44, chapter 209, Laws of 1969 ex. sess. (uncodified); amending section 1, chapter 261, Laws of 1945 as amended by section 1, chapter 263, Laws of 1955 and RCW 41.24.010; amending section 3, chapter 261, Laws of 1945 as last amended by section 2, chapter 160, Laws of 1967 and RCW 41.24.030; amending section 4, chapter 86, Laws of 1965 and RCW 41.24.031; transferring membership from existing pension systems; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 75, by Representatives Grant, Shinpoch, King, Wojahn, Bagnariol, Litchman, Anderson, Marzano, Bottiger, Chatalas, O'Brien, May, Merrill, Rosellini, Williams, Adams, Jastad, Fleming, Beck and Ceccarelli:

An Act relating to industrial insurance; and amending section 51.32.080, chapter 23, Laws of 1961 as last amended by section 1, chapter 165, Laws of 1965 ex. sess., and RCW 51.32.080.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 76, by Representatives Grant, King, Marzano, Bagnariol, Wojahn, Marsh, Beck, Litchman, Bottiger, May, Chatalas, O'Brien, Rosellini, Williams, Anderson, Murray, Fleming and Ceccarelli:

An Act relating to workmen's compensation; and amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 1, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.050; and amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.060; amending section 51.16.080, chapter 23, Laws of 1961 and RCW 51.16.080; amending section 51.16.110, chapter 23, Laws of 1961 and RCW 51.16.110; amending section 51.16.130, chapter 23, Laws of 1961 and RCW 51.16.130; amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 3, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.090; adding a new section to chapter 23, Laws of 1961 and to chapter 51.16 RCW; repealing section 51.16.010, chapter 23, Laws of 1961 and RCW 51.16.010; repealing section 51.16.020, chapter 23, Laws of 1961, as amended by section 6, chapter 274, Laws

of 1961 and RCW 51.16.020; and repealing section 51.16.030, chapter 23, Laws of 1961 and RCW 51.16.030.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 77, by Representatives Grant, Shinpoch, Bottiger, Wojahn, King, Beck, Chatalas, O'Brien, May, Murray, Rosellini, Williams, Anderson, Bagnariol, Marzano, Litchman and Ceccarelli:

An Act relating to industrial insurance; amending section 51.32.070, chapter 23, Laws of 1961 as last amended by section 1, chapter 166, Laws of 1965 ex. sess. and RCW 51.32.070; adding new sections to chapter 23, Laws of 1961 and to chapter 51.32 RCW; making an appropriation; and declaring an effective date.

Referred to Committee on Labor and Employment Security.

HOUSE JOINT RESOLUTION NO. 7, by Representatives Litchman, Murray, Copeland, Beck, Bottiger, Gallagher, Anderson, Kalich, Kink, Bagnariol, Rosellini, Kuehnle and Marzano:

Deleting prohibition against lotteries.

Referred to Committee on Business and Professions.

HOUSE JOINT RESOLUTION NO. 8, by Representatives Bledsoe, Kuehnle, Conway, Swayze, Bluechel, North, Amen, Chapin, McCaffree, Lynch, Veroske, Farr, Murray, Clarke (George W.), Kopet, Wanamaker, Hawley, Gladder, Mentor, Curtis, Pardini, Leckenby, Shera, Zimmerman, Copeland and Mahaffey (by Legislative Council request):

Changing the procedure for amending the Constitution.

Referred to Committee on State Government and Legislative Procedures.

PERSONAL PRIVILEGE

Mr. Bledsoe: "Mr. Speaker, point of personal privilege. Ladies and gentlemen, House Joint Resolution No. 8 which was just read in was circulated in the two caucuses Sunday. It did not have the notation on it that this gateway amendment was the Legislative Council amendment. On examination of the sponsors who indicated a desire to join on this, I note there might have been some lack of understanding in the Democratic caucus of the background of this particular joint resolution. I simply wanted to make the record abundantly clear that House Joint Resolution No. 8, the gateway amendment, has been authorized by the Legislative Council and has been introduced by Legislative Council request."

RESOLUTIONS

HOUSE RESOLUTION NO. 70-4, by Representatives O'Brien, Perry, Chatalas, Fleming, Williams, Litchman, Ceccarelli, McCaffree, Ackley, Murray, Kirk, Clark (Newman H.), Mahaffey, Hawley, North, Bagnariol, Sprague, Leckenby, Merrill, Whetzel, Scott and Rosellini:

WHEREAS, Grave concern has been widely expressed over the continued ability to provide enlightened and qualified school programs, facilities and teachers in educational districts and institutions of our State; and

WHEREAS, Seattle school district voters will, on January 20, 1970, be called upon to vote upon a 32-mill levy to continue to provide an acceptable level of educational programs and facilities; and

WHEREAS, The failure of said levy to secure the approval of at least sixty percent of the Seattle school district voters will require drastic cuts in the basic skills programs, vocational education and counseling programs, as well as extracurricular activities of the Seattle school district; and

WHEREAS, The curtailment of these programs and facilities will result in irreparable harm to the function of the Seattle school district and the students encompassed therein, now and in the future;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the voters of the Seattle school district are urged to vote for and approve the passage of the special levy on Tuesday, January 20, 1970.

Representative O'Brien moved adoption of the resolution.

Representatives O'Brien and Whetzel spoke in favor of adoption of the resolution.

The resolution was adopted.

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

MOTION

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

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 1, by Senators Bailey, Greive, Gissberg, Durkan, Herr, Sandison, Foley, Atwood, Ryder, Andersen, Williams, Twigg, Woodall, Stender, Peterson (Ted), Lewis (Brian) and Ridder:

Limiting length of second extraordinary session and setting cutoff dates for specific legislative business.

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

Mr. Bledsoe moved adoption of the following amendment:

On page 1, line 22, after "to" and before "days" strike "twenty-one" and insert "thirty"

Debate ensued, Representative Bledsoe speaking in favor of adoption of the amendment, and Representatives Charette and Fleming speaking against it.

POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Ackley.

Mr. Ackley: "Representative Bledsoe, I wonder if you could tell me what happens if at the end of thirty days there are some emergent matters that haven't been decided by the legislature. Under this resolution could we continue to act, or would we continue to act?"

Mr. Bledsoe: "This measure in my view (and we discussed this issue) expires at the end of thirty days. Should there then be introduced a concurrent resolution (and I emphasize concurrent resolution) adopted by both houses, it would be possible (should there be matters of sufficient importance) to have the concurrent resolution agreed to by both houses to extend this session to take care of what might be necessary. At the same time, it is our feeling that by establishing these benchmarks which are proposed in the amendments to come that we have probably the best possible opportunity to deal (1) with the priority issues; and (2) with—call it what you might—the people issues, the heart issues, the gut issues. It can be done in thirty days. I find it almost incomprehensible to assume that it could be done in twenty-one days."

The amendment by Mr. Bledsoe to page 1, line 22, was adopted.

Mr. Bledsoe moved adoption of the following amendment:

On page 2, line 2, after "the" and before "day" strike "eighth" and insert "sixth"
Representative Bledsoe spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Sprague.

Mr. Sprague: "Mr. Bledsoe, customarily we have had an exemption on these cutoff dates relating to finances and money matters. I would gather from the way this is written that this exemption does not apply here."

Mr. Bledsoe: "That is correct, sir. That is my assumption. You will notice, if you have the printed copy before you, at the top of the second page there is a procedure available to extend this cutoff day by a vote of two-thirds of all the members elected to each house to adjust this difference should time run out with something of pressing urgency yet undone."

Representative Sprague spoke against adoption of the amendment.

The amendment by Mr. Bledsoe was adopted.

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

On page 2, after "the" in line 6 and before "day" in line 7, strike "fourteenth" and insert "twentieth" and on line 7 after "the" and before "day" in line 8, strike "nineteenth" and insert "twenty-sixth"

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

On page 2, line 13, after "the" in line 12 and before "day" in line 13, strike "nineteenth" and insert "twenty-sixth"

Mr. Grant moved adoption of the following amendment:

On page 2, line 4, strike "two-thirds" and insert "a majority"

Debate ensued, Representatives Grant, King and Ackley speaking in favor of adoption of the amendment, and Representatives Newhouse, Bledsoe and Whetzel speaking against it. The amendment was lost.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 1 as amended by the House was placed on final passage.

Debate ensued, Representative Newhouse speaking in favor of Senate Concurrent Resolution No. 1 as amended by the House, and Representatives O'Brien and Grant speaking against it.

The resolution was adopted.

MOTIONS

On motion of Mr. Bledsoe, Senate Concurrent Resolution No. 1 as amended by the House was ordered transmitted immediately to the Senate.

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Wednesday, January 14, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 14, 1970.

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

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

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

MESSAGES FROM THE SENATE

January 13, 1970.

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 78, by Representatives Conner and May:

An Act relating to the minimum hourly wage; and amending section 2, chapter 294, Laws of 1959 as last amended by section 1, chapter 80, Laws of 1967 ex. sess. and RCW 49.46.020.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 79, by Representatives Grant, King and Brouillet:

An Act relating to certain employees of school districts.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 80, by Representatives Grant, May and Wojahn:

An Act relating to workmen's compensation; and amending section 51.12.010, chapter 23, Laws of 1961 and RCW 51.12.010.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 81, by Representatives Charette and Morrison:

An Act relating to unemployment compensation; amending certain provisions of chapter 35, Laws of 1945 and Title 50 RCW; and adding new provisions to chapter 35, Laws of 1945 and to Title 50 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 82, by Representatives Wojahn, Kopet, Kirk and Brouillet:

An Act relating to public health and nutrition; creating an Advisory Council on Nutrition and Health; and declaring an emergency.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 83, by Representative Morrison:

An Act relating to industrial insurance; amending the provisions of chapter 23, Laws of 1961 and Title 51 RCW; and adding new provisions to chapter 23, Laws of 1961 and to Title 51 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 84, by Representative Morrison:

An Act relating to industrial insurance; amending the provisions of chapter 23, Laws of 1961 and Title 51 RCW; and adding new provisions to chapter 23, Laws of 1961 and to Title 51 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 85, by Representative Morrison:

An Act relating to unemployment compensation; amending certain provisions of chapter 35, Laws of 1945 and Title 50 RCW; and adding new provisions to chapter 35, Laws of 1945 and to Title 50 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 86, by Representatives Haussler, Richardson, Kiskaddon, O'Dell and Kopet:

An Act relating to property taxes; and amending section 8, chapter 146, Laws of 1967 ex. sess. as amended by section 1, chapter 242, Laws of 1969 ex. sess. and RCW 84.54.080.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 87, by Representatives Kopet, DeJarnatt and Goldsworthy:

An Act relating to county property tax millages; amending section 36.32.350, chapter 4, Laws of 1963 and RCW 36.32.350; amending section 1, chapter 191, Laws of 1939 as amended by section 1, chapter 163, Laws of 1943 and RCW 70.12.010; amending section 1, chapter 162, Laws of 1943 as last amended by section 11, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.010; amending section 16, chapter 110, Laws of 1967 ex. sess. and RCW 71.20.110; and amending section 7, page 210, Laws of 1888 as last amended by section 1, chapter 57, Laws of 1969 and RCW 73.08.080.

Referred to Committee on Local Government.

HOUSE BILL NO. 88, by Representatives McCaffree, Randall, Chapin, Bledsoe, Swayze and Adams (by Temporary Special Levy Study Commission request):

An Act relating to revenue and taxation; amending section 71, chapter 262, Laws of 1969 ex. sess. (uncodified); amending section 16, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.150; amending section 1, chapter 7, Laws of 1963, as last amended by section 1, chapter --, (HB --), Laws of 1970 1st ex. sess., and RCW 82.04.050; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 31, chapter 262, Laws of 1969 ex. sess., and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 32, chapter 262, Laws of 1969 ex. sess., and RCW 82.12.020; amending section 82.04.230, chapter 15, Laws of 1961 as last amended by section 33, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961 as last amended by section 34, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.240; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 35, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.250; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 36, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.260; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 37, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.270; amending section 82.04.280, chapter 15, Laws of 1961 as last amended by section 2, chapter --, (HB --), Laws of 1970 1st ex. sess., and RCW 82.04.280; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 39, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.290; amending section 41, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.292; amending section 1, chapter 168, Laws of 1965 ex. sess. as amended by section 60, chapter 262, Laws of 1969 ex. sess., and RCW 84.36.125; amending section 3, chapter 168, Laws of 1965 ex. sess. as amended by section 61, chapter 262, Laws of 1969 ex. sess., and RCW 84.36.127; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess., and RCW 84.36.128; amending section 84.52.050, chapter 15, Laws of 1961 as last amended by section 4, chapter --, (HB --), Laws of 1970 1st ex. sess., and RCW 84.52.050; and amending section 74.04.150, chapter 26, Laws of 1959 as amended by section 66, chapter 262, Laws of 1969 ex. sess., and RCW 74.04.150.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 89, by Representative Merrill (by Municipal Committee request):
An Act relating to state and local government; and adding a new section to chapter 183, Laws of 1923 and to chapter 39.04 RCW.
Referred to Committee on Local Government.

HOUSE BILL NO. 90, by Representatives Anderson, Charette and Leland:
An Act relating to state highways and bridges; providing for removal of snow and sanding of the roadway and bridges by the state on state highways passing within cities or towns; and amending section 47.24.020, chapter 13, Laws of 1961 as last amended by section 1, chapter 115, Laws of 1967 and RCW 47.24.020.
Referred to Committee on Transportation.

HOUSE BILL NO. 91, by Representatives Merrill, North and Ceccarelli (by Municipal Committee request):
An Act relating to state government; creating a new division; making an appropriation; adding new sections to chapter 18.64 RCW; and declaring an emergency.
Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 92, by Representatives Fleming, Sprague, Wojahn, Marzano, Chatalas, Grant, Ceccarelli and Rosellini:
An Act relating to legal holidays; and amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 11, Laws of 1969 and RCW 1.16.050.
Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 93, by Representatives Fleming and Sprague:
An Act relating to revenue and taxation; authorizing any county, city or town to levy a tax upon the privilege of using a motor vehicle within its corporate limits by residents thereof; providing certain exemptions; and providing for the collection of the tax by the state department of motor vehicles.
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 94, by Representatives Merrill and North (by Municipal Committee request):
An Act relating to second, third, and fourth class municipalities; amending section 35.23.310, chapter 7, Laws of 1965 and RCW 35.23.310; amending section 35.23.400, chapter 7, Laws of 1965 and RCW 35.23.400; amending section 35.24.220, chapter 7, Laws of 1965 and RCW 35.24.220; amending section 35.24.250, chapter 7, Laws of 1965 and RCW 35.24.250; amending section 35.27.300, chapter 7, Laws of 1965 and RCW 35.27.300; amending section 35.27.330, chapter 7, Laws of 1965 and RCW 35.27.330; and adding a new section to Title 35 RCW.
Referred to Committee on Local Government.

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery students from Sammamish High School in Bellevue and asked them to stand and be recognized.

MOTION

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Thursday, January 15, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 15, 1970.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ackley, Chapin, Conner, DeJannatt, McCormick and Morrison who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Samuel McKinney of the Mount Zion Baptist Church of Seattle.

SPEAKER'S PRIVILEGE

The Speaker: "The Speaker at this time would like to introduce to the House Reverend Leonard Williams, Pastor of the Baptist Temple Church of Shreveport, Louisiana, who is here with Reverend McKinney. (Applause)

"At this time, on the occasion of the birth date of the Reverend Martin Luther King, Reverend McKinney will present appropriate remarks."

Reverend McKinney: "Mr. Speaker, members of the House of Representatives, I was asked by the Representatives of my district (the 37th), Mr. George Fleming and Mr. David Sprague, to offer a tribute today in memory of the late Martin Luther King, Jr.

"Dr. Martin Luther King, Jr., Nobel Prize winner, humanitarian, third generation Baptist minister was born January 15, 1929, in Atlanta, Georgia. He was educated in the segregated public schools of Atlanta; and in September 1944 he entered Morehouse College in Atlanta. (I was also a member of that freshman class.) From there he went to Troja Theological Seminary in Chester, Pennsylvania, and later earned a Ph.D. Degree at Boston University.

"During his first pastorate in Montgomery, Alabama, he gave leadership to the Montgomery Improvement Association ending segregation on city buses and ushering in a new era of dignity for oppressed peoples. His leadership through the Southern Christian Leadership Conference gave youth a wholesome outlet for their ardor and enthusiasm through involvement in the struggle to liberate all men. He raised the lid on the legitimate aspirations of those who had been deprived and disenfranchised. From 1956 in Montgomery, Alabama, to that fateful day, April 4, 1968, in Memphis, Tennessee, Dr. King's sterling moral leadership was unequalled in twentieth century America.

"Dr. King paid one visit to the Northwest and the State of Washington in November 1961 as a guest of the men of my church. He was denied use of the sanctuary of one of Seattle's leading churches because at that time he was considered too controversial. I appreciate the action you have already taken, but let me challenge you to take additional action to proclaim January 15, the birthday of Martin Luther King, Jr., as a legal holiday in the State of Washington. Granted this action will not solve the many social problems confronting this state, but it will serve as a basis of commitment to make the State of Washington realize Dr. King's dream.

"Why should this action be taken? It should be taken, first of all, in deference to George Washington Bush who homesteaded just a short distance from this spot. Because of this black man, George Washington Bush, the State of Washington today is a part of the United States of America instead of British Columbia. If you wish to corroborate the facts, check the history of the state.

"This action should be taken, secondly, because the State of Washington capsules the struggle of nonwhites for justice in this nation. This state has never been completely fair in its dealings with its minorities. Our state owes more than it can ever repay to the Indian American, to the Chinese and their experience in the 1880's, the Japanese during World War II, black people today, the Mexican Americans in central Washington, and all migrant workers and poor people. The state needs an annual review of its commitment to the cause of human dignity, justice, and freedom; and the celebration of Dr. King's birthday as a legal holiday would afford such an opportunity. We need to make Dr. King's birthday a state-wide holiday to commemorate the cause for which he gave his life.

"America's two problems are white racism and poverty. Martin Luther King was in Memphis lending his well-earned mantle of leadership to the cause of lowly garbage workers attempting to bring their wages to a respectable level of existence. Dr. King died helping the workingman in his struggle to live. Martin Luther King was also preparing a poor peoples campaign to confront our nation with the awful fact of poverty, for poverty eradicates the color line, and poor peoples united themselves together in the American version of the third world. Black, red, yellow, brown, white, and poor people who knew a commonality of

suffering came together. It would be a gross mistake on the part of this legislative body to turn a deaf ear to the poor gathered here in Olympia whose lot will be harder because of proposed setbacks. In deference to Dr. King's memory, the state must take care of those for whom it is dutybound to care for.

"Finally, our state should declare Dr. King's birthday a state-wide holiday because his dream must live. He dreamed that the sons of former slaves and slaveholders one day would live together as brothers and sit down to the banquet table of brotherhood. He dreamed that freedom would ring from every mountain and hill and would resound through every valley; but the current report soberly tells us that we are approaching two Americas, one white, one black, and unequal. We need Dr. King's dream that America the polluted may become America the beautiful; that the America which is fearful may become the America that is free and liberated; that America the racist may become proud of its pluralism; that America the divided, fragmented, fractured, broken may be united not on a southern strategy nor on muted voices nor on appeals to polarize majorities but on the basis of our commitment to decency and unconditional love to guarantee freedom and dignity for all men. Because of Dr. King's dedication to the things that make for true peace, we pay tribute to him; but the best tribute we pay his memory is to fulfill his dream.

"Bullets may stop the dreamer, but bullets can never kill or eradicate a dream. Truth is marching on and will never be silent. Thank you."

The Speaker: "Thank you, Reverend McKinney."

SPEAKER'S PRIVILEGE

The Speaker: "It is our pleasure to have with us today from the State of Nebraska members of their single house legislature who have come to the state accompanied by representatives of Northwest Bell Telephone Company to observe our communication systems that have been installed here in the Legislative Building and to review our data processing system. We are most pleased to have them with us. I should like to have the Sergeant at Arms escort the visitors to the rostrum and would ask for a few remarks from their spokesman. Would the following please be escorted to the rostrum: R. L. Clark of Sidney, Herb J. Duis of Gothenberg, R. F. Proud of Omaha, R. C. Kokes of Ord, W. F. Swanson of Lincoln; the Director of Telecommunication from Lincoln, Mr. S. McGinnis; the Director of Administrative Services from Lincoln, Mr. R. D. McManus; and representatives from Northwest Bell Telephone Company, L. M. Wells, P. H. McHale and David D. Tews."

The visitors were escorted to the rostrum.

The Speaker: "At this time, I would like to call on the Honorable W. F. Swanson for a few words."

The Honorable W. F. Swanson: "Mr. Speaker and fellow legislators, we, from the State of Nebraska, are indeed grateful for the cordial reception we have received here this morning. I might tell you we have five members of our unicameral legislature with us today. We are members of an interim study committee on telecommunications and we understand that the State of Washington has one of the most sophisticated and integrated state systems existent in the United States. We certainly welcome the opportunity to visit with some of the people who can give us some answers we may be able to use in the State of Nebraska. You might be interested in knowing that although there are only five of us here representing the legislature of the State of Nebraska that five is actually over ten percent of the membership of our body. We have forty-nine members in a unicameral legislature. There is a possibility that it may be expanded in the very near future to at least fifty members. Once again, it is our pleasure to be here. We are looking forward to the opportunity to visit with some of you during the course of the day, and we are certainly hopeful that we are going to go back to Nebraska with some answers to some of the problems we are going to face. It might be such a thing that we can share some of our experiences and maybe give you an idea or two that might be of help to you. Thank you very much."

The Speaker: "Thank you very much. I understand you are going over to the Senate. After reviewing the activities of both of the bodies here in the State of Washington, I am sure you will recognize if we were going to the one house system, this would be the House."

PERSONAL PRIVILEGE

Mr. Thompson: "Mr. Speaker, I wonder if Bill Swanson would recall that we were fraternity brothers at the University of Nebraska. I hope we will have an opportunity to try out the old grip while he is here."

The Speaker requested the Sergeant at Arms to escort the visitors to the rear of the House chamber.

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

REPORTS OF STANDING COMMITTEES

January 15, 1970.

HOUSE BILL NO. 21, authorizing cities and counties to impose a sales and use tax, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11, after "cities" and before the period insert "which they may or may not implement"

On page 1, section 1, line 14, after "served" and before the period insert "should they choose to employ them"

On page 2, section 3, line 18, after "city" and before "may" insert "while not required by legislative mandate to do so,"

On page 4, section 11, line 31, after "immediately" and before the period insert the following: "PROVIDED HOWEVER, That each of the provisions set forth in this act shall be operative and in effect only until and including December 31, 1972, at which time this act, in its entirety, shall expire without any further action by the legislature"

Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Bluechel, Brown, Chapin, Evans, Flanagan, Hatfield, Murray, North, Pardini, Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Clarke (George W.), Haussler, Hurley, Randall.

Passed to Committee on Rules and Administration for second reading.

PARLIAMENTARY INQUIRY

Mr. Moon: "Did I hear Representative Haussler's name read as signing both the majority and minority reports?"

Mr. Haussler: "Mr. Speaker, I did not sign the 'do pass' report. I signed the 'do not pass' report."

The Speaker: "That is correct."

MESSAGES FROM THE SENATE

January 14, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to SENATE CONCURRENT RESOLUTION NO. 1, and has adopted the resolution as amended by the House, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 95, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to uniform rendition of accused persons; and adding a new chapter to Title 10 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 96, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to inferior courts; amending section 2, chapter 299, Laws of 1961 and RCW 3.30.020; and amending section 129, chapter 299, Laws of 1961 and RCW 3.74.920.

Referred to Committee on Judiciary.

HOUSE BILL NO. 97, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to the judicial council; adding judges of the court of appeals; and amending section 1, chapter 45, Laws of 1925 ex. sess., as last amended by section 1, chapter 124, Laws of 1967 and RCW 2.52.010.

Referred to Committee on Judiciary.

HOUSE BILL NO. 98, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to civil procedure; and amending section 374, page 202, Laws of 1854 as last amended by section 512, Code of 1881 and RCW 4.84.080.

Referred to Committee on Judiciary.

HOUSE BILL NO. 99, by Representatives Clarke (George W.), Wojahn and Clark (Newman H.) (by Judicial Council request):

An Act relating to attorneys' fees in divorce cases; and amending section 9, chapter 215, Laws of 1949 and RCW 26.08.090.

Referred to Committee on Judiciary.

HOUSE BILL NO. 100, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to grand juries; repealing sections 977 through 994, 996 through 1001, and 2104, Code of 1881, sections 11 through 17, chapter 28, Laws of 1891, section 3, chapter 48, Laws of 1891, section 5, chapter 57, Laws of 1911, section 1, chapter 150, Laws of 1925 ex. sess., section 1, chapter 74, Laws of 1939, sections 1 and 2, chapter 90, Laws of 1951, section 1, chapter 130, Laws of 1967, RCW 2.36.030 through 2.36.040, and 10.28.010 through 10.28.220; and providing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 101, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to the judiciary; and amending section 6, chapter 259, Laws of 1957, and RCW 2.56.060.

Referred to Committee on Judiciary.

HOUSE BILL NO. 102, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to statute of limitations; and amending section 3, chapter 43, Laws of 1955 and RCW 4.16.170.

Referred to Committee on Judiciary.

HOUSE BILL NO. 103, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to small claims departments of justice courts; amending section 1, chapter 187, Laws of 1919 as amended by section 1, chapter 123, Laws of 1965 and RCW 12.40.010; amending section 4, chapter 187, Laws of 1919 as amended by section 9, chapter 263, Laws of 1959 and RCW 12.40.040; and adding new sections to chapter 12.40 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 104, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to the administrator for the courts; amending section 1, chapter 259, Laws of 1957 as amended by section 1, chapter 93, Laws of 1969 and RCW 2.56.010.

Referred to Committee on Judiciary.

HOUSE BILL NO. 105, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

An Act relating to criminal procedures; amending section 6, chapter 30, Laws of 1907, as last amended by section 2, chapter 9, Laws of 1965 ex. sess., and RCW 10.76.070; and adding new sections to chapter 10.76 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 106, by Representatives Clarke (George W.), Charette and Clark (Newman H.):

An Act relating to judicial salaries; prescribing procedures; and adding new sections to Title 2 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 107, by Representatives Clarke (George W.), Charette and Clark (Newman H.):

An Act relating to judges' salaries; amending section 1, chapter 144, Laws of 1953 as last amended by section 1, chapter 127, Laws of 1965 ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.060; and amending section 2, chapter 144, Laws of 1953 as last amended by section 1, chapter 65, Laws of 1967 and RCW 2.08.090.

Referred to Committee on Judiciary.

HOUSE BILL NO. 108, by Representatives Clarke (George W.), Charette and Clark (Newman H.):

An Act relating to salaries of certain public officials; amending section 43.03.028, chapter 8, Laws of 1965 as amended by section 1, chapter 19, Laws of 1967 and RCW 43.03.028; amending section 43.03.040, chapter 8, Laws of 1965 and RCW 43.03.040; adding new sections to chapter 8, Laws of 1965 and to chapter 43.03 RCW; and declaring an emergency.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 109, by Representatives Grant, Brouillet and Williams:

An Act relating to school and state employees' health insurance; amending section 1, chapter 187, Laws of 1959 as last amended by section 2, chapter 237, Laws of 1969 ex. sess. and RCW 28.76.410; amending section 1, chapter 75, Laws of 1963 as last amended by section 1, chapter 237, Laws of 1969 ex. sess. and RCW 41.04.180; amending section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 237, Laws of 1969 ex. sess. and RCW 28A.58.420; amending section 28B.10.660, chapter 223, Laws of 1969 ex. sess., as amended by section 4, chapter 237, Laws of 1969 ex. sess., and RCW 28B.10.660; providing an effective date; and providing for the expiration of a section thereof.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 110, by Representatives Gallagher, Berentson and Conner:

An Act relating to revenue and taxation; enacting a Special Fuel Tax Act; repealing section 82.40.010, chapter 15, Laws of 1961 as last amended by section 24, chapter 281, Laws of 1969 ex. sess. and RCW 82.40.010; repealing section 82.40.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 83, Laws of 1967 ex. sess. and RCW 82.40.020; repealing section 82.40.030, chapter 15, Laws of 1961 and RCW 82.40.030; repealing section 82.40.040, chapter 15, Laws of 1961 as amended by section 1, chapter 139, Laws of 1969 and RCW 82.40.040; repealing section 82.40.045, chapter 15, Laws of 1961 and RCW 82.40.045; repealing section 82.40.046, chapter 15, Laws of 1961 as amended by section 29, chapter 281, Laws of 1969 ex. sess. and RCW 82.40.046; repealing section 82.40.047, chapter 15, Laws of 1961 as last amended by section 28, chapter 281, Laws of 1969 ex. sess. and RCW 82.40.047; repealing section 82.40.050, chapter 15, Laws of 1961 as last amended by section 3, chapter 139, Laws of 1969 and RCW 82.40.050; repealing section 82.40.060, chapter 15, Laws of 1961 as amended by section 2, chapter 33, Laws of 1965 ex. sess. and RCW 82.40.060; repealing section 82.40.070, chapter 15, Laws of 1961 and RCW 82.40.070; repealing section 82.40.080, chapter 15, Laws of 1961 and RCW 82.40.080; repealing section 82.40.090, chapter 15, Laws of 1961 and RCW 82.40.090; repealing section 82.40.100, chapter 15, Laws of 1961 and RCW 82.40.100; repealing section 82.40.110, chapter 15, Laws of 1961 and RCW 82.40.110; repealing section 82.40.115, chapter 15, Laws of 1961 and RCW 82.40.115; repealing section 82.40.120, chapter 15, Laws of 1961 and RCW 82.40.120; repealing section 82.40.130, chapter 15, Laws of 1961 as amended by section 3, chapter 33, Laws of 1965 ex. sess. and RCW 82.40.130; repealing section 82.40.140, chapter 15, Laws of 1961 and RCW 82.40.140; repealing section 82.40.150, chapter 15, Laws of 1961 and RCW 82.40.150; repealing section 82.40.160, chapter 15, Laws of 1961 and RCW 82.40.160; repealing section 82.40.170, chapter 15, Laws of 1961 and RCW 82.40.170; repealing section 82.40.180, chapter 15, Laws of 1961 and RCW 82.40.180; repealing section 82.40.190, chapter 15, Laws of 1961 and RCW 82.40.190; repealing section 82.40.200, chapter 15, Laws of 1961 and RCW 82.40.200; repealing section 82.40.210, chapter 15, Laws of 1961 and RCW 82.40.210; repealing section 82.40.220, chapter 15, Laws of 1961 as amended by

section 4, chapter 33, Laws of 1965 ex. sess. and RCW 82.40.220; repealing section 82.40.230, chapter 15, Laws of 1961 and RCW 82.40.230; repealing section 82.40.240, chapter 15, Laws of 1961 as amended by section 2, chapter 196, Laws of 1967 and RCW 82.40.240; repealing section 82.40.250, chapter 15, Laws of 1961 as last amended by section 8, chapter 89, Laws of 1967 ex. sess. and RCW 82.40.250; repealing section 82.40.260, chapter 15, Laws of 1961 and RCW 82.40.260; repealing section 82.40.270, chapter 15, Laws of 1961 as last amended by section 3, chapter 196, Laws of 1967 and RCW 82.40.270; repealing section 82.40.280, chapter 15, Laws of 1961 and RCW 82.40.280; repealing section 82.40.290, chapter 15, Laws of 1961 as last amended by section 7, chapter 83, Laws of 1967 ex. sess. and RCW 82.40.290; providing an effective date; and providing penalties.

Referred to Committee on Transportation.

HOUSE BILL NO. 111, by Representatives Anderson, DeJarnatt, Williams, Grant and Wojahn:

An Act relating to industrial insurance; providing for cost of living increases in certain pensions; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 112, by Representatives Litchman, Copeland, Kuehnle, Bagnariol, May, Ceccarelli, Kink, Jolly, Grant, Wanamaker, Merrill, Kalich, Chatalas, Williams, Hawley, Shinpoch, Randall, Rosellini, Schumaker, Backstrom, Adams, Wojahn, Martinis, Jastad, Anderson, Spanton, Bledsoe, Hatfield, Marzano, King, Clark (Newman H.) and Gallagher:

An Act relating to gambling; amending section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010; repealing section 99, page 93, Laws of 1854 as last amended by section 217, chapter 249, Laws of 1909 and RCW 9.47.010; repealing section 218, chapter 249, Laws of 1909 and RCW 9.47.020; repealing section 220, chapter 249, Laws of 1909 and RCW 9.47.030; repealing section 1, chapter 119, Laws of 1937 and RCW 9.47.040; repealing section 2, chapter 119, Laws of 1937 and RCW 9.47.050; repealing section 221, chapter 249, Laws of 1909 and RCW 9.47.060; repealing section 100, page 93, Laws of 1854 as last amended by section 222, chapter 249, Laws of 1909 and RCW 9.47.070; repealing section 226, chapter 249, Laws of 1909 and RCW 9.47.110; repealing section 228, chapter 249, Laws of 1909 and RCW 9.47.130; repealing section 1, chapter 6, Laws of 1909 and RCW 9.47.140; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 113, by Representative McCaffree (by Department of Revenue request):

An Act relating to excess levies; and amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 113, Laws of 1965 ex. sess. and RCW 84.52.052.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 114, by Representatives North, Merrill and Hoggins (by Municipal Committee request):

An Act relating to state government; establishing a state building council within the department of labor and industries; adopting a state building code; and adding a new chapter to Title 70 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 115, by Representative Wolf:

An Act relating to revenue and taxation; amending section 82.08.010, chapter 15, Laws of 1961, as last amended by section 18, chapter 149, Laws of 1967 ex. sess., and RCW 82.08.010; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 31, chapter 262, Laws of 1969 ex. sess. and RCW 82.08.020; amending section 82.08.150, chapter 15, Laws of 1961, as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; and providing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 116, by Representatives North, Chatalas, Kink, Smythe, Scott, Charette, Copeland and Sprague:

An Act relating to abortion; adding three new sections to chapter 249, Laws of 1909 and to chapter 9.02 RCW; and providing for submission of this act to a vote of the people. Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 117, by Representatives Kopet, Sprague and Pardini:

An Act relating to public lands; and amending section 24, chapter 255, Laws of 1927 as last amended by section 1, chapter 78, Laws of 1967 ex. sess. and RCW 79.01.096.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 118, by Representatives Bottiger, Whetzel and Harris (by Legislative Council request):

An Act relating to the financial responsibility of the estates of residents of state residential schools for the payment of the costs of care and maintenance at such schools; amending section 5, chapter 141, Laws of 1967 and RCW 72.33.670; amending section 72.33.180, chapter 28, Laws of 1959 as last amended by section 10, chapter 141, Laws of 1967 and RCW 72.33.180; repealing section 6, chapter 141, Laws of 1967 and RCW 72.33.675; and declaring an emergency.

Referred to Committee on Public Institutions and Youth Development.

HOUSE BILL NO. 119, by Representatives Thompson, Smythe and Zimmerman:

An Act relating to counties, and amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 226, Laws of 1969 ex. sess. and RCW 36.17.020.

Referred to Committee on Local Government.

HOUSE BILL NO. 120, by Representatives Chapin, Kiskaddon, Clarke (George W.), Grant and Wojahn:

An Act relating to cities and towns and the distribution of certain funds thereto.

Referred to Committee on Appropriations.

HOUSE JOINT MEMORIAL NO. 2, by Representatives Kink, Veroske and Farr:

Requesting Blaine Peace Arch commemorative stamp and inviting President Richard M. Nixon to attend 50th anniversary celebration.

Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT MEMORIAL NO. 3, by Representatives Charette, Chatalas, Goldsworthy, Anderson, Gallagher, Swayze, King, Conner, Merrill, Kink, Kalich, Hurley, O'Brien, Bozarth, Cunningham, Haussler, Moon, Backstrom, Wojahn, Copeland, Fleming, Newhouse, Martinis, Jastad, Adams, Rosellini, Bottiger, Bagnariol, Marzano, May, Wolf, Brouillet, Richardson, Farr, Ceccarelli, Sawyer, Ackley, McCormick and Randall:

Petitioning the President, Congress, and the Department of State to undertake more determined efforts in support of captured American men and those missing in action.

Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 9, by Representatives Bozarth, Veroske, Jolly, Hurley, Conner, Bledsoe, Marsh, Hubbard, Richardson, Goldsworthy, Lynch, May, Haussler, Gallagher, Backstrom, Barden, Pardini, Spanton, Benitz, Gladder, Wanamaker, Hatfield, Randall, Anderson, Jastad, Ceccarelli, Merrill, Beck, Rosellini, Bagnariol, Copeland, Hawley, Harris, Clark (Newman H.), Curtis, O'Dell, Berentson, Flanagan, Swayze, Morrison, Adams, Clarke (George W.), Kink, Amen, Savage, Martinis, O'Brien, Kalich, Juelling, Shera, McCormick, Shinpoch and Fleming:

Providing for an assessed valuation of 25% of the true and fair value of property.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 10, by Representatives Fleming, Haussler and Sprague:

Amending Constitution of state to extend voting rights to Indians.
Referred to Committee on State Government and Legislative Procedures.

HOUSE CONCURRENT RESOLUTION NO. 3, by Representatives Fleming, Sprague and Whetzel:

Commemorating the birthday of Dr. Martin Luther King, Jr.

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

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

Representatives Fleming, Whetzel and Sprague spoke in favor of the resolution.

House Concurrent Resolution No. 3 was adopted.

MOTION

On motion of Mr. Newhouse, House Concurrent Resolution No. 3 was ordered transmitted immediately to the Senate.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-5, by Representatives Newhouse, Jolly, Haussler, Wolf and Moon:

WHEREAS, There are several areas in the state where the United States Forest Service and various state agencies are operating adjacent recreation projects; and

WHEREAS, Several state parks are being developed and maintained on Forest Service lands; and

WHEREAS, The administration of such lands by two or more agencies is inefficient and may produce an excessive financial burden to the taxpayers of the state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council be requested to study Forest Service, Department of Natural Resources, and State Parks and Recreation Commission land and park development policies.

BE IT FURTHER RESOLVED, That the Department of Natural Resources and the Parks and Recreation Commission delay any further trading of public recreational lands until a complete study is made and recommendations are made to the 1971 Legislature.

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

HOUSE RESOLUTION NO. 70-6, by Representative Berentson:

WHEREAS, Mrs. Ann H. Wolford, recently reelected president of the Washington Association of County Park Boards, was a woman of great stature and a leader dedicated to the acquisition and development of lands for parks and recreational opportunities for Washington's citizens; and

WHEREAS, We elected representatives of the people of the State of Washington desire, on behalf of all citizens of this state, to pay tribute to her leadership in this endeavor; and

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington does hereby express its deep sorrow and sense of loss on the death of Mrs. Ann H. Wolford; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be suitably enrolled and transmitted to Mr. E. B. Wolford.

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

APPOINTMENTS TO STANDING COMMITTEES

The Speaker announced the following committee assignments for the three new members:

Representative Shinpoch: Appropriations, Education and Libraries, Local Government and Transportation.

Representative Williams: Higher Education, Judiciary and State Government.

Representative Ackley: Judiciary, Local Government and Revenue and Taxation.

MOTION

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Friday, January 16, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 16, 1970.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Copeland presiding). The Clerk called the roll and all members were present except Representatives Clark (Newman H.), Conner and Julin who were excused.

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

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

REPORTS OF STANDING COMMITTEES

January 16, 1970.

HOUSE BILL NO. 26, relating to open spaces, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 7, line 12, after "after" and before the word "years" on line 13 strike the word "eight" and insert "six"

On page 5, section 7, line 16, after "situated." and before "The" insert "Within seven days the county assessor shall transmit one copy of such notice to the interagency committee for outdoor recreation."

On page 5, section 7, line 17, after "when" and before "assessment" strike "two" and insert "four"

On page 7, line 30 strike the remainder of the bill and add the following sections:

"NEW SECTION. Sec. 15. The joint committee on open space land is hereby created and is authorized and directed to:

(1) Make a comprehensive study and examination of the operation and effectiveness of current use taxation of land that is designated as open space land, farm and agriculture land, timberland, or by the laws of the state of Washington;

(2) Make reports from time to time to the members of the legislature, to concerned county and city officials, and to the public with respect to any of its findings;

(3) Suggest changes in state and local laws, ordinances, or administrative regulations necessary in the judgment of the committee to achieve the purposes of current use taxation as set forth by the laws of the state of Washington.

NEW SECTION. Sec. 16. The committee shall meet, act, and conduct its business at such times and places as is necessary in carrying out its delegated duties.

NEW SECTION. Sec. 17. The committee shall have the following membership:

(1) Four senators to be selected by the president of the senate, not more than two of whom shall be from the same political party, and four representatives to be appointed by the speaker of the house, not more than two of whom shall be from the same political party;

(2) Seven members to be appointed by the governor, one from each United States congressional district in the state, no more than four of whom shall be members of the same political party;

- (3) One member to be appointed by the Washington state association of counties;
 (4) One member to be appointed by the Washington state association of elected county officials;
 (5) The commissioner of public lands or his designated representative;
 (6) One member to be appointed by the Washington state grange;
 (7) One member to be appointed by the Washington state farm bureau;
 (8) One member to be appointed by the Washington forest protective association;
 (9) One member to be appointed by the Washington environmental council.

NEW SECTION. Sec. 18. Members shall serve for terms of two years and until their successors are installed, or in the case of legislative members, until they are no longer members, whichever is sooner. The committee shall fill any vacancies occurring on the committee by appointment from the same political party and legislative chamber as the departing member. Members filling vacancies shall serve the remainder of the existing term and until their successors are installed, or in the case of legislative members, until they are no longer members, whichever is sooner. Any member may serve additional terms.

NEW SECTION. Sec. 19. The committee, by majority vote, shall select from among the members a chairman, and, by majority vote, the committee may employ a staff director and such clerical and other assistants as it finds necessary or appropriate, and fix their compensation.

NEW SECTION. Sec. 20. The committee, by majority vote, shall select appropriate subcommittees; and prescribe rules of procedure for itself and its subcommittees which are not inconsistent with this act. Both the committee and any subcommittees shall be authorized to conduct hearings throughout the state and shall have power to require data from all public officials and agencies concerned with property taxation in the state of Washington and from such other public officials and agencies as may provide information helpful to the committee or subcommittee in carrying out its functions. In furthering the purposes of this act, the committee shall have authority to select and consult with interested citizen groups. Such groups shall not receive expenses as otherwise in this act provided for.

NEW SECTION. Sec. 21. The members of the committee shall receive no compensation but shall receive per diem in an amount not to exceed twenty-five dollars per day while attending to the business of the committee, and their necessary travel and subsistence expenses.

NEW SECTION. Sec. 22. All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon voucher forms as provided by the budget director and signed by the chairman of the committee. Vouchers may be drawn upon funds appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the committee.

NEW SECTION. Sec. 23. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 24. The provisions of this act shall take effect on January 1, 1971.

NEW SECTION. Sec. 25. There is added to chapter 15, Laws of 1961 and to Title 84 RCW a new chapter to consist of sections 1 through 25 of this act."

Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Bluechel, Charette, Clarke (George W.), Evans, Flanagan, Haussler, Moon, Murray, North, Pardini, Wajahn.

MINORITY recommendation: Do not pass. Signed by Representatives Ackley, Brown, Chapin, Hatfield, Marzano, Randall, Scott.

Passed to Committee on Rules and Administration for second reading.

January 15, 1970.

HOUSE BILL NO. 53, creating a Department of Social and Health Services, reported by Committee on Public Health and Welfare.

MAJORITY recommendation: Do pass with the following amendment:

On page 7, section 8, line 21, strike the period and insert: " **PROVIDED,** That each such confidential secretary must meet the minimum qualifications for the class of secretary II as determined by the state personnel board."

Signed by Representatives Farr, Chairman, Zimmerman, Vice Chairman, Gladder, Hatfield, Juelling, Kirk, Kopet, Pardini, Sprague, Whetzel.

MINORITY recommendation: Do not pass. Signed by Representative Marzano.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 15, 1970.

Mr. Speaker: The President has signed **SENATE CONCURRENT RESOLUTION NO. 1,** and the same is herewith transmitted. **SIDNEY R. SNYDER,** Secretary.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery students from St. Joseph's School in Vancouver and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Georgetown School in Seattle and asked them to stand and be recognized.

The Speaker observed in the south gallery Camp Fire Girls from Bellingham and asked them to stand and be recognized.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 121, by Representatives Hoggins and Richardson:
An Act relating to education.
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 122, by Representatives Hoggins and Richardson:
An Act relating to education.
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 123, by Representatives Brouillet, Mahaffey, Hoggins, Zimmerman and Sprague (by Joint Committee on Education request):

An Act relating to education; and amending sections 28A.04.040, 28A.04.110, 28A.04.120, 28A.13.020, 28A.14.020, 28A.14.050, 28A.24.150, 28A.28.010, 28A.28.030, 28A.31.050, 28A.35.030, 28A.41.160, 28A.44.050, 28A.44.060, 28A.44.070, 28A.44.080, 28A.44.090, 28A.44.100, 28A.56.030, 28A.56.040, 28A.56.060, 28A.57.020, 28A.57.080, 28A.57.415, 28A.58.103, 28A.58.150, 28A.58.603, 28A.59.080, 28A.59.150, 28A.60.070, 28A.60.186, 28A.60.210, 28A.66.050, 28A.67.040, 28A.67.060, 28A.66.060, 28A.66.100, 28A.70.130, 28A.70.160, 28A.70.170 and 28A.88.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.040, 28A.04.110, 28A.04.120, 28A.13.020, 28A.14.020, 28A.14.050, 28A.24.150, 28A.28.010, 28A.28.030, 28A.31.050, 28A.35.030, 28A.41.160, 28A.44.050, 28A.44.060, 28A.44.070, 28A.44.080, 28A.44.090, 28A.44.100, 28A.56.030, 28A.56.040, 28A.56.060, 28A.57.020, 28A.57.080, 28A.57.415, 28A.58.103, 28A.58.150, 28A.58.603, 28A.59.080, 28A.59.150, 28A.60.070, 28A.60.186, 28A.60.210, 28A.66.050, 28A.67.040, 28A.67.060, 28A.66.060, 28A.66.100, 28A.70.130, 28A.70.160, 28A.70.170 and 28A.88.070; amending sections 19 and 20, chapter 34, Laws of 1969 ex. sess. and RCW 28A.21.105 and 28A.21.106; amending section 11, chapter 176, Laws of 1969 ex. sess. as codified in RCW 28A.21.110; amending section 28A.27.040, chapter 223, Laws of 1969 ex. sess. as amended by section 105, chapter 176, Laws of 1969 ex. sess. and RCW 28A.27.040; amending section 28A.58.100, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 283, Laws of 1969 ex. sess. and RCW 28A.58.100; amending section 18, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.515; amending section 28A.58.560, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 97, Laws of 1969 and RCW 28A.58.560; amending section 28A.65.080, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.080; amending section 28A.65.100, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.100; amending sections 28A.65.110, 28A.65.120 and 28A.65.150, chapter 223, Laws of 1969 ex. sess. as amended by sections 28, 29 and 33, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.110, 28A.65.120 and 28A.65.150; amending sections 34 and 30, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.153 and 28A.65.180; amending section 4, chapter 235, Laws of 1969 ex. sess. as codified in RCW 28A.96.040 and RCW 28A.96.040; and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 124, by Representatives Hoggins and Richardson:
An Act relating to education.
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 125, by Representatives King, Brouillet and Sprague:

An Act relating to education; providing for a More Effective Elementary Schools Act of Washington State; providing for an appropriation; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 126, by Representatives Amen, Jolly and Flanagan:

An Act relating to irrigation and reclamation districts; and amending section 4, chapter 275, Laws of 1943 as last amended by section 1, chapter 3, Laws of 1963 and RCW 89.12.040.

Referred to Committee on Agriculture.

HOUSE BILL NO. 127, by Representatives Clark (Newman H.), Wojahn and Hurley:

An Act relating to the retirement of judges of the supreme and superior courts; amending section 3, chapter 229, Laws of 1937 as last amended by section 3, chapter 286, Laws of 1961 and RCW 2.12.030; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 128, by Representatives Kuehnle, Sawyer, Randall, Goldsworthy and Bottiger:

An Act relating to revenue and taxation; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 129, by Representatives Brown, Haussler and Copeland:

An Act relating to education; amending section 7, chapter 176, Laws of 1969 ex. sess. and RCW 28.19.530; amending section 7, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.070; creating new sections; declaring an emergency; and providing for the expiration of a section hereof.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 130, by Representatives Bagnariol, O'Dell and Sawyer:

An Act relating to installment loans; providing for the supervision, regulation and licensing of installment loan companies; and prescribing penalties.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 131, by Representatives Lynch, Smythe and King:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 132, by Representatives Lynch, Smythe and King:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 133, by Representatives Lynch, Smythe and King:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 134, by Representatives Lynch, Smythe and King:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 135, by Representatives Richardson, Kuehnle, Kopet and Pardini:

An Act relating to revenue and taxation and empowering townships to make excess property tax levies; amending section 1, chapter 243, Laws of 1969 ex. sess. and RCW 45.82.010; amending section 1, chapter 165, Laws of 1953, as last amended by section 4, chapter 243, Laws of 1969 ex. sess. and RCW 45.12.100; and amending section 84.52.052, chapter 15, Laws of 1961, as last amended by section 1, chapter 113, Laws of 1965 ex. sess., and RCW 84.52.052.

Referred to Committee on Local Government.

HOUSE BILL NO. 136, by Representative Grant:

An Act relating to education; amending section 3, chapter ---, Laws of 1970 ex. sess. (HB ---) and RCW 28.58.100; amending section 28A.58.100, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 283, Laws of 1969 ex. sess. and RCW 28A.58.100; amending section 1, chapter 187, Laws of 1959 as last amended by section 2, chapter 237, Laws of 1969 ex. sess. and RCW 28.76.410; amending section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 237, Laws of 1969 ex. sess. and RCW 28A.58.420; amending section 28B.10.660, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 237, Laws of 1969 ex. sess. and RCW 28B.10.660; and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 137, by Representatives Fleming and Sprague:

An Act adopting a supplemental budget; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 138, by Representatives May, Grant and Perry:

An Act relating to education; amending section 6, chapter 143, Laws of 1965 as amended by section 1, chapter 52, Laws of 1969 ex. sess. and RCW 28.72.060; amending section 28A.72.060, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; making an effective date; and providing for the expiration of a section hereof.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 139, by Representatives Marzano, Grant and Backstrom:

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

Referred to Committee on Judiciary.

HOUSE BILL NO. 140, by Representatives Zimmerman, Smythe, Marsh and Sprague:

An Act relating to recreation trails.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 141, by Representatives Lynch and Kopet (by Department of Public Assistance request):

An Act relating to the department of public assistance advisory committees; amending section 5, chapter 90, Laws of 1965, extraordinary session, as amended by section 22, chapter 172, Laws of 1967 and RCW 74.32.040; and amending section 18, chapter 172, Laws of 1967 as amended by section 3, chapter 172, Laws of 1969, extraordinary session, and RCW 74.32.051.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 142, by Representatives Leland, Perry and Berentson:

An Act relating to highways; making an appropriation for the maintenance and operation of state highways; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 143, by Representatives Smythe, Copeland and Charette:

An Act relating to education; amending section 2, chapter 283, Laws of 1969 ex. sess. and RCW 28.67.074; and amending section 2, chapter 283, Laws of 1969 ex. sess. and RCW 28A.67.074.

Referred to Committee on Education and Libraries.

HOUSE CONCURRENT RESOLUTION NO. 4, by Representatives Harris, May, Pardini, Richardson, Hurley, Saling, Kopet, Gladder, Kuehne and McCormick:

Commending development of Spokane Centennial celebration.

On motion of Mr. Newhouse, the rules were suspended, House Concurrent Resolution No. 4 was advanced to second reading and read the second time.

On motion of Mr. Newhouse, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 4 was placed on final passage.

Representatives Harris, Saling, Sprague, Hurley, May and Kalich spoke in favor of the resolution.

House Concurrent Resolution No. 4 was adopted.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Clark (Newman H.), Conner, Julin and Sawyer. Representatives Clark (Newman H.), Conner and Julin were excused.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:
SENATE CONCURRENT RESOLUTION NO. 1.

SECOND READING

HOUSE BILL NO. 26, by Representatives Newhouse, Charette, Bledsoe, Wolf, Cunningham, Barden, Amen, Benitz, North, Bluechel, Marsh, Pardini, Curtis, O'Dell, Zimmerman and Spanton:

Relating to open spaces.

MOTION

On motion of Mr. Newhouse, the House deferred consideration of House Bill No. 26, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 53, by Representatives Lynch, Harris, Farr, Amen, Bledsoe, Bluechel, Chapin, Cunningham, Curtis, Evans, Goldsworthy, Harris, Hoggins, Hubbard, Kirk, Kiskaddon, Kopet, Leckenby, Mahaffey, McCaffree, Mentor, Murray, North, Shera, Smythe, Veroske and Zimmerman (by Executive request):

Creating a department of social and health services.

MOTION

On motion of Mr. Newhouse, the House deferred consideration of House Bill No. 53, and the bill was ordered held for tomorrow's second reading calendar.

MESSAGES FROM THE SENATE

January 16, 1970.

Mr. Speaker: The Senate has adopted SENATE CONCURRENT RESOLUTION NO. 2, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

Mr. Harris moved that the rules be suspended to allow the immediate introduction of Senate Concurrent Resolution No. 2.

Mr. Harris explained that House Concurrent Resolution No. 4, which the House

adopted earlier in today's proceedings, is identical to Senate Concurrent Resolution No. 2.
The motion was carried.

MOTION

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

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 2, by Senators Twigg, Day, Guess, Cooney and Keefe:

Commending development of Spokane Centennial celebration.

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

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 2 was placed on final passage and adopted.

MOTIONS

On motion of Mr. Newhouse, the House advanced to the twelfth order of business.

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Saturday, January 17, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, January 17, 1970.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chapin and Sprague who were excused.

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

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 190, by Representatives Copeland and Charette:

An Act relating to the expenses and costs of the legislature including subsistence payments and expenses of members; making appropriations; and declaring an emergency.

On motion of Mr. Newhouse, the rules were suspended, House Bill No. 190 was advanced to second reading and read the second time.

On motion of Mr. Newhouse, the rules were suspended, the second reading considered the third, and House Bill No. 190 was placed on final passage.

Representative Copeland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 190, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Chapin, Hubbard, Mahaffey, O'Brien, Sprague—5.

House Bill No. 190, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Newhouse, House Bill No. 190 was ordered transmitted immediately to the Senate.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery a group of Girl Scouts from Troop 733 in Lacey and asked them to stand and be recognized.

The Speaker observed in the south gallery members of the 4-H Club from Hoquiam and asked them to stand and be recognized.

The Speaker observed in the south gallery a group of Girl Scouts from Troop 568 in Lacey and asked them to stand and be recognized.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker called on Mr. Wolf to preside.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 144, by Representatives Goldsworthy and Saling:

An Act relating to state and local government and making appropriations.

Referred to Committee on Appropriations.

HOUSE BILL NO. 145, by Representatives Clarke (George W.), Swayze and Clark (Newman H.):

An Act relating to lawyers' code of ethics; and amending section 15, chapter 126, Laws of 1921 and RCW 2.48.230.

Referred to Committee on Judiciary.

HOUSE BILL NO. 146, by Representative Backstrom:

An Act relating to education; amending section 2, chapter 154, Laws of 1965 ex. sess. as last amended by section 1, chapter 138, Laws of 1969 and RCW 28.41.130; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 138, Laws of 1969 and RCW 28A.41.130; adding new sections to chapter 28.41 or to chapter 28A.41 RCW; and declaring an effective date.

Referred to Committee on Appropriations.

HOUSE BILL NO. 147, by Representatives Perry and Gallagher:

An Act relating to public assistance.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 148, by Representatives Perry and Gallagher:

An Act relating to public assistance.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 149, by Representative Charette (by State Auditor request):

An Act relating to state government; amending section 43.88.010, chapter 8, Laws of 1965 and RCW 43.88.010; amending section 43.88.160, chapter 8, Laws of 1965 as last amended by section 49, chapter 8, Laws of 1967 first extraordinary session and RCW 43.88.160; amending section 43.09.310, chapter 8, Laws of 1965 and RCW 43.09.310; adding new sections to chapter 43.88 RCW; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 150, by Representatives Clarke (George W.), Bottiger and Swayze:

An Act establishing the small claims department in justice district courts; adding a new chapter to Title 12 RCW; and repealing sections 1 through 11, chapter 187, Laws of 1919, sections 1 and 2, chapter 123, Laws of 1963, section 9, chapter 263, Laws of 1959, and RCW 12.40.010 through 12.40.110.

Referred to Committee on Judiciary.

HOUSE BILL NO. 151, by Representatives O'Dell, Bagnariol and Veroske:

An Act relating to insurance.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 152, by Representative Brouillet:

An Act relating to state government; providing vacation leave for subordinate officers and employees; amending section 43.01.040, chapter 8, Laws of 1965 as amended by section 1, chapter 13, Laws of 1965 ex. sess. and RCW 43.01.040.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 153, by Representatives O'Dell, Charette and Copeland:

An Act relating to state government; amending section 43.19.1935, chapter 8, Laws of 1965 and RCW 43.19.1935; and amending section 1, chapter 68, Laws of 1965 ex. sess. as amended by section 1, chapter 6, Laws of 1967 ex. sess. and RCW 43.01.120.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 154, by Representatives Wolf, Brouillet and Conway:

An Act relating to state government; providing for per diem allowances for officers and employees; and amending section 43.03.050, chapter 8, Laws of 1965 as amended by section 1, chapter 77, Laws of 1965 ex. sess. and RCW 43.03.050.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 155, by Representatives Hawley, Veroske and Kink:

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 156, by Representatives Hawley, Veroske and Kink:

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 157, by Representatives Evans, Mahaffey and Lynch:

An Act relating to the education of all students with reference to drug misuse and drug abuse; and making an appropriation.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 158, by Representatives Wojahn, Shera and Bottiger:

An Act relating to debt adjusting; and amending section 1, chapter 201, Laws of 1967 and RCW 18.28.010.

Referred to Committee on Judiciary.

HOUSE BILL NO. 159, by Representative Swayze:

An Act relating to elections.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 160, by Representative Bluechel:

An Act relating to elections.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 161, by Representatives Bottiger, Wolf, Wojahn and McCaffree:

An Act relating to unfair business practices and consumer protection; amending section 8, chapter 216, Laws of 1961 and RCW 19.86.080; amending section 9, chapter 216, Laws of 1961 and RCW 19.86.090; amending section 10, chapter 216, Laws of 1961 and RCW 19.86.100; amending section 11, chapter 216, Laws of 1961 and RCW 19.86.110; amending section 12, chapter 216, Laws of 1961 and RCW 19.86.120; amending section 13, chapter 216, Laws of 1961 and RCW 19.86.130; and amending section 14, chapter 216, Laws of 1961 and RCW 19.86.140; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 162, by Representatives Richardson, Lynch, Chapin, Hurley and Wolf:

An Act relating to civil disturbances; and providing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 163, by Representatives Copeland, Whetzel and Bottiger:

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

Referred to Committee on Local Government.

HOUSE BILL NO. 164, by Representatives Sprague, Chatalas, Fleming and Litchman:

An Act relating to cities; authorizing first class cities to contract with the United States; and declaring an emergency.

Referred to Committee on Local Government.

HOUSE BILL NO. 165, by Representatives Goldsworthy and Saling:

An Act relating to revenue and taxation; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 166, by Representatives Kiskaddon, Wojahn, North and Brouillet:

An Act relating to public school day care centers.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 167, by Representatives Hawley, Veroske and Kink:

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 168, by Representatives Sprague, Murray, Chatalas, Wojahn and

Fleming:

An Act relating to landlords and tenants; adding a new chapter to Title 59 RCW; and adding new sections to chapters 59.04, 59.08, 59.12, and 59.16 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 169, by Representative Amen:

An Act relating to agriculture.

Referred to Committee on Agriculture.

HOUSE BILL NO. 170, by Representatives Sprague, Leckenby, Ackley, Murray, Scott, Grant, North, O'Brien, Brown and Wojahn:

An Act relating to highways and the operation of motor vehicles thereon; prohibiting the sale of motor vehicles powered by an internal combustion reciprocating engine after 1980; directing a study of alternatives; adding new sections to Title 46 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 171, by Representatives Litchman, Copeland, Kink, Bagnariol and Ceccarelli:

An Act relating to athletics, sports and entertainment; dedicating the University of Washington football stadium to certain general public use under specified circumstances; providing for the control and management of the University of Washington football stadium; amending section 5, page 240, Laws of 1909 as last amended by section 1, chapter 176, Laws of 1939 and RCW 28.77.130; amending section 28B.20.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.130; declaring an emergency; and providing for the expiration of a section hereof.

Referred to Committee on Higher Education.

HOUSE BILL NO. 172, by Representatives Wolf, Bottiger, Conway, Bledsoe, Brouillet and Charette:

An Act relating to civil service for state employees; authorizing certain political activities; and amending section 25, chapter 1, Laws of 1961 and RCW 41.06.250.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 173, by Representatives Goldsworthy and Saling:

An Act relating to state and local government and making appropriations.
Referred to Committee on Appropriations.

HOUSE BILL NO. 174, by Representatives Sprague and Murray:

An Act relating to certificates of title and registration for motor vehicles; amending section 7, chapter 140, Laws of 1967, as last amended by section 38, chapter 281, Laws of 1969 ex. sess. and RCW 46.12.101; and providing penalties.

Referred to Committee on Transportation.

HOUSE BILL NO. 175, by Representatives Richardson, Bottiger and Leckenby:

An Act relating to legislative lobbying; providing for the registration and regulation of lobbyists; amending section 1, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.010; amending section 2, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.020; amending section 3, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.030; amending section 4, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.040; amending section 6, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.060; adding new sections to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW; repealing section 5, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.050; and providing civil remedies.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 176, by Representatives Harris, May, O'Dell and Pardini:

An Act relating to justice courts and administration; amending section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 66, Laws of 1969 ex. sess., and RCW 3.34.010; and amending section 11, chapter 299, Laws of 1961, as amended by section 7, chapter 66, Laws of 1969 ex. sess. and RCW 3.34.020.

Referred to Committee on Judiciary.

HOUSE BILL NO. 177, by Representatives Sprague, Brouillet, King, Ackley, Wojahn, Rosellini, Chatalas, Williams, Merrill, Adams, Fleming, Ceccarelli, McCaffree and Litchman (by Joint Committee on Education request):

An Act relating to education; and making an appropriation.

Referred to Committee on Appropriations.

HOUSE BILL NO. 178, by Representatives Sprague, Brouillet and Mahaffey (by Joint Committee on Education request):

An Act relating to education; amending section 28A.58.101, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.101; amending section 28A.87.140, chapter 223, Laws of 1969 ex. sess. as amended by section 61, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.140; amending section 3, chapter --, Laws of 1970 ex. sess. (HB 41) and RCW 28.58.100; amending section 9, page 360, Laws of 1909 as amended by section 52, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.140; amending section 1, page 261, Laws of 1909 and RCW 28.58.190; repealing sections 28A.58.190, 28A.58.200, 28A.67.100 and 28A.87.120, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190, 28A.58.200, 28A.67.100 and 28A.87.120; repealing section 6, page 263, section 7, page 308 and section 14, page 361, Laws of 1909 and RCW 28.58.200, 28.67.100 and 28.87.120; adding new sections to Title 28A RCW as a new chapter thereof; adding new sections to Title 28 RCW as a new chapter thereof; making an effective date; and providing for the expiration of certain sections hereof.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 179, by Representatives Sprague, Ceccarelli and Leckenby (by Department of Health request):

An Act relating to hotels and motels and providing for inspection by the state department of health; amending section 43.22.050, chapter 8, Laws of 1965 and RCW 43.22.050; repealing section 43.22.060, chapter 8, Laws of 1965 and RCW 43.22.060; repealing section 43.22.070, chapter 8, Laws of 1965 and RCW 43.22.070; repealing section 43.22.080, chapter 8, Laws of 1965 and RCW 43.22.080; repealing section 43.22.090,

chapter 8, Laws of 1965 and RCW 43.22.090; repealing section 43.22.100, chapter 8, Laws of 1965 and RCW 43.22.100; repealing section 43.22.110, chapter 8, Laws of 1965 and RCW 43.22.110; repealing sections 1 through 6, chapter 169, Laws of 1915, sections 1 through 11, chapter 29, Laws of 1909, and sections 1 and 2, chapter 48, Laws of 1905 and RCW 70.62.010 through 70.62.130; prescribing penalties; and providing an effective date. Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 180, by Representatives Kiskaddon, Haussler, McCaffree, Brown, O'Dell, Bozarth, Hurley, Jolly, and Curtis:

An Act relating to property taxes; amending section 1, chapter 174, Laws of 1965 ex. sess., as amended by section 1, chapter 146, Laws of 1967 ex. sess., and RCW 84.54.010; amending section 2, chapter 174, Laws of 1965 ex. sess., as amended by section 2, chapter 146, Laws of 1967 ex. sess., and RCW 84.54.020; amending section 84.52.010, chapter 15, Laws of 1961 and RCW 84.52.010; and repealing sections 3 through 6, chapter 174, Laws of 1965 ex. sess., sections 3 through 9, chapter 146, Laws of 1967 ex. sess., section 1, chapter 242, Laws of 1969 ex. sess., and RCW 84.54.030 through 84.54.090.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 181, by Representatives Scott, Brouillet and Murray:

An Act relating to elections; providing for the regulation and reporting of campaign contributions and expenditures; establishing an elections commission; adding new sections to chapter 9, Laws of 1965 and to Title 29 RCW; repealing section 29.18.140, chapter 9, Laws of 1965 as amended by section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; and prescribing penalties.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 182, by Representatives Scott, Thompson, Sprague and Murray:

An Act relating to elections; and adding new sections to chapter 9, Laws of 1965 and to Title 29 RCW.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 183, by Representatives Bledsoe, Flanagan, Newhouse, Murray, Morrison, Copeland, Benitz, Wolf, Curtis, Amen, Zimmerman, Spanton, Hoggins, Hubbard and Schumaker:

An Act relating to livestock and providing penalties.

Referred to Committee on Agriculture.

HOUSE BILL NO. 184, by Representatives Jueling, Barden, Shera, Mahaffey, Curtis, Hatfield, Pardini, Smythe, Conway, Kuehnle, Benitz, Hubbard, Wanamaker, Wolf, Gladder, Veroske, Flanagan, Spanton, Brown, Goldsworthy, Lynch, Schumaker, O'Dell, Amen, Kirk, Harris, Berentson, Leland, Hawley and Kopet:

An Act relating to unemployment compensation; amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320; amending section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010; amending section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; amending section 83, chapter 35, Laws of 1945, as amended by section 5, chapter 215, Laws of 1951 and RCW 50.20.150; amending section 3, chapter 286, Laws of 1955 and RCW 50.20.030; amending section 73, chapter 35, Laws of 1945 as last amended by section 8, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.050; amending section 74, chapter 35, Laws of 1945 as last amended by section 9, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.060; amending section 129, chapter 35, Laws of 1945 and RCW 50.32.130; amending section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW; repealing sections 10, 11, 12, 15 and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050 and 50.28.060; repealing section 3, chapter

235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040; providing an effective date; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 185, by Representative Bluechel:

An Act relating to state government.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 186, by Representative Swayze:

An Act relating to state government.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 187, by Representatives O'Dell, Veroske, Pardini and Sawyer:

An Act relating to financial institutions.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 188, by Representatives Kopet and Chapin:

An Act relating to cities and towns.

Referred to Committee on Local Government.

HOUSE BILL NO. 189, by Representatives Smythe and Zimmerman:

An Act relating to cities and towns.

Referred to Committee on Local Government.

HOUSE BILL NO. 191, by Representatives Brown and North:

An Act relating to local government.

Referred to Committee on Local Government.

HOUSE BILL NO. 192, by Representatives Chapin and Kopet:

An Act relating to local government.

Referred to Committee on Local Government.

HOUSE BILL NO. 193, by Representatives Zimmerman, Bottiger and Smythe:

An Act relating to revenue and taxation; amending section 84.48.010, chapter 15, Laws of 1961 and RCW 84.48.010; adding new sections to chapter 15, Laws of 1961 and to chapter 84.48 RCW; and amending section 84.56.400, chapter 15, Laws of 1961, as amended by section 2, chapter 93, Laws of 1965 and RCW 84.56.400.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 194, by Representatives Perry, Williams, Scott, Bluechel, Martinis and King:

An Act relating to the location of thermal power plants; providing for the regulation of siting and transmission line routing; establishing a thermal power plant site commission; adding a new chapter to Title 80 RCW; and prescribing penalties.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 195, by Representative Leland:

An Act relating to highways; providing for the distribution of highway construction funds, to be derived from additional excise taxes on motor vehicle fuels and the sale of limited obligation bonds as authorized herein, to the state, counties and cities; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 75, chapter 145, Laws of 1967 ex. sess. and RCW 82.36.020; amending section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 83, Laws of 1967 ex. sess. and RCW 82.36.100; amending section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030; amending section 19, chapter 22, Laws of 1963 ex. sess. as amended by section 5, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.190; amending section 82.40.020, chapter 15, Laws of 1961 as last amended by

section 6, chapter 83, Laws of 1967 ex. sess. and RCW 82.40.020; amending section 82.40.290, chapter 15, Laws of 1961 as last amended by section 7, chapter 83, Laws of 1967 ex. sess. and RCW 82.40.290; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 79, chapter 145, Laws of 1967 ex. sess. and RCW 46.68.100; amending section 9, chapter 83, Laws of 1967 ex. sess. and RCW 46.68.150; amending section 36, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.400; amending section 45, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.420; and providing effective dates, and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 196, by Representative Clarke (George W.):

An Act relating to garnishments; amending section 5, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.050; amending section 8, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.080; amending section 19, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.190; amending section 28, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.280; amending section 34, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.340; and adding new sections to chapter 264, Laws of 1969 ex. sess. and to chapter 7.33 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 197, by Representative Chatalas:

An Act relating to the departments of health and public assistance and the classification of patients and residents in health facilities.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 198, by Representative Backstrom:

An Act relating to the humanities.

Referred to Committee on Higher Education.

HOUSE BILL NO. 199, by Representative Wolf:

An Act relating to crimes and criminal procedure.

Referred to Committee on Judiciary.

HOUSE BILL NO. 200, by Representatives Mentor, Kink, Wanamaker, Brown, North, Murray and Martinis:

An Act relating to land areas along the Pacific Ocean and Puget Sound shore; state parks; state recreation areas; and highways.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 201, by Representatives Leland, Veroske and Gallagher:

An Act relating to speed limits; amending section 3, chapter 16, Laws of 1963 as last amended by section 1, chapter 12, Laws of 1969 ex. sess., and RCW 46.61.410; amending section 2, chapter 16, Laws of 1963 as amended by section 1, chapter 25, Laws of 1967 and RCW 46.61.405; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 202, by Representatives Kuehnle, Hatfield, Richardson and Pardini:

An Act relating to county road improvement districts; providing for an increase of the interest rate on assessments; amending section 36.88.140, chapter 4, Laws of 1963 and RCW 36.88.140; and declaring an emergency.

Referred to Committee on Local Government.

HOUSE BILL NO. 203, by Representatives Wolf, Bottiger, McCaffree, Kirk, Cunningham, Williams, Smythe and Mahaffey:

An Act relating to insurance and health care programs for state employees and officials; amending section 1, chapter 75, Laws of 1963 as last amended by section 1, chapter 237, Laws of 1969, 1st ex. sess. and RCW 41.04.180; amending section 5, chapter 59, Laws of 1969 and RCW 41.04.230; repealing section 5, chapter 237, Laws of 1969, 1st ex. sess. and RCW 41.04.200; repealing section 6, chapter 237, Laws of 1969, 1st ex. sess.

and RCW 41.04.210; repealing section 8, chapter 237, Laws of 1969, 1st ex. sess.; adding new sections to Title 41 RCW as a new chapter thereof; adding a new section to chapter 1, Laws of 1961 and chapter 41.06 RCW; making an appropriation and declaring an emergency.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 204, by Representatives King, Lynch and Smythe:

An Act relating to community colleges; amending section 33, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.851; amending section 33, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.851; amending section 44, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.868; amending section 44, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.868; declaring an emergency; providing an effective date; and providing for the expiration of sections thereof.

Referred to Committee on Higher Education.

HOUSE BILL NO. 205, by Representative Leland:

An Act relating to the acquisition of real property for public use.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 206, by Representative Leland:

An Act relating to the acquisition of real property for public use.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 207, by Representatives Gallagher, May and Williams:

An Act relating to police retirement and benefits.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 208, by Representative Leland:

An Act relating to Puget Sound transportation.

Referred to Committee on Transportation.

HOUSE BILL NO. 209, by Representatives Kirk, Hurley and Chatalas:

An Act relating to public assistance.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 210, by Representatives Harris, Chatalas and Julin:

An Act providing for the licensing of the administrators of nursing homes and similar facilities; creating a board of examiners for licensing of nursing home administrators; establishing standards; prescribing penalties; providing an effective date; making an appropriation; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 211, by Representative Clarke (George W.):

An Act relating to judicial administration.

Referred to Committee on Judiciary.

HOUSE BILL NO. 212, by Representative Farr:

An Act relating to public health and welfare.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 213, by Representative Farr:

An Act relating to public health and welfare.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 214, by Representative Fleming:

An Act relating to public contracts.

Referred to Committee on Judiciary.

HOUSE BILL NO. 215, by Representatives Kopet and Haussler (by State Auditor request):

An Act relating to counties; providing for the creation of certain funds to be created for certain purposes; amending section 36.33.060, chapter 4, Laws of 1963 and RCW 36.33.060; and adding a new section to chapter 36.33 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 216, by Representatives McCaffree, Murray and Bledsoe (by Department of Revenue request):

An Act relating to revenue and taxation; amending section 1, chapter 7, Laws of 1963, as last amended by section 1, chapter -- (HB 34), Laws of 1970 ex. sess. and RCW 82.04.050; amending section 82.04.170, chapter 15, Laws of 1961 and RCW 82.04.170; amending section 82.04.430, chapter 15, Laws of 1961 as last amended by section 11, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.430; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 20, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.030; amending section 82.12.010, chapter 15, Laws of 1961 as last amended by section 17, chapter 173, Laws of 1965 ex. sess. and RCW 82.12.010; and providing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 217, by Representative Gladder:

An Act relating to taxation and revenue by state and local governments.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 218, by Representative Clarke (George W.):

An Act relating to criminal procedure; concerning search warrants and arrest warrants; amending section 2, page 101, Laws of 1854 as last amended by section 1, chapter 83, Laws of 1969 and RCW 10.79.015; amending section 3, page 101, Laws of 1854 as last amended by section 969, Code of 1881 and RCW 10.79.020; amending section 181 part, page 262, Laws of 1854 as last amended by section 7 part, chapter 11, Laws of 1891 and RCW 10.07.060; and amending section 172, page 260, Laws of 1854 as last amended by section 1888, Code of 1881 and RCW 10.04.010.

Referred to Committee on Judiciary.

HOUSE BILL NO. 219, by Representative Randall:

An Act relating to the public health and welfare.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 220, by Representative Grant:

An Act relating to public hospital districts.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 221, by Representative Grant:

An Act relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 222, by Representative Fleming:

An Act relating to discrimination.

Referred to committee on Labor and Employment Security.

HOUSE BILL NO. 223, by Representative Clarke (George W.):

An Act relating to crimes; amending section 353, chapter 249, Laws of 1909 as amended by section 1, chapter 97, Laws of 1955 and RCW 9.54.090; and amending section 1, chapter 156, Laws of 1915 and RCW 9.54.050.

Referred to Committee on Judiciary.

HOUSE BILL NO. 224, by Representative Flanagan:

An Act relating to natural resources.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 225, by Representative Wojahn:

An Act relating to real property taxes; amending section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020; and amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 226, by Representative Beck:

An Act relating to motor vehicles; amending section 46.48.120, chapter 12, Laws of 1961 and RCW 46.61.470.

Referred to Committee on Transportation.

HOUSE BILL NO. 227, by Representative Leland:

An Act relating to highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 228, by Representative Murray:

An Act relating to revenue and taxation; authorizing any county, city or town to levy a tax upon the privilege of using a motor vehicle within its corporate limits by residents thereof; providing certain exemptions; and providing for the collection of the tax by the state department of motor vehicles.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 229, by Representatives Thompson, Smythe and Marsh:

An Act relating to harbor improvement; providing for the removal of certain material for the improvement of harbors and channels and its use for a public purpose; and amending section 1, chapter 47, Laws of 1965 and RCW 79.01.178.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 230, by Representative Clarke (George W.):

An Act relating to divorce; and amending section 8, chapter 215, Laws of 1949 and RCW 26.08.080.

Referred to Committee on Judiciary.

HOUSE BILL NO. 231, by Representative Bledsoe:

An Act relating to the location of thermal power plants and related high voltage transmission lines.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 232, by Representative Murray:

An Act relating to revenue and taxation; repealing section 82.04.400, chapter 15, Laws of 1961 as last amended by section 1, chapter 246, Laws of 1969 1st ex. sess. and RCW 82.04.400.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 233, by Representative Bledsoe:

An Act relating to the construction and operation of thermal power plants and related high voltage transmission lines.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 234, by Representatives Brouillet, Fleming and Sprague:

An Act relating to revenue and taxation; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 235, by Representatives Perry and Litchman:

An Act relating to revenue and taxation; providing funds for emergency public assistance; amending section 82.08.020, chapter 15, Laws of 1961, as last amended by

section 31, chapter 262, Laws of 1969 ex. sess., and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961, as last amended by section 32, chapter 262, Laws of 1969 ex. sess., and RCW 82.12.020; creating new sections; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 236, by Representative McCaffree:

An Act relating to the Washington state board of tax appeals; and amending section 34, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.050.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 237, by Representatives Adams and Swayze:

An Act relating to miscellaneous and mutual corporations.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 238, by Representative Backstrom:

An Act relating to insurance.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 239, by Representatives Smythe, Fleming and Sprague:

An Act relating to public contracts.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 240, by Representatives Backstrom and Chatalas:

An Act relating to liquor control.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 241, by Representatives McCaffree, Murray and North (by Department of Revenue request):

An Act relating to revenue and taxation; amending section 4, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.030; amending section 5, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.040; amending section 6, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.050; amending section 7, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.060; amending section 8, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.070; amending section 9, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.080; amending section 10, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.090; amending section 11, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.100; amending section 12, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.110; amending section 13, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.120; amending section 14, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.130; amending section 15, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.140; amending section 16, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.150; amending section 18, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.170; amending section 19, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.180; amending section 20, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.190; amending section 21, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.200; amending section 24, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.230; amending section 25, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.240; amending section 26, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.250; amending section 27, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.260; amending section 28, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.270; and adding new sections to chapter 262, Laws of 1969 ex. sess. and to chapter 82.30 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 242, by Representatives Lynch, Brouillet, Smythe, King and Litchman (by Council on Higher Education request):

An Act relating to higher education; and amending section 2, chapter 263, Laws of 1969 ex. sess. and RCW 28.90.110.

Referred to Committee on Higher Education.

HOUSE BILL NO. 243, by Representative Clarke (George W.):
An Act relating to courts.
Referred to Committee on Judiciary.

HOUSE BILL NO. 244, by Representatives Pardini, Kuehnle and Richardson:
An Act relating to licensing and safety.
Referred to Committee on Transportation.

HOUSE BILL NO. 245, by Representative Sawyer:
An Act relating to public printing; and amending section 43.78.080, chapter 8, Laws of 1965 as amended by section 7, chapter 6, Laws of 1969 and RCW 43.78.080.
Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 246, by Representatives Bagnariol, Kuehnle and Sprague:
An Act relating to public highways; providing for payment by the state of the cost of removing or relocating utility facilities located on or in highways pursuant to franchise grants, when required by construction, reconstruction or relocation of highways for which the state may be reimbursed in any amount for the costs of such relocation by the United States; adding a new section to chapter 13, Laws of 1961 and to chapter 47.44 RCW; amending section 47.44.030, chapter 13, Laws of 1961 and RCW 47.44.030; and amending section 47.44.031, chapter 13, Laws of 1961 and RCW 47.44.031.
Referred to Committee on Transportation.

HOUSE BILL NO. 247, by Representatives Bagnariol and Murray:
An Act relating to revenue and taxation; and prescribing an effective date.
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 248, by Representatives Ceccarelli, Kopet and Rosellini:
An Act relating to business and professions; providing for examinations to practice osteopathy and surgery, medicine and surgery, chiropractic and chiropody; adding a new section to chapter 4, Laws of 1919 and to chapter 18.57 RCW; adding a new section to chapter 192, Laws of 1909 and to chapter 18.71 RCW; adding a new section to chapter 5, Laws of 1919 and to chapter 18.25 RCW; adding a new section to chapter 28, Laws of 1917 and to chapter 18.22 RCW; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.75 RCW.
Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 249, by Representatives Hoggins and Randall (by Superintendent of Public Instruction request):
An Act relating to school district reorganization.
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 250, by Representative Leckenby:
An Act relating to state government; and the improvement of housing conditions.
Referred to Committee on Local Government.

HOUSE BILL NO. 251, by Representatives King, Smythe and Kiskaddon:
An Act relating to community colleges; amending section 50, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.575; amending section 50, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.575; declaring an emergency; providing an effective date; and providing for the expiration of a section thereof.
Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 252, by Representative Chatalas:
An Act relating to the department of health, providing for the licensing of residential care facilities, setting standards and prescribing penalties.
Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 253, by Representatives Lynch, Sprague and Goldsworthy:

An Act relating to higher education; amending section 2, chapter 66, Laws of 1915 as last amended by section 1, chapter 181, Laws of 1963 and RCW 28.77.030; amending section 1, chapter 164, Laws of 1921 as last amended by section 1, chapter 180, Laws of 1963 and RCW 28.80.030; amending section 3, chapter 13, Laws of 1961 ex. sess. as amended by section 10, chapter 47, Laws of 1967 and RCW 28.81.080; amending section 28B.15.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.200; amending section 28B.15.300, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.300; and amending section 28B.15.400, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.400; declaring an emergency; and providing for the expiration of sections thereof.

Referred to Committee on Higher Education.

HOUSE BILL NO. 254, by Representatives Fleming, Smythe and Sprague:

An Act relating to civil rights; amending section 1, chapter 183, Laws of 1949, as amended by section 1, chapter 37, Laws of 1957 and RCW 49.60.010; amending section 12, chapter 183, Laws of 1949, as amended by section 2, chapter 37, Laws of 1957 and RCW 49.60.020; amending section 3, chapter 183, Laws of 1949, as last amended by section 1, chapter 103, Laws of 1961 and RCW 49.60.040; amending section 2, chapter 270, Laws of 1955, as amended by section 5, chapter 37, Laws of 1957 and RCW 49.60.050; amending section 3, chapter 270, Laws of 1955 and RCW 49.60.060; amending section 4, chapter 270, Laws of 1955 and RCW 49.60.070; amending section 5, chapter 270, Laws of 1955 and RCW 49.60.080; amending section 6, chapter 270, Laws of 1955, as amended by section 6, chapter 37, Laws of 1957 and RCW 49.60.090; amending section 7, chapter 270, Laws of 1955 and RCW 49.60.100; amending section 5, chapter 183, Laws of 1949 and RCW 49.60.110; amending section 6, chapter 183, Laws of 1949 as last amended by section 7, chapter 37, Laws of 1957 and RCW 49.60.120; amending section 9, chapter 270, Laws of 1955 and RCW 49.60.130; amending section 10, chapter 270, Laws of 1955 and RCW 49.60.140; amending section 11, chapter 270, Laws of 1955 and RCW 49.60.150; amending section 12, chapter 270, Laws of 1955 and RCW 49.60.160; amending section 13, chapter 270, Laws of 1955 and RCW 49.60.170; amending section 1, chapter 68, Laws of 1959 and RCW 49.60.175; amending section 7, chapter 183, Laws of 1949, as last amended by section 1, chapter 100, Laws of 1961 and RCW 49.60.180; amending section 7, chapter 183, Laws of 1949, as last amended by section 2, chapter 100, Laws of 1961 and RCW 49.60.190; amending section 7, chapter 183, Laws of 1949, as last amended by section 3, chapter 100, Laws of 1961 and RCW 49.60.200; amending section 7, chapter 183, Laws of 1949, as amended by section 12, chapter 37, Laws of 1957, and RCW 49.60.210; amending section 7, chapter 167, Laws of 1969, 1st ex. sess. and RCW 49.60.225; amending section 8, chapter 167, Laws of 1969, 1st ex. sess. and RCW 49.60.226; amending section 15, chapter 270, Laws of 1955, as amended by section 16, chapter 37, Laws of 1957 and RCW 49.60.230; amending section 16, chapter 270, Laws of 1955, as amended by section 17, chapter 37, Laws of 1957 and RCW 49.60.240; amending section 17, chapter 270, Laws of 1955, as amended by section 18, chapter 37, Laws of 1957 and RCW 49.60.250; amending section 19, chapter 37, Laws of 1957 and RCW 49.60.255; amending section 21, chapter 37, Laws of 1957 and RCW 49.60.260; amending section 22, chapter 37, Laws of 1957 and RCW 49.60.270; amending section 24, chapter 37, Laws of 1957 and RCW 49.60.290; amending section 10, chapter 183, Laws of 1949, as last amended by section 4, chapter 100, Laws of 1961 and RCW 49.60.310; amending section 11, chapter 183, Laws of 1949 and RCW 49.60.320; amending section 43.01.100, chapter 8, Laws of 1965 and RCW 43.01.100; adding new sections to chapter 49.60 RCW; and repealing section 25, chapter 37, Laws of 1957 and RCW 49.60.300.

Referred to Committee on Judiciary.

HOUSE BILL NO. 255, by Representative Murray:

An Act relating to alcoholic beverage control.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 256, by Representative Murray:

An Act relating to business and professions.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 257, by Representatives Flanagan, Amen, Richardson, Schumaker, Hatfield and Kuehnle:

An Act relating to property taxation; adding a new section to Title 84 RCW; amending section 12, chapter 182, Laws of 1945 as amended by section 1, chapter 194, Laws of 1949 and RCW 14.08.290; amending section 7, chapter 152, Laws of 1919 and RCW 17.12.070; amending section 6, chapter 140, Laws of 1921 and RCW 17.16.120; amending section 10, chapter 153, Laws of 1957 and RCW 17.28.100; amending section 4, chapter 64, Laws of 1959 and RCW 17.28.252; amending section 5, chapter 59, Laws of 1955 and RCW 27.12.050; amending section 7, chapter 75, Laws of 1947 as amended by section 8, chapter 59, Laws of 1955 and RCW 27.12.150; amending section 2, chapter 97, Laws of 1909, as last amended by section 26, chapter 176, Laws of 1969 ex. sess. and RCW 27.16.020; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.130; amending section 28B.60.110, chapter 223, Laws of 1969 ex. sess. and RCW 28B.60.110; amending section 35.24.350, chapter 7, Laws of 1965 and RCW 35.24.350; amending section 35.31.060, chapter 7, Laws of 1965 and RCW 35.31.060; amending section 8, chapter 7, Laws of 1967 and RCW 35.32A.060; amending section 22, chapter 95, Laws of 1969 ex. sess. and RCW 35.33.---; amending section 35.56.190, chapter 7, Laws of 1965 and RCW 35.56.190; amending section 35.58.090, chapter 7, Laws of 1965 and RCW 35.58.090; amending section 35.61.210, chapter 7, Laws of 1965 and RCW 35.61.210; amending section 35.85.030, chapter 7, Laws of 1965 and RCW 35.85.030; amending section 35A.31.070, chapter 119, Laws of 1967 ex. sess. and RCW 35A.31.070; amending section 36.32.350, chapter 4, Laws of 1963 and RCW 36.32.350; amending section 36.33.140, chapter 4, Laws of 1963 and RCW 36.33.140; amending section 36.37.090, chapter 4, Laws of 1963 and RCW 36.37.090; amending section 36.40.090, chapter 4, Laws of 1963 as amended by section 3, chapter 5, Laws of 1969 ex. sess. and RCW 36.47.040; amending section 36.54.080, chapter 4, Laws of 1963 and RCW 36.54.080; amending section 36.62.090, chapter 4, Laws of 1963 and RCW 36.62.090; amending section 36.82.040, chapter 4, Laws of 1963 and RCW 36.82.040; amending section 6, chapter 91, Laws of 1947 as most recently amended by section 1, chapter 45, Laws of 1965 ex. sess. and RCW 41.16.060; amending section 3, chapter 243, Laws of 1969 ex. sess. and RCW 45.---; amending section 2, chapter 13, Laws of 1911 and RCW 45.72.050; amending section 46.68.120, chapter 12, Laws of 1961 as most recently amended by section 75, chapter 32, Laws of 1967 and RCW 46.68.120; amending section 3, chapter 70, Laws of 1941 as most recently amended by section 1, chapter 18, Laws of 1965 ex. sess. and RCW 52.08.060; amending section 3, chapter 24, Laws of 1951 2nd ex. sess. as amended by section 4, chapter 176, Laws of 1953 and RCW 52.16.080; amending section 7, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.120; amending section 8, chapter 24, Laws of 1951 2nd ex. sess. as amended by section 2, chapter 13, Laws of 1963 ex. sess. and RCW 52.16.130; amending section 9, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.140; amending section 9, chapter 53, Laws of 1961 as amended by section 2, chapter 243, Laws of 1969 ex. sess. and RCW 52.16.160; amending section 4, chapter 31, Laws of 1961 and RCW 53.06.040; amending section 2, chapter 93, Laws of 1917 and RCW 53.32.020; amending section 11, chapter 65, Laws of 1955 and RCW 53.36.020; amending section 1, chapter 29, Laws of 1925 as amended by section 1, chapter 22, Laws of 1965 ex. sess. and RCW 53.36.070; amending section 1, chapter 265, Laws of 1957 and RCW 53.36.100; amending section 9, chapter 390, Laws of 1955 and RCW 54.16.080; amending section 4, chapter 210, Laws of 1941 as most recently amended by section 1, chapter 250, Laws of 1953 and RCW 56.04.050; amending section 1, chapter 267, Laws of 1961 and RCW 56.08.110; amending section 1, chapter 251, Laws of 1953 and RCW 57.04.050; amending section 1, chapter 242, Laws of 1961 and RCW 57.08.110; amending section 1, chapter 62, Laws of 1951 as amended by section 4, chapter 25, Laws of 1951 2nd ex. sess. and RCW 57.20.100; amending section 82, chapter 250, Laws of 1907 and RCW 65.12.660; amending section 23, chapter 6, Laws of 1947 and RCW 68.16.230; amending section 1, chapter 191, Laws of 1939 as amended by section 1, chapter 163, Laws of 1943 and RCW 70.12.010; amending section 1, chapter 162, Laws of 1943 as most recently amended by section 11, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.010; amending section 2, chapter 4, Laws of 1953 ex. sess. as amended by section 12, chapter 10, Laws of 1967 ex. sess. and RCW 70.32.015;

amending section 1, chapter 4, Laws of 1953 ex. sess. as most recently amended by section 13, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.021; amending section 3, chapter 117, Laws of 1959 as most recently amended by section 15, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.090; amending section 6, chapter 264, Laws of 1945 as most recently amended by section 1, chapter 65, Laws of 1969 ex. sess. and RCW 70.44.060; amending section 15, chapter 238, Laws of 1967 as amended by section 7, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.091; amending section 7, page 210, Laws of 1888 as most recently amended by section 1, chapter 57, Laws of 1969 and RCW 73.08.080; amending section 1, chapter 168, Laws of 1913 and RCW 79.16.190; amending section 84.52.010, chapter 15, Laws of 1961 and RCW 84.52.010; amending section 84.52.050, chapter 15, Laws of 1961 as most recently amended by section 1, chapter 216, Laws of 1969 ex. sess. and RCW 84.52.050; amending section 84.52.052, chapter 15, Laws of 1961 as most recently amended by section 1, chapter 113, Laws of 1965 ex. sess. and RCW 84.52.052; amending section 19, chapter 255, Laws of 1909 and RCW 85.24.250; amending section 16, chapter 26, Laws of 1965 as amended by section 8, chapter 164, Laws of 1967 and RCW 86.05.920; amending section 1, chapter 66, Laws of 1907 as amended by section 8, chapter 204, Laws of 1941 and RCW 86.12.010; amending section 1, chapter 54, Laws of 1913 and RCW 86.13.010; amending section 16, chapter 153, Laws of 1961 and RCW 86.15.160; amending section 7, chapter 106, Laws of 1921 and RCW 87.60.070; amending section 8, chapter 226, Laws of 1961 and RCW 87.84.070; amending section 1, chapter 236, Laws of 1907 and RCW 88.32.010; amending section 12, chapter 158, Laws of 1919 as last amended by section 1, chapter 24, Laws of 1933 and RCW 89.16.120; amending section 148, chapter 254, Laws of 1927 and RCW 89.30.442; repealing chapter 174, Laws of 1965 ex. sess., sections 1 through 6 and 8 and 9, chapter 146, Laws of 1967 ex. sess., chapter 242, Laws of 1969 ex. sess., chapter 84.54 RCW, and section 64, chapter 262, Laws of 1969 ex. sess.; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 258, by Representatives Smythe, Fleming and Sprague:
An Act relating to discrimination.

Referred to Committee on Judiciary.

HOUSE BILL NO. 259, by Representative Whetzel:
An Act relating to highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 260, by Representative Leland:
An Act relating to toll facilities.

Referred to Committee on Transportation.

HOUSE BILL NO. 261, by Representatives Kirk, Hurley and Chatalas:
An Act relating to state government; and making an appropriation.

Referred to Committee on Appropriations.

HOUSE BILL NO. 262, by Representatives McCaffree, Bledsoe, Copeland, North, Wanamaker, Leckenby, Zimmerman, Conway, Farr, Kiskaddon, Murray, Brown and Harris:

An Act relating to unemployment compensation; amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320; amending section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010; amending section 73, chapter 35, Laws of 1945 as last amended by section 8, chapter 8, Laws of 1953 1st ex. sess. and RCW 50.20.050; amending section 74, chapter 35, Laws of 1945 as last amended by section 9, chapter 8, Laws of 1953 1st ex. sess. and RCW 50.20.060; amending section 3, chapter 286, Laws of 1955 and RCW 50.20.030; amending section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; amending section 83, chapter 35, Laws of 1945 as amended by section 5, chapter 215, Laws of 1951

and RCW 50.20.150; amending section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010; adding new sections to chapter 35, Laws of 1945, and to Title 50 RCW, as a new chapter therein; repealing sections 10, 11, 12, 15, and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050, and 50.28.060; repealing section 3, chapter 235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 263, by Representatives Kuehnle, Bottiger, Richardson, Pardini, Evans, Kirk, Bagnariol, Schumaker, Hurley, Benitz, Flanagan, Spanton, Conway, Hatfield, Gladder, Ceccarelli, Litchman and Bozarth:

An Act relating to obscene and erotic material; amending section 1, chapter 105, Laws of 1959 and RCW 7.42.010; amending section 2, chapter 105, Laws of 1959 and RCW 7.42.020; amending section 4, chapter 105, Laws of 1959 and RCW 7.42.040; amending section 6, chapter 105, Laws of 1959 and RCW 7.42.060; amending section 20, chapter 256, Laws of 1969 and RCW 9.68.120; adding a new section to chapter 105, Laws of 1959 and to chapter 7.42 RCW; and repealing section 3, chapter 105, Laws of 1959 and RCW 7.42.030.

Referred to Committee on Judiciary.

HOUSE BILL NO. 264, by Representative Whetzel:

An Act relating to highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 265, by Representative Ackley:

An Act relating to revenue and taxation; providing for the levy and collection by the state for the support of state government of a tax upon the net assets of banks and savings and loan associations; adding a new chapter to Title 84 RCW; repealing section 84.36.070, chapter 15, Laws of 1961 and RCW 84.36.070; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 266, by Representative Murray:

An Act relating to the board of regents of the University of Washington; amending section 1, chapter 229, Laws of 1955 and RCW 28.77.361; amending section 28B.20.394, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.394; making effective dates and providing for the expiration of a section hereof.

Referred to Committee on Higher Education.

HOUSE BILL NO. 267, by Representative Flanagan:

An Act relating to water resources.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 268, by Representative Murray:

An Act relating to education; providing for protective services; authorizing agreements; repealing section 1, chapter 24, Laws of 1969 and RCW 28.81.190; and declaring an emergency.

Referred to Committee on Higher Education.

HOUSE BILL NO. 269, by Representatives Smythe, Fleming and Sprague:

An Act relating to public contracts.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 270, by Representatives Randall and Adams:

An Act relating to health insurance and prepaid medical plans.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 271, by Representatives Sprague and Fleming:

An Act relating to revenue and taxation; amending section 82.08.150, chapter 15,

Laws of 1961, as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 272, by Representative Pardini:

An Act relating to insurance; and amending section .18.06, chapter 79, Laws of 1947, and RCW 48.18.060.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 273, by Representatives Richardson and Kuehnle:

An Act relating to revenue and taxation; amending section 82.04.290, chapter 15, Laws of 1961, as last amended by section 39, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.290; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 274, by Representative Whetzel:

An Act relating to cities.

Referred to Committee on Local Government.

HOUSE BILL NO. 275, by Representatives Merrill and Smythe:

An Act relating to records or purchase of certain metals; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 276, by Representatives Swayze, Brouillet, Marzano, Jueling, Sawyer, Shera, Adams and Wojahn:

An Act providing for the financing and construction of public buildings from the proceeds of a bond issue repayable from a portion of the retail sales tax and such additional means as the legislature shall provide; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 277, by Representatives Lynch, King and Grant:

An Act relating to a joint vocational education study.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 278, by Representatives Thompson, Flanagan and Zimmerman:

An Act relating to water rights; and amending section 27, chapter 117, Laws of 1917 and RCW 90.03.250.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 279, by Representatives Lynch, King and Smythe:

An Act relating to community colleges.

Referred to Committee on Higher Education.

HOUSE BILL NO. 280, by Representatives Lynch, King and Smythe:

An Act relating to community colleges.

Referred to Committee on Higher Education.

HOUSE BILL NO. 281, by Representatives Lynch, King and Smythe:

An Act relating to community colleges.

Referred to Committee on Higher Education.

HOUSE BILL NO. 282, by Representatives Lynch, King and Smythe:

An Act relating to community colleges.

Referred to Committee on Higher Education.

HOUSE BILL NO. 283, by Representative Richardson:

An Act relating to taxation and revenue by state and local governments.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 284, by Representatives Thompson and Murray:

An Act relating to revenue and taxation; levying an excise tax on real estate sales for local government purposes.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 285, by Representatives Spanton, Benitz, McCormick, Gallagher, Kalich and Kink:

An Act relating to the maintenance and operation of bingo equipment, card rooms, certain machines or mechanical devices, and trade stimulants in certain governmental subdivisions; adding new sections to chapter 249, Laws of 1909 and chapter 9.47 RCW; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 286, by Representatives Sprague and Fleming:

An Act relating to discrimination in employment.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 287, by Representative Thompson:

An Act relating to foreshore.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 288, by Representative Williams:

An Act relating to the public schools; authorizing community school programs; and making an appropriation.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 289, by Representative Spanton:

An Act relating to firemen and fire dispatchers; amending section 40, chapter 209, Laws of 1969, 1st ex. sess.; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 290, by Representatives Randall and Adams:

An Act relating to health insurance and prepaid medical plans.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 291, by Representative Flanagan:

An Act relating to natural resources.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 292, by Representative Williams:

An Act relating to communications.

Referred to Committee on Local Government.

HOUSE BILL NO. 293, by Representatives Schumaker, Morrison, Jueling, Benitz, Anderson, Barden, Conway, Kuehnle, Wanamaker, Mentor, Haussler, Gladder, Jolly, Gallagher and Smythe:

An Act relating to explosives; amending section 1, chapter 111, Laws of 1931 as amended by section 3, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.010; amending section 4, chapter 111, Laws of 1931 and RCW 70.74.040; amending section 18, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.135; amending section 6, chapter 137, Laws of 1969 and RCW 70.74.201; amending section 5, chapter 101, Laws of 1941 as amended by section 17, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.240; amending section 30, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.340; and repealing section 130, chapter 36, Laws of 1917 as last amended by section 22, chapter 137, Laws of 1969 ex. sess. and RCW 78.40.491.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 294, by Representatives King, Lynch, Shinpoch and Grant:

An Act relating to drug addicts; allowing drug addicts to seek voluntary treatment; establishing criminal immunity; and adding a new section to chapter 69.32 RCW.
Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 295, by Representative Clarke (George W.):

An Act relating to judicial administration.
Referred to Committee on Judiciary.

HOUSE BILL NO. 296, by Representatives Backstrom and Richardson:

An Act relating to real estate brokers and salesmen.
Referred to Committee on Business and Professions.

HOUSE BILL NO. 297, by Representatives Gallagher and May:

An Act relating to the practice of optometry.
Referred to Committee on Business and Professions.

HOUSE BILL NO. 298, by Representative Kuehnl:

An Act relating to irrigation.
Referred to Committee on Agriculture.

HOUSE BILL NO. 299, by Representative Hoggins:

An Act relating to education.
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 300, by Representatives Hoggins, Randall and Kopet (by Superintendent of Public Instruction request):

An Act relating to education; providing for the dissolution of all existing nonoperating school districts and prohibiting the establishment of any new nonoperating school districts; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 301, by Representatives Hoggins and Richardson (by Superintendent of Public Instruction request):

An Act relating to education.
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 302, by Representative Leckenby:

An Act relating to public institutions.
Referred to Committee on Public Institutions and Youth Development.

HOUSE BILL NO. 303, by Representative Ackley:

An Act relating to revenue and taxation; levying a state sales tax on personal services; and authorizing the state department of revenue to make rules and regulations for the collection of said tax.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 304, by Representatives Wanamaker, Berentson, Randall, Mentor, Beck, Leland, Cunningham, Perry and Conner (by Executive request):

An Act relating to toll facilities and the financing thereof; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 75, chapter 145, Laws of 1967 ex. sess. and RCW 82.36.020; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 79, chapter 145, Laws of 1967 ex. sess. and RCW 46.68.100; amending section 19, chapter 7, Laws of 1961 ex. sess. and RCW 47.60.360; amending section 47.60.170, chapter 13, Laws of 1961 and RCW 47.60.170; making an appropriation; declaring an emergency and providing an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 305, by Representatives King, Lynch, Shinpoch, Grant and Marsh:

An Act relating to juveniles; allowing certain juveniles to voluntarily place themselves under the authority of the juvenile court; and adding a new section to chapter 13.04 RCW. Referred to Committee on Judiciary.

HOUSE BILL NO. 306, by Representative Evans:

An Act prescribing age qualifications for certain purposes; amending sections 1 and 5, page 404, Laws of 1854 as last amended by section 1, chapter 230, Laws of 1963 and RCW 26.04.010; amending section 3, page 81, Laws of 1866 as amended by section 2381, Code of 1881 and RCW 26.04.130; amending sections 13 and 14, page 83, Laws of 1866 as last amended by section 4, chapter 230, Laws of 1963 and RCW 26.04.210; amending section 2, chapter 215, Laws of 1949 as amended by section 1, chapter 15, Laws of 1965 ex. sess. and RCW 26.08.020; amending sections 2, 3 and 4, pages 92 and 93, Laws of 1866 and RCW 26.28.030, 26.28.040 and 26.28.050; amending section 11.12.010, chapter 145, Laws of 1965 and RCW 11.12.010; amending sections 6 and 7, page 132, Laws of 1854 as last amended by section 1, chapter 30, Laws of 1891 and RCW 4.08.050; amending section 10, page 4, Laws of 1869 as last amended by section 10, Code of 1881 and RCW 4.24.020; amending section 497, page 220, Laws of 1854 as last amended by section 11, Code of 1881 and RCW 4.24.030; amending section 1, chapter 57, Laws of 1911 and RCW 2.36.070; amending section 54, chapter 53, Laws of 1965 and RCW 23A.12.010; providing penalties; and making an effective date.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 307, by Representative Savage:

An Act relating to education; and setting minimum salaries for school teachers employed by the school districts within the state.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 308, by Representative Leland:

An Act relating to highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 309, by Representative Farr:

An Act relating to public health, providing for establishing comprehensive planning.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 310, by Representative Leland:

An Act relating to highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 311, by Representative Leland:

An Act relating to motor vehicles.

Referred to Committee on Transportation.

HOUSE BILL NO. 312, by Representative Goldsworthy (by State Building Authority request):

An Act relating to the state building authority; and declaring an emergency.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 313, by Representative Farr:

An Act relating to the licensing of nursing home operators.

Referred to Committee on Public Health and Welfare.

HOUSE BILL NO. 314, by Representative Leckenby:

An Act relating to public institutions.

Referred to Committee on Public Institutions and Youth Development.

HOUSE BILL NO. 315, by Representatives Kink, Wanamaker, Martinis, Savage, Backstrom, Mentor, King and Conner:

An Act relating to highways; requesting a feasibility study; and making an appropriation.

Referred to Committee on Transportation.

HOUSE BILL NO. 316, by Representatives Cunningham and Conway:

An Act relating to elections, including primaries and special elections.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 317, by Representatives Smythe, Fleming and Sprague:

An Act relating to discrimination.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 318, by Representative Goldsworthy (by State Building Authority request):

An Act relating to state building authority; authorizing certain projects; repealing section 2, chapter 280, Laws of 1969 ex. sess. (uncodified); and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 319, by Representative Cunningham:

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

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 320, by Representative Savage:

An Act relating to the excise tax on motor vehicles and trailers; authorizing the municipal research council to designate full time employees of nonprofit corporations and firms with whom it contracts for municipal research and service as employees under the Washington public employees' retirement system; amending section 82.44.160, chapter 15, Laws of 1961 as last amended by section 1, chapter 108, Laws of 1969, and RCW 82.44.160; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 321, by Representatives Randall, Murray, Thompson, Wanamaker, Williams, Pardini, McCormick, Grant, Swayze and Zimmerman:

An Act establishing major land use districts.

Referred to Committee on Natural Resources.

HOUSE BILL NO. 322, by Representative Perry:

An Act relating to data processing.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 323, by Representative Perry:

An Act relating to data processing.

Referred to Committee on State Government and Legislative Procedures.

HOUSE BILL NO. 324, by Representative Ackley:

An Act relating to crimes and criminal procedure.

Referred to Committee on Judiciary.

HOUSE BILL NO. 325, by Representative Ackley:

An Act relating to crimes and criminal procedure.

Referred to Committee on Judiciary.

HOUSE BILL NO. 326, by Representatives Bledsoe, Chatalas, Shera, Leckenby, Charette and Pardini:

An Act relating to the investment of funds; adding a new section to chapter 39.60 RCW; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 327, by Representatives Kink and Kalich:
An Act relating to state government.
Referred to Committee on Business and Professions.

HOUSE BILL NO. 328, by Representatives Farr, Veroske and Kink:
An Act relating to milk.
Referred to Committee on Agriculture.

HOUSE BILL NO. 329, by Representatives Clarke (George W.) and Kuehnle:
An Act relating to obscene and erotic material; amending section 1, chapter 105, Laws of 1959 and RCW 7.42.010; amending section 2, chapter 105, Laws of 1959 and RCW 7.42.020; amending section 4, chapter 105, Laws of 1959 and RCW 7.42.040; amending section 6, chapter 105, Laws of 1959 and RCW 7.42.060; amending section 20, chapter 256, Laws of 1969 and RCW 9.68.120; adding a new section to chapter 105, Laws of 1959 and to chapter 7.42 RCW; and repealing section 3, chapter 105, Laws of 1959 and RCW 7.42.030.

Referred to Committee on Judiciary.

HOUSE BILL NO. 330, by Representatives Morrison, Smythe, Bledsoe, Curtis, Flanagan, Wolf, Copeland, Shera, Juelling, Chapin, Newhouse, Harris and Kopet:

An Act relating to industrial accident prevention, vocational and medical rehabilitation services, and compensation and benefits on account of injury, disease or death in the course of employment; authorizing the state, state agencies, counties, municipal corporations, and school districts to become an insuring employer or self-insuring employer; authorizing employers to provide benefits for their employees by becoming an insuring employer or self-insuring employer; establishing qualifications and requirements for self-insurers; requiring insurers to qualify with insurance commissioner; creating a department of workmen's compensation and prescribing its powers and duties; transferring powers and duties thereto from the department of labor and industries; creating a state workmen's compensation fund; defining responsibilities of board of industrial insurance appeals; establishing assessments for administrative costs; providing for the retiring of any existing accident fund deficit; providing penalties; repealing certain acts and parts of acts; enacting a new act constituting Title 51 RCW; and establishing effective dates.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 331, by Representatives Charette and Marsh:

An Act relating to law enforcement officers and firemen as separate coverage groups under social security.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 332, by Representative Bottiger:

An Act relating to real property taxes; amending section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020; and amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 11, by Representative Evans:

Proposing constitutional amendment lowering voting age to eighteen on graduated time and age basis.

Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 12, by Representative Bluechel:

Proposing an amendment to the State Constitution.

Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 13, by Representative Swayze:

Proposing an amendment to the State Constitution.

Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 14, by Representative Copeland:
Rewriting Article II of the Washington State Constitution on the legislature.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 15, by Representative Copeland:
Rewriting Article III of the Washington State Constitution on the executive branch.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 16, by Representative Copeland:
Rewriting Article IV of the Washington State Constitution on the judiciary.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 17, by Representative Copeland:
Rewriting Article V of the Washington State Constitution on impeachment.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 18, by Representative Copeland:
Rewriting Article VI of the Washington State Constitution on elections.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 19, by Representative Copeland:
Rewriting Article IX of the Washington State Constitution on education.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 20, by Representative Copeland:
Rewriting Article XI of the Washington State Constitution on local government.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 21, by Representatives Copeland and Bottiger:
Rewriting Article XXII of the Washington State Constitution on legislative apportionment.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 22, by Representative Copeland:
Rewriting Article XXIII of the Washington State Constitution on amendments and revisions.
Referred to Committee on State Government and Legislative Procedures.

HOUSE JOINT RESOLUTION NO. 23, by Representatives Hubbard, Harris and Copeland:
Requiring all judges of courts of record to be paid by the state.
Referred to Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 5, by Representatives Sprague, Lynch, Zimmerman, Brouillet, Fleming, King and Litchman (by Urban Affairs Council request):
Directing a review of teacher preparation program of public and private institutions of higher education.
Referred to Committee on Higher Education.

HOUSE CONCURRENT RESOLUTION NO. 6, by Representative Conway:
Providing for study on price structure of gasoline and petroleum throughout areas of state.
Referred to Committee on Business and Professions.

HOUSE CONCURRENT RESOLUTION NO. 7, by Representative Backstrom:
Directing a study of the impact of recently announced welfare restrictions.
Referred to Committee on Public Health and Welfare.

MOTION

On motion of Mr. Bledsoe, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The Speaker (Mr. Wolf presiding) called the House to order at 2:00 p.m.

The Clerk called the roll and all members were present except Representatives Cunningham and Mahaffey. Representative Cunningham was excused.

MESSAGES FROM THE SENATE

January 17, 1970.

Mr. Speaker: The Senate has passed HOUSE BILL NO. 190, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 17, 1970.

Mr. Speaker: The President has signed SENATE CONCURRENT RESOLUTION NO. 2, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

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

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:
HOUSE BILL NO. 190,
SENATE CONCURRENT RESOLUTION NO. 2.

SECOND READING

HOUSE BILL NO. 26, by Representatives Newhouse, Charette, Bledsoe, Wolf, Cunningham, Barden, Amen, Benitz, North, Bluechel, Marsh, Pardini, Curtis, O'Dell, Zimmerman and Spanton:

Relating to open spaces.

Committee recommendation: Majority, do pass with the following amendments:

On page 5, section 7, line 12, after "after" and before the word "years" on line 13 strike the word "eight" and insert "six"

On page 5, section 7, line 16, after "situated." and before "The" insert "Within seven days the county assessor shall transmit one copy of such notice to the interagency committee for outdoor recreation."

On page 5, section 7, line 17, after "when" and before "assessment" strike "two" and insert "four"

On page 7, line 30 strike the remainder of the bill and add the following sections:

"NEW SECTION. Sec. 15. The joint committee on open space land is hereby created and is authorized and directed to:

(1) Make a comprehensive study and examination of the operation and effectiveness of current use taxation of land that is designated as open space land, farm and agriculture land, timber land, or by the laws of the state of Washington;

(2) Make reports from time to time to the members of the legislature, to concerned county and city officials, and to the public with respect to any of its findings;

(3) Suggest changes in state and local laws, ordinances, or administrative regulations necessary in the judgment of the committee to achieve the purposes of current use taxation as set forth by the laws of the state of Washington.

NEW SECTION. Sec. 16. The committee shall meet, act, and conduct its business at such times and places as is necessary in carrying out its delegated duties.

NEW SECTION. Sec. 17. The committee shall have the following membership:

(1) Four senators to be selected by the president of the senate, not more than two of whom shall be from the same political party, and four representatives to be appointed by the speaker of the house, not more than two of whom shall be from the same political party;

(2) Seven members to be appointed by the governor, one from each United States congressional district in the state, no more than four of whom shall be members of the same political party;

- (3) One member to be appointed by the Washington state association of counties;
- (4) One member to be appointed by the Washington state association of elected county officials;
- (5) The commissioner of public lands or his designated representative;
- (6) One member to be appointed by the Washington state grange;
- (7) One member to be appointed by the Washington state farm bureau;
- (8) One member to be appointed by the Washington forest protective association;
- (9) One member to be appointed by the Washington environmental council.

NEW SECTION. Sec. 18. Members shall serve for terms of two years and until their successors are installed, or in the case of legislative members, until they are no longer members, whichever is sooner. The committee shall fill any vacancies occurring on the committee by appointment from the same political party and legislative chamber as the departing member. Members filling vacancies shall serve the remainder of the existing term and until their successors are installed, or in the case of legislative members, until they are no longer members, whichever is sooner. Any member may serve additional terms.

NEW SECTION. Sec. 19. The committee, by majority vote, shall select from among the members a chairman, and, by majority vote, the committee may employ a staff director and such clerical and other assistants as it finds necessary or appropriate, and fix their compensation.

NEW SECTION. Sec. 20. The committee, by majority vote, shall select appropriate subcommittees; and prescribe rules of procedure for itself and its subcommittees which are not inconsistent with this act. Both the committee and any subcommittee shall be authorized to conduct hearings throughout the state and shall have power to require data from all public officials and agencies concerned with property taxation in the state of Washington and from such other public officials and agencies as may provide information helpful to the committee or subcommittee in carrying out its functions. In furthering the purposes of this act, the committee shall have authority to select and consult with interested citizen groups. Such groups shall not receive expenses as otherwise in this act provided for.

NEW SECTION. Sec. 21. The members of the committee shall receive no compensation but shall receive per diem in an amount not to exceed twenty-five dollars per day while attending to the business of the committee, and their necessary travel and subsistence expenses.

NEW SECTION. Sec. 22. All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon voucher forms as provided by the budget director and signed by the chairman of the committee. Vouchers may be drawn upon funds appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the committee.

NEW SECTION. Sec. 23. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 24. The provisions of this act shall take effect on January 1, 1971.

NEW SECTION. Sec. 25. There is added to chapter 15, Laws of 1961 and to Title 84 RCW a new chapter to consist of sections 1 through 25 of this act."

In line 1 of the title after "AN ACT Relating to the taxation of property;" strike the remainder of the title and substitute the following: "creating the joint committee on open space land; providing for the selection, terms, and reimbursement of the members thereof; conferring rights, powers, and duties; adding a new chapter to chapter 15, Laws of 1961 and to Title 84 RCW; and providing an effective date."

The bill was read the second time.

Mrs. McCaffree moved adoption of the committee amendment to page 5, section 7, line 12.

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

Strike the amendment by Committee on Revenue and Taxation to page 5, section 7, line 12 and substitute the following: On page 5, section 7, line 12 after "after" and before "years" on line 13, strike "eight" and insert "seven"

Debate ensued, Representative Newhouse speaking in favor of adoption of the amendment to the committee amendment, and Representatives Bottiger and Murray speaking against it.

POINT OF ORDER

Mr. Moon: "Mr. Speaker, which amendment are we going to consider first? The one with the least number of years rollback? The thing I am concerned about is if we start out with the one that says seven, then go to the one that says six . . ."

The Speaker: "We only have the one change before us, Mr. Moon, so I don't think it makes too much difference. We start from the point of the committee amendment, and as long as there is only one amendment to the amendment before us, it wouldn't matter

whether we went up or down. If we had a series of amendments, then I think your question would be valid."

Mr. Moon: "I'm sorry, I didn't realize that Representative Newhouse's amendment is an amendment to the committee amendment."

Further debate ensued, Representatives Zimmerman and Wolf speaking in favor of the amendment by Mr. Newhouse to the committee amendment, and Representative Whetzel speaking against it.

The amendment by Mr. Newhouse to the committee amendment was adopted on a rising vote.

The committee amendment to page 5, line 12, as amended by Representative Newhouse, was adopted.

On motion of Mrs. McCaffree, the committee amendment to page 5, line 16 was adopted.

Mrs. McCaffree moved adoption of the committee amendment to page 5, line 17.

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

Strike the amendment by Committee on Revenue and Taxation to page 5, section 7, line 17 and substitute the following: On page 5, section 7, line 17 after "when" and before "assessment" strike "two" and insert "three"

The committee amendment to page 5, line 17, as amended by Mr. Newhouse, was adopted.

Mrs. McCaffree moved adoption of the committee amendment to page 7, line 30.

Representative McCaffree spoke in favor of adoption of the committee amendment.

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

Amend the committee amendment to page 7 as follows:

On page 2, section 19, line 25 of the amendment, after "chairman" and before "and," strike all of the remainder of that section and insert ". This committee shall coordinate with and be staffed by the legislative council."

Representatives Moon and Bledsoe spoke in favor of the amendment to the committee amendment.

The amendment by Mr. Moon to the committee amendment was adopted.

The committee amendment to page 7, line 30, as amended by Mr. Moon, was adopted.

Mr. Litchman moved adoption of the following amendment:

On page 1, section 2, line 26, after "than" and before "acres" strike "five" and insert "one"

Debate ensued, Representative Litchman speaking in favor of adoption of the amendment, and Representative Newhouse speaking against it.

The amendment was not adopted.

Mr. Litchman moved adoption of the following amendment:

On page 2, section 2, line 3, after "ownership of" and before "acres" strike "twenty or more" and insert "forty or less"

Debate ensued, Representative Litchman speaking in favor of adoption of the amendment, and Representative Bledsoe speaking against it.

The amendment was not adopted.

Mr. Zimmerman moved adoption of the following amendment:

On page 2, line 17, after "products," insert the following sentence: "Agricultural lands shall also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as 'farm and agricultural lands.'"

Debate ensued, Representatives Zimmerman, Smythe and Marsh speaking in favor of adoption of the amendment, and Representatives Benitz and Moon speaking against it.

The amendment by Mr. Zimmerman was adopted on a rising vote.

Mr. Farr moved adoption of the following amendment:

On page 3, section 4, line 32 after "sites," and before "(g)" strike "or" and after "(g)" and before "af-" add "maintain farm and agricultural land, or (h)"

Representatives Farr and McCaffree spoke in favor of adoption of the amendment. The amendment by Mr. Farr was adopted.

Mr. Farr moved adoption of the following amendment:

On page 4, section 4, line 5 after "the application:" insert "PROVIDED FURTHER, That if any part of the application is denied, the applicant may withdraw the entire application:"

Representatives Farr and McCaffree spoke in favor of adoption of the amendment. The amendment by Mr. Farr was adopted.

Mr. Brown moved adoption of the following amendment by Representatives Brown and Kiskaddon:

On page 5, section 7, line 20, after "the" and before "years" strike "five" and insert "seven"

POINT OF ORDER

Mr. Chapin: "Mr. Speaker, I have an amendment to strike which I believe would come first."

The Speaker: "No, we perfect the section before we strike it."

Debate ensued, Representatives Brown, Chapin, Kiskaddon and Bottiger speaking in favor of the amendment, and Representative Bledsoe speaking against it.

The amendment by Representatives Brown and Kiskaddon was lost.

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "The Speaker would like to advise those of you in the gallery who I am sure are here for the 3:00 hearing that we are going to be in session until 3:30. I hope you will bear with us in the delay on that important hearing."

With the consent of the House, Mr. Chapin withdrew his amendments from the Clerk's desk.

Mr. Ackley moved adoption of the following amendment:

On page 5, section 7, line 20, after "property for the" and before "an" strike "five years last past" and insert "years during which the land was so classified"

Debate ensued, Representatives Ackley, Pardini and Randall speaking in favor of adoption of the amendment, and Representatives Wolf, Moon and Amen speaking against it.

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

The amendment by Mr. Ackley was lost on a rising vote.

Mr. Zimmerman moved adoption of the following amendment:

On page 6, section 8, line 14, after "to" and before "percent" strike "twenty" and insert "ten"

Debate ensued, Representative Zimmerman speaking in favor of adoption of the amendment, and Representative Newhouse speaking against it.

The amendment by Mr. Zimmerman was lost.

The Clerk read the following amendment by Mr. Ackley:

On page 6, section 8, line 21, strike all of subsection (4)

POINT OF ORDER

Mr. Newhouse: "Point of order, Mr. Speaker. My amendment perfects the subsection, and Mr. Ackley's amendment strikes it."

The Speaker: "That is correct. We will consider the amendment by Mr. Newhouse first."

Mr. Newhouse moved adoption of the following amendment:

On page 6, section 8, line 24 after "death of the owner of" insert "at least fifty percent of"

Representative Newhouse spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Julin.

Mr. Julin: "Representative Newhouse, how is the sale that is contemplated under this subsection to automatically result in a change of use? As I understand it, just the sale of property does not result in a change of use. I am sorry if I don't understand the thrust of this section."

Mr. Newhouse: "Thank you, I enjoy the opportunity to answer that question. As long as the property continues in the same use, no penalty or rollback goes into effect. It is only when a necessary change of use follows a forced sale that this section would take effect."

Further debate ensued, Representative Ackley speaking against adoption of the amendment, and Representative Hoggins speaking in favor of it.

The amendment by Mr. Newhouse was adopted.

Mr. Ackley moved adoption of the following amendment:

On page 6, section 8, line 21, strike all of subsection (4)

Debate ensued, Representative Ackley speaking in favor of adoption of the amendment, and Representative Newhouse speaking against it.

The amendment was lost.

Mr. Richardson moved adoption of the following amendment:

On page 7 add a new section following section 14 as follows:

"*NEW SECTION.* Sec. 15. The state of Washington shall, on an annual basis, reimburse all local taxing districts and/or governmental subdivisions for any loss of revenue incurred as a result of the operation of this act."

Renumber the remaining sections consecutively.

Debate ensued, Representative Richardson speaking in favor of adoption of the amendment, and Representative Moon speaking against it.

The amendment was lost on a rising vote.

On motion of Mrs. McCaffree, the committee amendment to the title was adopted.

House Bill No. 26 was ordered engrossed.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 26 be placed on final passage.

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

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed House Bill No. 26 to third reading and final passage, and the motion was carried by the following vote: Yeas, 67; nays, 29; absent or not voting, 3.

Voting yea: Representatives Amen, Backstrom, Bagnariol, Barden, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Haussler, Hawley, Hoggins, Hubbard, Jolly, Juelling, Julin, Kalich, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Marsh, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Richardson, Saling, Savage, Schumaker, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wojahn, Wolf, Zimmerman, Mr. Speaker—67.

Voting nay: Representatives Ackley, Adams, Anderson, Beck, Ceccarelli, Charette, Chatalas, DeJarnatt, Fleming, Gallagher, Grant, Hatfield, Hurley, Jastad, King, Kink, Litchman, Martinis, Marzano, May, McCormick, Randall, Rosellini, Sawyer, Scott, Shipoch, Sprague, Thompson, Williams—29.

Absent or not voting: Representatives Mahaffey, Merrill, O'Brien—3.

The Speaker declared the question before the House to be Engrossed House Bill No. 26 on final passage.

Debate ensued, Representatives Newhouse, Conner and Farr speaking in favor of passage of the bill, and Representatives Gallagher, Chapin, and Sprague speaking against it.

Mr. Bledsoe demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 26, and the bill passed the House by the following vote: Yeas, 75; nays, 22; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jolly, Juelling, Julin, Kalich, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Marsh, Martinis, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Perry, Saling, Savage, Sawyer, Schumaker, Shera, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—75.

Voting nay: Representatives Ackley, Beck, Chapin, Chatalas, Fleming, Gallagher, Grant, Hatfield, Hurley, King, Litchman, Marzano, May, McCormick, Pardini, Randall, Richardson, Rosellini, Scott, Shinpoch, Sprague, Whetzel—22.

Absent or not voting: Representatives Mahaffey, O'Brien—2.

Engrossed House Bill No. 26, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I would like the record to show that I voted against Engrossed House Bill No. 26 because I feel that it creates a tax loophole. Had a provision been made in the law to allow for the collection of all waived taxes, then I would have voted for the bill as I support the concept of protecting the open space adjacent to our urban areas. A. J. PARDINI, 6th District.

MOTIONS

On motion of Mr. Bledsoe, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on Monday's second reading calendar.

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

REPORTS OF STANDING COMMITTEES

January 16, 1970.

HOUSE BILL NO. 47, providing for the creation of a department of Environmental Quality, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 20, following "environment" before the period insert "and to benefit from the proper development and use of its natural resources"

On page 2, section 1, line 21, following "that" strike the remainder of the section and insert "as the population of our state grows, the need to provide for our increasing industrial, agricultural, residential, social, recreational, economic and other needs will place an increasing responsibility on all segments of our society to plan, coordinate, restore and regulate the utilization of our natural resources in a manner that will protect and conserve our clean air, our pure and abundant waters, and the natural beauty of the state."

On page 2, section 2, line 31 after "policies" strike "of environmental protection as"

On page 3, section 2, line 1, following "manage" and before "our air" insert "and develop"

On page 3, section 2, line 6, after "regulation" insert a comma and strike the word "and" and after "management" insert a comma and the words "planning and development" and after "now" and before "performed" insert "authorized to be"

On page 3, section 2, line 10, after "program" and before "to be" insert "authorized"

On page 3, section 2, line 11, after "management" strike ", and"

On page 3, section 2, line 12, after "protection" and before "programs" insert "and development"

On page 4, section 6, line 3, after "functions" and before "performed" strike "exercised and" and insert "authorized to be"

On page 4, section 6, line 7, after "functions" and before "performed" strike "exercised and" and insert "authorized to be"

On page 4, section 6, line 11, after "functions" and before "performed" strike "exercised and" and insert "authorized to be"

On page 4, section 6, line 17, after "functions" and before "performed" strike "exercised and" and insert "authorized to be"

On page 6, section 13, line 7, beginning with the period after "air" strike all the matter down to and including "land" on line 19.

On page 6, section 14, line 29, after "health" strike everything down to and including "environment" on line 30.

On page 6, section 14, line 31, following "common." strike the remainder of the section.

On page 7, section 17, line 28, after "of" and before "members" strike "thirteen" and insert "fifteen"

On page 8, section 17, line 1, after "health;" strike "and" and insert a new subsection "(7) The director of highways;" and renumber the remaining subsection

On page 8, section 17, line 2, after "(7)" and before "persons" strike "Seven" and insert "Eight"

On page 8, section 17, line 3, after "The" and before "members" strike "seven" and insert "eight"

On page 8, section 18, line 16, following "director" and before the period insert "or upon the written request of a majority of the council"

On page 8, section 18, line 16, after the period following "director" strike "Members" and insert "Public members"

On page 8, section 18, line 19, after "reimbursement" strike everything down to and including "amended," on line 21

On page 9, strike all of section 21 and substitute the following:

NEW SECTION. Sec. 21. In addition to the duties and authorities contained in sections 19 and 20, the advisory council may agree to consider any matter pertinent to the purposes of this act by consent of a majority of the members."

On page 11, section 26, line 27, strike all of subsection (4) and renumber the remaining subsection

Signed by Representatives Flanagan, Chairman, Veroske, Vice Chairman, Beck, Berentson, Hawley, Julin, Kiskaddon, Leland, McCormick, Martinis, Moon, Thompson, Wanamaker, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representatives Gallagher, Kink.

Passed to Committee on Rules and Administration for second reading.

MOTION

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

PERSONAL PRIVILEGE

Mr. Bledsoe: "Mr. Speaker, before we adjourn, I wish to thank and compliment the members of the House for their attention to duty this first week. It has been a hectic and heavy schedule, but we have accomplished a major piece of legislation in a stormy session today. We also wish to thank the young people in the gallery, who are waiting for the hearing, for their patience in letting us effect this important piece of legislation. Maybe you can see now what your vote is all about."

MOTION

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Monday, January 21, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 19, 1970.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bottiger, Chapin, Goldsworthy, Morrison and Newhouse. Representatives Chapin, Goldsworthy, Morrison and Newhouse were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

PARLIAMENTARY INQUIRY

Mr. Grant: "Mr. Speaker, I notice you have passed the fifth order of business (messages from the Senate, Governor, and other state officials). Isn't there a bill on the Clerk's desk, Engrossed Senate Bill No. 8, which should be read in?"

The Speaker: "Mr. Grant, it has been our policy to review items coming over from the Senate, and at the appropriate time those matters will be considered and read in."

RESOLUTIONS

HOUSE RESOLUTION NO. 70-7, by Representatives O'Brien, Chatalas, Charette, Bottiger, Thompson, DeJarnatt, Shinpoch, Williams, Hurley, McCormick, Randall, Jolly, Anderson, Martinis, Jastad, Adams, Kalich, Marzano, Wojahn, Ackley, King, Brouillet, Savage, May, Bozarth, Litchman, Beck, Moon, Marsh, Merrill, Haussler, Ceccarelli, Grant, Kink, Fleming, Gallagher, Sprague, Murray, Amen, Rosellini, Bagnariol, Bledsoe, Morrison, Wanamaker, Schumaker, Richardson, Farr, Cunningham and Kuehnle:

We, the House of Representatives of the State of Washington, in the Legislature assembled, respectfully represent as follows:

WHEREAS, Dwight L. Spracher, humanitarian, prominent businessman and outstanding civic, community and political leader has demised and by his passing has deeply saddened the many who knew him and the many who benefited by his extensive charitable works for the better interests of all people; and

WHEREAS, Mr. Spracher was a profoundly dedicated State Chairman of the Democratic Party of the State of Washington and gave countless hours of service to his party; and

WHEREAS, He excelled in his efforts as Chairman of the Heart Fund of the Pacific Northwest Variety Club, extending his services far beyond the call of duty; and

WHEREAS, In 1969 Mr. Spracher received the Variety Club's annual Humanitarian Award in recognition of his efforts to aid underprivileged and handicapped children;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That we convey to Lillian Spracher our commiseration with her loss and remind Mrs. Spracher that Dwight's many friends in the legislature reverently, respectfully and sympathetically join in her sorrow, reconciled in the knowledge that, although he now belongs to the ages, he played a great and outstanding roll in aiding the less fortunate, particularly the young, and that his many other humanitarian deeds will long be remembered by the people of the State of Washington.

BE IT FURTHER RESOLVED, That this Resolution be engraved and transmitted to Lillian Spracher.

Mr. O'Brien moved adoption of the resolution.

Representatives O'Brien, Clark (Newman H.), Bledsoe and Savage spoke in favor of adoption of the resolution.

The resolution was adopted.

MOTION

On motion of Mr. Bledsoe, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Chapin and Goldsworthy who were excused.

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery students from Sultan High School and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Thompson Elementary School in Spanaway and asked them to stand and be recognized.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 19, 1970.

HOUSE BILL NO. 55, making effective certain personal rights at eighteen years of age formerly effective at twenty-one years of age, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, line 19, after "license fee" and before the comma, strike "of two dollars" and insert "[of two dollars] as fixed in RCW 36.18.010"

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Conway, Cunningham, DeJarnatt, Farr, Grant, Harris, Hurley, Saling, Savage, Williams.

Passed to Committee on Rules and Administration for second reading.

January 19, 1970.

HOUSE JOINT RESOLUTION NO. 6, proposing constitutional amendment to lower voting age to eighteen years, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Conway, Cunningham, DeJarnatt, Farr, Grant, Perry, Saling, Savage, Williams.

Passed to Committee on Rules and Administration for second reading.

MOTION

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

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SECOND READING

HOUSE BILL NO. 53, by Representatives Lynch, Harris, Farr, Amen, Bledsoe, Bluechel, Chapin, Cunningham, Curtis, Evans, Goldsworthy, Harris, Hoggins, Hubbard, Kirk, Kiskaddon, Kopet, Leckenby, Mahaffey, McCaffree, Mentor, Murray, North, Shera, Smythe, Veroske and Zimmerman (by Executive request):

Creating a department of social and health services.

Committee recommendation: Majority, do pass with the following amendment:

On page 7, section 8, line 21, strike the period and insert: "": PROVIDED, That each such confidential secretary must meet the minimum qualifications for the class of secretary II as determined by the state personnel board."

The bill was read the second time.

On motion of Mr. Wolf, the committee amendment was adopted.

Mr. Benitz moved adoption of the following amendment by Representatives Benitz, Marsh and King:

On page 4, line 21, after "care" and before "or" strike "rehabilitation"

PARLIAMENTARY INQUIRY

Mr. Benitz: "Mr. Speaker, there are eight amendments on the desk which deal with the single subject of deleting all reference to vocational rehabilitation in this bill. I would like to ask permission of the Speaker for the House to consider them as one."

The Speaker: "It might be well if you discussed the total concept of this series of amendments. In view of the fact that there is apparently some controversy, perhaps we should run the first two or three individually and see how we get along. I would like to ask you, Mr. Benitz, to discuss the total concept of the amendments you mentioned."

Representative Benitz spoke in favor of adoption of the amendment.

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

Further debate ensued, Representatives Marsh, King, Sprague and Gallagher speaking in favor of adoption of the amendment, and Representatives Lynch, Smythe and Kiskaddon speaking against it.

POINT OF INQUIRY

Mr. Marsh yielded to question by Mr. Fleming.

Mr. Fleming: "I have been thinking about a few things, and I was wondering if you could address yourself to several statements that I will make: First, it has been indicated that there has been a study made and that we will soon receive the results. I am sure some of us probably already know what those results are. Probably those results are that this department needs some kind of reorganization. You have indicated that we would like to hold off on this. You don't think this should be in this department. Give it a year or two and see how it works. Now the fact of the matter is that we know that, as the department is set up now, it hasn't been working. We know through figures that out of fifty states we are forty-ninth in rehabilitation, but it costs us twice as much as the other fifty states. So what I am wondering is, if this department has not been successful or effective, do you have a suggestion now as to what could be done other than moving into this so-called multidepartment?"

Mr. Marsh: "Thank you, Representative Fleming. I will point out first that the coordinating council on occupational education has been in existence only since 1967, a period of three years, and they have been making steady improvements. The coordinating council for occupational education has two divisions within it. One is the division of vocational rehabilitation and the other is the division of vocational education. We have, in my opinion, made improvements in both of these areas in the last two or three years. What we are asking is another year's time for this relatively new agency to continue its work. The people who are most dreadfully concerned about this matter of vocational rehabilitation (the private institutions in the Voc-Tech field, the AFL-CIO which is vitally concerned about workers who are injured and in need of vocational training, and a number of others) have come out and said that the coordinating council on occupational education has been doing a good job. There have been some shortcomings, but I submit they are doing more now than they have in the past and they ought to be given another year's time to let them complete the studies that are underway at the present time. There is a study being undertaken at the present time by the legislative budget committee on vocational education, and we are looking at it in a broad sense. The committee has had reports on this particular subject matter. We had Lou Stewart of the AFL-CIO make a presentation. We are hopeful we will have a larger report and that we can also get into the area of vocational rehabilitation. I recognize the difference between vocational education and vocational rehabilitation, but they are closely allied. They are in a single agency right now and that agency is the coordinating council on occupational education. We would like to keep it there for another year to give us a chance to try to work out the problems. We have a wonderful citizens committee now, and I would like to give them an opportunity to work on this problem."

Mr. Fleming: "Mr. Marsh, two other questions. They are very short, and I hope I receive a similar answer. If this bill goes as is, without your amendment, the bill does not address itself to the coordinating council. We realize if your amendment does not pass, the coordinating council will have only one element. What do you think of this? Also, what do you think is best—to start at the beginning of a system or to come in later? Do you think it is easier to pull someone in than to pull them out?"

Mr. Marsh: "Thank you, Mr. Fleming. Addressing myself to the first concern you have: If we take the division of vocational rehabilitation out from under the coordinating council for occupational education, there will be only one division left, that is true. There will only be the division of vocational education. Many of the friends of vocational education are afraid that if we only have the vocational education division left that the coordinating council on occupational education will soon wither and die on the vine and will be eliminated. This is a matter of tremendous concern to those who are concerned about vocational education because they want to make sure that a group that has been doing a pretty good job will continue until at least we have another place for vocational education. We don't have any other place to put it right now. We would like to keep vocational education and vocational rehabilitation in the same agency for a period of time."

POINT OF INQUIRY

Mrs. Lynch yielded to question by Mr. Curtis.

Mr. Curtis: "I am a little confused at this stage of the game as I assume several other members might be. We've got so many studies floating around I can't decide which is which. Representative Marsh alluded to a study that he said had to do with vocational rehabilitation. I believe you said the study had only to do with vocational education. Will you clarify that again in my mind, please?"

Mrs. Lynch: "Representative Curtis, I think where the misunderstanding is coming from is that House Bill No. 556, which we passed here on the floor last time, directed a joint study (of the legislative budget committee, the joint committee on higher education and the higher education council) to take a look at the entire area of vocational education. It did not mention vocational rehabilitation. However, the legislative budget committee put a statement about vocational rehabilitation in the report which you have received. As far as the joint committee is concerned, I am quite sure the only area we are going to take a look at is vocational education. We were not directed to get into vocational rehabilitation. So as far as I am concerned, the study is only on vocational education."

Further debate ensued, Representative Savage speaking in favor of adoption of the amendment by Representatives Benitz, Marsh and King, and Representatives Cunningham and Kopet speaking against it.

Mr. Wolf demanded the previous question and the demand was sustained.

Mr. Benitz closed debate, speaking in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Benitz, Marsh and King to House Bill No. 53, and the amendment was lost by the following vote: Yeas, 48; nays, 48; absent or not voting, 3.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Beck, Benitz, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Gallagher, Gladder, Grant, Hatfield, Haussler, Hawley, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Richardson, Savage, Sawyer, Schumaker, Shera, Shinpoch, Spanton, Wojahn, Zimmerman—48.

Voting nay: Representatives Ackley, Amen, Barden, Berentson, Bledsoe, Bluechel, Brown, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Harris, Hoggins, Hubbard, Julin, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Saling, Scott, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Mr. Speaker—48.

Absent or not voting: Representatives Chapin, Goldsworthy, Rosellini—3.

With the consent of the House, Mr. Benitz withdrew his remaining amendments.

PARLIAMENTARY INQUIRY

Mr. King: "Mr. Speaker, point of parliamentary inquiry. Are those who were counted as absent or not voting actually absent, or are they here today? There were three people who did not vote. We had a tie vote, 48 to 48, and I would like to take another run at it if those people are still around."

The Speaker: "They were excused."

Mr. King: "Could I ask who they are?"

The Speaker: "Representatives Chapin, Goldsworthy and Rosellini. Mr. Rosellini was here for the roll call and then asked to be excused."

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

On page 13, section 17, line 23, after "for their" strike everything down to "travel expenses" on line 25.

On page 14, section 18, line 15, after "reimbursement for" strike everything down to "travel expenses" on line 16.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn, Kirk and Brouillet:

On page 15, add a new section following section 18 as follows:

"NEW SECTION. Sec. 19. (1) There is hereby created an advisory council on nutrition and health, consisting of two members of the senate (being one from the senate majority and one from the senate minority), chosen by the presiding officer of the senate, and two representatives (being one from the house majority and one from the house minority) chosen by the speaker of the house of representatives. It shall be incumbent upon the president of the senate and the speaker of the house to choose such members to the council so there will be as broad a geographic representation of the state as possible. Additional members of the council shall be the secretary of social and health services or his designate; the directors of the departments of public assistance and institutions or their successors, or their designates; the superintendent of public instruction or his designate; a member from the University of Washington, and one from the Washington State University knowledgeable in human nutrition. The governor shall appoint five members at large, creating as broad a geographic representation of the state as possible, and shall designate the chairman of the council. The secretary of social and health services or his designee shall serve as the administrative officer of the council. Vacancies occurring on the council shall be filled in the same manner and from the same sources as the original appointment.

Members shall receive a compensatory per diem of twenty-five dollars for each day or portion thereof actually spent in attending their duties as members of the council and, in addition, they shall receive reimbursement for travel expenses as provided in RCW 43.03.060 as now or hereafter amended. The council shall meet at such times as they are called by the governor or chairman of the council.

(2) The council shall:

(a) Inquire into the nutritional status of the people of the state and may employ such staff and personnel as is necessary to affectuate this purpose.

(b) Report its findings and make recommendations for appropriate action to the governor and to the next regular session of the legislature.

(c) Terminate with the adjournment of the next regular session of the legislature unless contrary action is taken by that legislature."

Renumber the remaining sections consecutively and correct the internal references.

Mrs. Wojahn spoke in favor of adoption of the amendment.

MOTION FOR RECONSIDERATION

Mr. Thompson, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representatives Benitz, Marsh and King to House Bill No. 53 was lost.

Representative Thompson spoke in favor of the motion.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Chapin, Kalich and Rosellini.

On motion of Mr. Bledsoe, the absent members were excused and the House proceeded with business under the Call of the House.

Mr. Grant demanded an oral roll call on the motion by Mr. Thompson to reconsider the vote by which the amendment by Representatives Benitz, Marsh and King to House Bill No. 53 was lost.

Mr. Kalich appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the motion by Mr. Thompson that the House reconsider the vote by which the amendment by Representatives Benitz, Marsh and King failed, and the motion was lost by the following vote: Yeas, 48; nays, 49; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Beck, Benitz, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Evans, Gallagher, Gladder, Grant, Haussler, Hawley, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Richardson, Savage, Sawyer, Schumaker, Shera, Shinpoch, Spanton, Thompson, Wojahn—48.

Voting nay: Representatives Ackley, Amen, Barden, Berentson, Bledsoe, Bluechel, Brown, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Farr, Flanagan, Fleming, Goldsworthy, Harris, Hatfield, Hoggins, Hubbard, Julin, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Lynch, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Saling, Scott, Smythe, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—49.

Absent or not voting: Representatives Chapin, Rosellini—2.

The Speaker declared the question before the House to be the amendment by Representatives Wojahn, Kirk and Brouillet.

The amendment was adopted on a rising vote.

With the consent of the House, the two remaining amendments by Representative Farr were considered as one.

Mr. Farr moved adoption of the following amendments:

On page 18, section 23, line 26, after "for their" strike everything down to "travel expenses" on line 27

On page 22, section 31, line 21 after "for their" strike everything down to "travel expenses" on line 23

Debate ensued, Representatives Farr, Copeland and Wojahn speaking in favor of adoption of the amendments, and Representative Savage speaking against their adoption.

The amendments by Representative Farr were adopted.

On motion of Mrs. Wojahn, the following amendment to the title was adopted:

On page 4, line 11 of the title after the semicolon strike the remainder of the title and insert the following: "creating an advisory council on nutrition and health; and providing for the expiration of certain sections and for certain effective dates."

House Bill No. 53 was ordered engrossed.

Mr. Bledsoe moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 53 be placed on final passage.

POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Beck.

Mr. Beck: "Mr. Flanagan, this bill creates a Water Resources Advisory Council. Has the Natural Resources Committee studied this? What is the Water Resources Advisory Council getting involved in this bill for?"

Mr. Flanagan: "I don't think there is anything in this bill about that, Representative Beck."

Mr. Beck: "Well, then I will apologize if the attorney made a mistake. It is in the digest."

Mr. Grant demanded an electric roll call on the motion by Mr. Bledsoe and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed House Bill No. 53 to third reading and final passage, and the motion was lost by the following vote: Yeas, 60; nays, 37; absent or not voting, 2.

Voting yea: Representatives Amen, Backstrom, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Harris, Hatfield, Hawley, Hoggins, Hubbard, Julin, Kalich, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, McCaffree, McCormick, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—60.

Voting nay: Representatives Ackley, Adams, Anderson, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Gallagher, Grant, Haussler, Hurley, Jastad, Jolly, Juelling, King, Kink, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, Merrill, Moon, O'Brien, Perry, Randall, Savage, Sawyer, Thompson, Wojahn—37.

Absent or not voting: Representatives Chapin, Rosellini—2.

MOTION

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

MESSAGES FROM THE SENATE

January 19, 1970.

Mr. Speaker: The President has signed HOUSE BILL NO. 190, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Tuesday, January 20, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 20, 1970.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

MESSAGE FROM THE GOVERNOR

Office of the Governor, January 19, 1970.

TO THE HONORABLE,
THE SENATE AND THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit my report of each case of reprieve, commutation or pardon which I have granted since the adjournment of the First Session of the Forty-First Legislature.

Homer Goehler was sentenced on January 17, 1967 on two counts of bribery of a public official. At the time of application for pardon, Homer Goehler had been incarcerated continuously in the California correctional system since September 19, 1966, was eighty years of age and in poor health. He was eligible for parole in California.

Upon the recommendation of Charles O. Carroll, Prosecuting Attorney for King County, and upon unanimous recommendation of the Washington State Board of Prison Terms and Paroles, on June 4, 1969, I commuted the prison term imposed upon Homer Goehler so that said prison term shall have been deemed to commence upon January 17, 1967, and to terminate on June 4, 1969, with the provision that Homer Goehler pay in full the \$10,000 fine and all costs imposed against him.

Gerardo Cardenas, also known as George Cardenas, was sentenced to six months' imprisonment in the Yakima County jail on April 15, 1938 for perjury. On March 13, 1969, Mr. Cardenas made application for a pardon. He demonstrated a record as a good citizen and that the conviction of perjury more than 30 years earlier could prevent him from testifying in a personal injury suit in which he, as plaintiff, was seeking to recover damages for substantial personal injuries. On May 16, 1969, I granted a full pardon.

Respectfully submitted,
DANIEL J. EVANS
Governor.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Brookdale School in Tacoma and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Seattle Community College and asked them to stand and be recognized.

The Speaker observed in the north gallery the Fire Service Training Class from the Tacoma Vocational and Technical School and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Griffin School in Olympia and asked them to stand and be recognized.

The Speaker observed in the north gallery a group of Junior Leaguers from Tacoma and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Westview Elementary School in Burlington and asked them to stand and be recognized.

REPORTS OF STANDING COMMITTEES

January 19, 1970.

HOUSE BILL NO. 15, regulating surface mining, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5 of the title after "providing an" strike "effec-" and insert "effective"

On page 2, section 4, line 19, after "material" and before "by" insert "in remote areas"

On page 2, section 4, line 21, after "roads" and before "on" insert "to or"

On page 2, section 4, line 22, after "erty" and before the period strike "in remote areas"

On page 5, section 4, line 10, after "section" strike "9" and insert "10"

On page 6, section 9, line 10, after "department" insert ", except as otherwise permitted in subsection (10) of this section"

On page 7, section 9, line 12, following "operation." strike the remainder of the subsection and insert "Whenever feasible, visual screening, vegetative or otherwise, will be maintained or established on the property containing the surface mining to screen the view of the operation from public highways, public parks, and residential areas."

On page 7, section 9, line 25, after "section" strike "8" and insert "9"

On page 7, section 9, line 27, after "reclamation" strike "plan" and insert "program"

Signed by Representatives Flanagan, Chairman, Veroske, Vice Chairman, Benitz, Berentson, Hawley, Julin, Kalich, Kiskaddon, Leland, Martinis, Newhouse, Schumaker, Smythe, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 19, 1970.

Mr. Speaker: The Senate has passed:

SENATE BILL NO. 22,

SENATE BILL NO. 23,

ENGROSSED SENATE BILL NO. 88,

SENATE JOINT MEMORIAL NO. 3,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

POINT OF INQUIRY

Mr. Grant: "Point of inquiry, Mr. Speaker. Is Engrossed Senate Bill No. 8, relating to unemployment compensation, still on the Clerk's desk?"

The Speaker: "I think it is locked in the cabinet, Mr. Grant."

Mr. Grant: "Mr. Speaker, I don't know that we are following the rules that have been adopted by the House, and I raise the point of order."

The Speaker: "Mr. Grant, I thought I explained the situation to you yesterday."

Mr. Grant: "Not to my satisfaction."

The Speaker: "All right, let me give it to you once more. There is a committee of House and Senate Republicans and Democrats that are conscientiously trying to work out a solution to this unemployment compensation bill. We've got a bill in our caucus that has forty signers on it, and I could trot that bill out here and we could blow this sky high. Now if you people are conscientiously interested in arriving at a compromise in unemployment compensation, then I hope you will join with us in trying to effect it through a committee of conscientious legislators. If you want to get up here every day and challenge me on how I am operating this, you go ahead; but I want to get this job done, and I want to do it in a responsible manner. If we can't get an agreed bill by working through a committee of Republicans and Democrats, Senate and House members, then I will answer your question, and we will trot that bill out and amend it and send it to the Senate. Right now I am interested in trying to do this job without a lot of flak."

Mr. Grant: "Mr. Speaker, I have the same concern as you, but I think we transgress the rules of the House when we permit a Senate bill that has been passed with bipartisan support to stay locked in the cabinet so that some of the leadership in the House can supposedly effect a compromise. We were told last time, Mr. Speaker, by the Chairman of the Labor Committee when we asked for consideration of an unemployment compensation measure that this might disturb the negotiations that were supposedly taking place. We have a serious situation in this state, and I am as concerned as you are that we pass an unemployment compensation measure."

The Speaker: "I don't want to debate the issue or the merits of this measure, Mr. Grant. I have stated my position. I would hope I would have the support of the House in that position, and I would hope I have your support."

Mr. Grant: "You will have my support if we follow the rules of the House that have been adopted, which would require that bills be read in from the Senate."

The Speaker: "Are there further remarks?"

JOURNAL OF THE HOUSE

INTRODUCTION AND FIRST READING

SENATE BILL NO. 22, by Senator McCormack:

An Act relating to motor vehicle excise taxes and license fees; providing a refund; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.44 RCW.

Referred to Committee on Transportation.

SENATE BILL NO. 23, by Senator McCormack:

An Act relating to motor vehicles and trailers; and amending section 46.37.340, chapter 12, Laws of 1961 as last amended by section 49, chapter 170, Laws of 1965 ex. sess. and RCW 46.37.340.

Referred to Committee on Transportation.

SENATE JOINT MEMORIAL NO. 3, by Senators Peterson (Ted), Marquardt, Francis and Greive:

Requesting Congress to turn Fort Lawton over to the people of Seattle for development of a park.

Referred to Committee on Natural Resources.

MOTIONS

On motion of Mr. Hoggins, HOUSE BILL NO. 277 was rereferred from the Committee on Education and Libraries to the Committee on Higher Education.

On motion of Mr. Morrison, HOUSE BILL NO. 251 was rereferred from the Committee on Labor and Employment Security to the Committee on Higher Education.

On motion of Mrs. Lynch, HOUSE BILL NO. 253 was rereferred from the Committee on Higher Education to the Committee on Appropriations.

On motion of Mr. Bledsoe, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker (Mr. Wolf presiding) called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representative Wojahn who was excused.

The Speaker assumed the rostrum.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Green River Community College and asked them to stand and be recognized.

MOTION

On motion of Mr. Newhouse, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

January 20, 1970.

HOUSE BILL NO. 142, appropriating funds for maintenance and operation of state highways, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Amen, Anderson, Beck, Bozarth, Conner, Gallagher, Hawley, Hubbard, Jastad, Jolly, Kuehnie, Leckenby, May, Newhouse, O'Dell, Schumaker, Thompson, Veroske, Wolf.

Passed to Committee on Rules and Administration for second reading.

MOTION

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

SECOND READING

HOUSE BILL NO. 55, by Representatives McCaffree, King, Swayze, Bledsoe, Ceccarelli, Evans, Farr, Kiskaddon, Leckenby, Murray, Smythe, Williams, Grant and Chatalas (by Executive request):

Making effective certain personal rights at eighteen years of age formerly effective at twenty-one years of age.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 3, line 19, after "license fee" and before the comma, strike "of two dollars" and insert "[of two dollars] as fixed in RCW 36.18.010"

The bill was read the second time.

On motion of Mr. Swayze, the committee amendment was adopted.

Mr. Amen moved adoption of the following amendment by Representatives Amen and Litchman:

On page 1, section 1, line 27, after "of" in line 26 and before "years" in line 27 strike "eighteen" and insert "nineteen"

Debate ensued, Representatives Amen, Brown, Litchman and Gladder speaking in favor of adoption of the amendment, and Representatives King, Chapin, Savage, Sprague, Julin, Smythe, Leckenby and Swayze speaking against it.

Mr. Clark (Newman H.) demanded the previous question and the demand was sustained.

PARLIAMENTARY INQUIRY

Mr. Gladder: "Mr. Speaker, point of parliamentary inquiry: Am I to have an opportunity to reply to Mr. Leckenby's question?"

The Speaker: "I don't believe Mr. Leckenby directed a question to you, Mr. Gladder."

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Amen and Litchman to House Bill No. 55, and the amendment was lost by the following vote: Yeas, 21; nays, 76; absent or not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Benitz, Brown, Clarke (George W.), Evans, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Juelling, Kink, Litchman, Lynch, Mahaffey, Martinis, Merrill, North, Pardini—21.

Voting nay: Representatives Ackley, Anderson, Backstrom, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Farr, Flanagan, Fleming, Gallagher, Grant, Hoggins, Hubbard, Hurley, Jastad, Jolly, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Marsh, Marzano, May, McCaffree, McCormick, Mentor, Moon, Morrison, Murray, Newhouse, O'Brien, O'Dell, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—76.

Absent or not voting: Representatives Adams, Wojahn—2.

Mr. Swayze moved adoption of the following amendment:

On page 2, section 3, line 22, after "applicant is" strike "not feeble-minded, an imbecile, insane, a common drunkard," and insert "[not feeble-minded, an imbecile, insane, a common drunkard,] of sane mind and not an alcoholic"

Debate ensued, Representatives Swayze and Savage speaking in favor of adoption of the amendment, and Representative Ackley speaking against it.

The amendment was adopted.

The Clerk read the following amendment by Representatives Amen and Litchman:

On page 2, section 3, line 29, after "age of" and before "years" strike "eighteen" and insert "nineteen"

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

Mr. Sawyer moved adoption of the following amendment:

On page 4, strike sections 5 and 6 and renumber the remaining sections consecutively.

Debate ensued, Representative Sawyer speaking in favor of adoption of the amendment, and Representative Julin speaking against it.

The amendment was lost.

Mr. Bottiger moved adoption of the following amendment:

On page 6, section 10, line 7, after "law" and before the period insert ": PROVIDED, HOWEVER, That nothing herein shall be construed as eliminating the necessity for the establishment of a guardianship for a person under the age of twenty-one years for purposes of administering property which might be awarded or paid to a minor for his personal injuries"

Debate ensued, Representative Bottiger speaking in favor of adoption of the amendment, and Representatives Swayze and Ackley speaking against it.

Mr. Bottiger closed debate, speaking in favor of the amendment.

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "I think it might be wise for the Speaker to point out that the closing of debate on amendments is not automatic. We have been lenient on this and, particularly where there has been a great volume of ensuing debate, we have allowed the proposer of the amendment in that case to tie things together. However, I should caution you that this is not automatic and will probably not occur except in those situations where we have had ensuing debate and where it might be wise to have the proposer of the amendment again restate his position."

The Speaker declared the question before the House to be the amendment by Mr. Bottiger.

The amendment was lost.

House Bill No. 55 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of the second reading calendar, and the bill thereon was ordered placed on tomorrow's second reading calendar.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Cleveland High School in Seattle and asked them to stand and be recognized.

THIRD READING

ENGROSSED HOUSE BILL NO. 53, by Representatives Lynch, Harris, Farr, Amen, Bledsoe, Bluechel, Chapin, Cunningham, Curtis, Evans, Goldsworthy, Harris, Hoggins, Hubbard, Kirk, Kiskaddon, Kopet, Leckenby, Mahaffey, McCaffree, Mentor, Murray, North, Shera, Smythe, Veroske and Zimmerman (by Executive request):

Creating a department of social and health services.

Engrossed House Bill No. 53 was read the third time and placed on final passage.

Representatives Lynch, Bledsoe, King, Ceccarelli, Mahaffey, O'Brien and Fleming spoke in favor of passage of the bill, and Representative Savage spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 53, and the bill passed the House by the following vote: Yeas, 79; nays, 15; absent or not voting, 5.

Voting yea: Representatives Ackley, Amen, Bagnariol, Barden, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Grant, Harris, Hatfield, Hawley, Hoggins, Hubbard, Jastad, Jueling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—79.

Voting nay: Representatives Anderson, Backstrom, Beck, Benitz, Bozarth, Conner, Gallagher, Haussler, Hurley, Jolly, Kink, Litchman, May, Moon, Savage—15.

Absent or not voting: Representatives Adams, Berentson, Goldsworthy, Saling, Wojahn—5.

Engrossed House Bill No. 53, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Wednesday, January 21, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 21, 1970.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery students from Orting and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Mountain View School in Lacey and asked them to stand and be recognized.

The Speaker observed in the north gallery seniors from Yakima High School and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Mount Vernon High School and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Yelm Elementary School and asked them to stand and be recognized.

The Speaker observed in the north gallery a group from the Seattle YMCA and asked them to stand and be recognized.

MOTION

Mr. Newhouse moved that HOUSE BILL NO. 305 be rereferred from the Committee on Judiciary to the Committee on Public Health and Welfare.

POINT OF INQUIRY

Mr. Charette: "Mr. Speaker, may we be informed as to what House Bill No. 305 is?"

Mr. Newhouse: "Mr. Speaker, House Bill No. 294 and House Bill No. 305 are companion bills which concern voluntary commitment for drug addiction. One concerns juveniles and the other concerns adults. It was felt they should be in the same committee."

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "May I caution the leaders of the majority party that they check with the leaders of the minority party when these rereferrals are being made."

POINT OF INFORMATION

Mr. Newhouse: "I would point out that the assistant minority leader was over asking for this."

The Speaker: "My apologies, Mr. Newhouse."

The motion by Mr. Newhouse was carried, and House Bill No. 305 was rereferred from the Committee on Judiciary to the Committee on Public Health and Welfare.

SECOND READING

HOUSE JOINT RESOLUTION NO. 6, by Representatives McCaffree, Charette, Bledsoe, Backstrom, Ceccarelli, Cunningham, King, Kiskaddon, Leckenby, Marsh, Murray, Smythe, Grant and Chatalas (by Executive and Secretary of State request):

Proposing constitutional amendment to lower voting age to eighteen years.

The resolution was read the second time.

Mr. Amen moved adoption of the following amendment by Representatives Amen and Litchman:

On page 1, lines 8 and 9, after "[twenty-one]", and before "years" strike "eighteen" and insert "nineteen"

Debate ensued, Representatives Amen, Litchman, Copeland and Bledsoe speaking in favor of adoption of the amendment, and Representatives King and Savage speaking against it.

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

POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Bledsoe, as I understand it, the Governor has come out in favor of eighteen-year-old voting. Have you cleared this amendment with the Governor of the State of Washington? We would like to have the policy of the Republican Party clearly specified. We don't like to see this confusion."

Mr. Bledsoe: "Your concern, Mr. O'Brien, has touched my heart. I suggest that you worry about your troops, and we will worry about ours. Fair enough?"

Further debate ensued, Representatives Kalich and Brown speaking in favor of adoption of the amendment by Representatives Amen and Litchman to House Joint Resolution No. 6, and Representatives Swayze, Sawyer and McCaffree speaking against it.

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "We have an amendment to the amendment. I want to give everyone an opportunity. I presume that there is some question as to whether or not this amendment would be in order because it returns the amendment back to age twenty-one. If we decide in the negative on age nineteen (as Representatives Amen and Litchman's amendment proposes) and decide in the negative on eighteen (as the original bill proposes), then we are back to twenty-one. However, in order to give the proposer of this amendment to the amendment an opportunity to present his views, I will ask the Clerk to read the amendment to the amendment."

Mr. Gladder moved adoption of the following amendment to the amendment by Representatives Amen and Litchman to House Joint Resolution No. 6:

Amend the amendment by Representatives Amen and Litchman as follows: Strike "nineteen" and insert "twenty-one"

Representative Gladder spoke in favor of adoption of the amendment to the amendment.

RULING BY THE SPEAKER

The Speaker: "Mr. Gladder, that is an additional amendment. Would you confine your remarks to the situation of age only? You have another amendment on the desk dealing with the Armed Forces."

Mr. Gladder: "It was my understanding that they were written as being incorporated into one amendment. I'm sorry if I misunderstood. How we will unscramble it, I don't know. Will you define what we are now voting on, please?"

The Speaker: "Mr. Gladder, I have bent over backward to give you an opportunity to state your position, and I hope you won't abuse that situation."

Mr. Gladder: "Mr. Speaker, I am not trying to, but the amendment which I turned in which was later converted to an amendment to the amendment . . ."

The Speaker: "You have two separate amendments. They deal with two separate places in the bill. I would like to have you confine your remarks to the proposition of returning the age from the amendment that we are considering now of nineteen back to twenty-one."

POINT OF ORDER

Mr. Copeland: "Mr. Speaker, I know that you are being exceptionally kind this morning, but, please sir, I think that because of the gravity of this situation, we have to point out that this is inconsistent to our rules on amendments to amendments. What has been done is Mr. Amen's amendment is stricken completely. There is nothing left of Mr. Amen's amendment that Mr. Gladder can even append anything to. He has stricken the material completely, and I sincerely hope we won't have this particular procedure from this point on. I appreciate the fact that you are giving Mr. Gladder a great deal of latitude, but I suggest this amendment at this point is out of order and inconsistent with our rules covering the ability to amend."

The Speaker: "I wouldn't agree with you entirely, Mr. Copeland. I think if Mr. Gladder can conclude his remarks, and we can get a vote on this, that it will be taken care of."

Representative Gladder concluded his remarks.

The Speaker declared the question before the House to be the amendment by Mr. Gladder to the amendment by Representatives Amen and Litchman to House Joint Resolution No. 6.

The amendment was lost.

INQUIRY BY THE SPEAKER

The Speaker: "Mr. Gladder, are you still interested in the Armed Forces amendment?"

Mr. Gladder: "In the interest of time, Mr. Speaker, I will withdraw the amendment."

The Speaker declared the question before the House to be the amendment by Representatives Amen and Litchman.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Amen and Litchman to House Joint Resolution No. 6, and the amendment was adopted by the following vote: Yeas, 53; nays, 44; absent or not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Brown, Chapin, Clarke (George W.), Conner, Conway, Copeland, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jueling, Kalich, Kink, Kopet, Leckenby, Litchman, Lynch, Martinis, Marzano, McCormick, Mentor, Merrill, Morrison, Newhouse, North, Pardini, Perry, Saling, Schumaker, Shera, Spanton, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—53.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Barden, Beck, Bluechel, Brouillet, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Cunningham, Curtis, DeJarnatt, Fleming, Grant, Jolly, Julin, King, Kiskaddon, Kuehnle, Leland, Mahaffey, Marsh, May, McCaffree, Moon, Murray, O'Brien, O'Dell, Randall, Richardson, Rosellini, Savage, Sawyer, Scott, Shinpoch, Sprague, Swayze, Thompson, Veroske, Williams, Wojahn—44.

Absent or not voting: Representatives Kirk, Smythe—2.

The Clerk read the following amendment by Representative Conner:

On page 1, line 9, after the comma and before "possessing" insert "*of Democratic registry*"

RULING BY THE SPEAKER

The Speaker: "The Speaker is going to rule this amendment out of order because we do not, in this state, require registration by party."

House Joint Resolution No. 6 was ordered engrossed and passed to Committee on Rules and Administration.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Kirk and Smythe who were excused.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

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

THIRD READING

ENGROSSED HOUSE BILL NO. 55, by Representatives McCaffree, King, Swayze, Bledsoe, Ceccarelli, Evans, Farr, Kiskaddon, Leckenby, Murray, Smythe, Williams, Grant and Chatalas (by Executive request):

Making effective certain personal rights at eighteen years of age formerly effective at twenty-one years of age.

Engrossed House Bill No. 55 was read the third time and placed on final passage.

Representatives McCaffree, Ceccarelli and Sprague spoke in favor of passage of the bill, and Representatives Mahaffey, Veroske, Bottiger and Newhouse spoke against it.

Mr. Wolf demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 55, and the bill passed the House by the following vote: Yeas, 60; nays, 37; absent or not voting, 2.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Berentson, Bledsoe, Bluechel, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Cunningham, DeJarnatt, Evans, Farr, Flanagan, Fleming, Grant, Hoggins, Hurley, Jastad, Jolly, Julin, Kalich, King, Kink, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, McCaffree, Mentor, Merrill, Moon, Murray, O'Brien, Perry, Rosellini, Saling, Savage, Shera, Shinpoch, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Zimmerman, Mr. Speaker—60.

Voting nay: Representatives Amen, Barden, Benitz, Bottiger, Bözarth, Clark (Newman H.), Conner, Conway, Copeland, Curtis, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hubbard, Juelling, Kuehnle, Mahaffey, May, McCormick, Morrison, Newhouse, North, O'Dell, Pardini, Randall, Richardson, Sawyer, Schumaker, Scott, Spanton, Veroske, Wojahn, Wolf—37.

Absent or not voting: Representatives Kirk, Smythe—2.

Engrossed House Bill No. 55, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, the rules were suspended, the three-day period for processing bills was omitted and the House considered Engrossed House Joint Resolution No. 6 on third reading.

ENGROSSED HOUSE JOINT RESOLUTION NO. 6, by Representatives McCaffree, Charette, Bledsoe, Backstrom, Ceccarelli, Cunningham, King, Kiskaddon, Leckenby, Marsh, Murray, Smythe, Grant and Chatalas (by Executive and Secretary of State request):

Proposing constitutional amendment to lower voting age to eighteen years.

Engrossed House Joint Resolution No. 6 was read the third time and placed on final passage.

Representative Swayze spoke in favor of passage of the resolution.

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

Representatives Litchman, Bledsoe, Marsh, Fleming and Sawyer spoke in favor of passage of the resolution.

Mr. Charette demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 6, and the resolution passed the House by the following vote: Yeas, 73; nays, 24; absent or not voting, 2.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Fleming, Gallagher, Goldsworthy, Grant, Hatfield, Hawley, Hoggins, Jastad, Jolly, Julin, Kalich, King, Kink, Kiskaddon, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCaffree, Mentor, Merrill, Moon, Murray, North, O'Brien, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Shera, Shipoch, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—73.

Voting nay: Representatives Barden, Bozarth, Clarke (George W.), Curtis, Flanagan, Gladder, Harris, Haussler, Hubbard, Hurley, Jueling, Kopet, Kuehnle, Mahaffey, McCormick, Morrison, Newhouse, O'Dell, Pardini, Richardson, Schumaker, Scott, Spanton, Veroske—24.

Absent or not voting: Representatives Kirk, Smythe—2.

Engrossed House Joint Resolution No. 6, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

As a sponsor of House Joint Resolution No. 6 (lowering the voting age to eighteen years), I wish to state I was unavoidably absent on January 21, 1970, when it passed the House. My support and vote was in the affirmative and I regret I was unable to cast my "yes" vote. RICHARD L. SMYTHE, 49th District.

STATEMENT FOR THE JOURNAL

I was unable to be present when the vote was taken on the amendment by Representatives Amen and Litchman to House Joint Resolution No. 6 and would like to be recorded as favoring the amendment. I would also like the record to show that I favored Engrossed House Joint Resolution No. 6 on final passage and would have voted for it. GLADYS KIRK, 36th District.

MOTIONS

On motion of Mr. Bledsoe, the House deferred consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Thursday, January 22, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

ELEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 22, 1970.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chapin and Goldsworthy who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Moclips High School and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Nisqually Junior High School and asked them to stand and be recognized.

The Speaker observed in the south gallery members of Girl Scout Troop No. 123 in Sumner and asked them to stand and be recognized.

The Speaker observed within the bar of the House James E. Cady, State Commander of AMVETS and requested that Representatives Cunningham and Anderson conduct him to a place on the rostrum.

The Speaker: "It is my pleasure at this time to introduce to the Washington State House of Representatives, Commander James Cady."

Commander Cady: "Thank you, Mr. Speaker and Honorable Representatives. First, I would like to thank you for the time it takes to interrupt your business here to present this award. The man I am presenting it to is one of your members. He has been active in veterans affairs for some time. He has received several plaques and many other awards. Frank Marzano, would you come to the rostrum?"

The Speaker requested that Representatives Cunningham and Anderson conduct Representative Frank Marzano to the rostrum.

Commander Cady: "Frank, this is a well-deserved, even though late, award. This is awarded to you by the State of Washington AMVETS for your work on behalf of veterans. I know you have received other honors, but our organization felt this trophy would be more appropriate for your mantel. Thank you, Frank."

Representative Marzano: "Commander Cady, Mr. Speaker, ladies and gentlemen of the House, I am shocked—deeply shocked. I have received so many nice compliments and awards in the past, but this is actually closer to my heart to receive it here in these beautiful halls and chambers. Thank you very much."

Commander Cady and Representative Marzano were escorted from the rostrum.

REPORTS OF STANDING COMMITTEES

January 22, 1970.

HOUSE BILL NO. 5, creating a tax exemption for sheltered workshops, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2 add a new section after line 20 as follows:

"NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to the gross sales or gross income received by nonprofit organizations which operate 'sheltered workshops'. For the purposes of this section,

'sheltered workshops' mean rehabilitation facilities, or that part of rehabilitation facilities, where any manufacture of handiwork is carried on and which is operated for the primary purpose of (1) providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for disadvantaged individuals."

In line 1 of the title, after "taxation;" and beginning with "creating" strike everything down to and including "workshops" in line 2 and insert "adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW"

Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Bledsoe, Bluechel, Brown, Flanagan, Grant, Hatfield, Haussler, Hurley, Marzano, Murray, North, Pardini, Randall, Scott, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 21, 1970.

HOUSE BILL NO. 13, changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 19, strike all of subsection (3) and insert the following:

"(3) Costs resulting from the operation of small school plants within districts: PROVIDED, That such plants are judged by the state board of education as remote and necessary: *PROVIDED FURTHER, That until June 30, 1971, all high schools with an enrollment of less than two hundred fifty students in grades 9 through 12 shall be considered small school plants and remote and necessary if any such high school district, as of July 1, 1970, presents convincing evidence to the superintendent of public instruction that as of December 1, 1970, it will be levying excess millage equal in mills to the average excess millage as levied by all districts in the state having special levies as of January 1, 1970 or, in the alternative convincing evidence that as of said December 1, 1970, said district will be raising by special levies a dollar amount per pupil equal to the average dollar amount per pupil raised by special levies in all districts in the state having special levies as of January 1, 1970.*"

On page 3, section 2, beginning on line 5, strike all of subsection (3) and insert the following:

"(3) Costs resulting from the operation of small school plants within districts: PROVIDED, That such plants are judged by the state board of education as remote and necessary: *PROVIDED FURTHER, That until June 30, 1971, all high schools with an enrollment of less than two hundred fifty students in grades 9 through 12 shall be considered small school plants and remote and necessary if any such high school district, as of July 1, 1970, presents convincing evidence to the superintendent of public instruction that as of December 1, 1970, it will be levying excess millage equal in mills to the average excess millage as levied by all districts in the state having special levies as of January 1, 1970 or, in the alternative, convincing evidence that as of said December 1, 1970, said district will be raising by special levies a dollar amount per pupil equal to the average dollar amount per pupil raised by special levies in all districts in the state having special levies as of January 1, 1970.*"

On page 4, beginning on line 4, strike all of section 3 and insert the following:

"Sec. 3. Section 18, chapter 266, Laws of 1947 as amended by section 58, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.200 are each amended to read as follows:

In case any school district shall have an average daily attendance of fewer than [five] two pupils or shall not have maintained, during the last preceding school year at least the minimum terms of school required by law, the intermediate school district superintendent shall report said fact to the county committee, which committee shall [give consideration to the question of the dissolution of] *dissolve* the school district and [the annexation of] *annex* the territory thereof to some other district or districts. In case any territory is not a part of any school district, the intermediate school district superintendent shall present to the county committee a proposal for the annexation of said territory to some contiguous district or districts.

Sec. 4. Section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as amended by section 130, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.200 are each amended to read as follows:

In case any school district shall have an average enrollment of fewer than [five] two pupils or shall not have maintained, during the preceding school year at least the minimum term of school required by law, the intermediate school district superintendent shall report said fact to the county committee, which committee shall [give consideration to the question of the dissolution of] *dissolve* the school district and [the annexation of] *annex* the territory thereof to some other district or districts. In case any territory is not a part of any school district, the intermediate school district superintendent shall present to the county committee a proposal for the annexation of said territory to some contiguous district or districts.

NEW SECTION. Sec. 5. Notwithstanding any other provision of this 1970 amendatory act, sections 1 and 3 of this 1970 amendatory act shall only be effective until chapter 223,

Laws of 1969 ex. sess. becomes effective, at which time sections 1 and 3 hereof shall be void and of no effect and sections 2 and 4 hereof shall become effective.”

Renumber the remaining sections consecutively.

Beginning on line 3 of the title strike “declaring an emergency; and prescribing effective dates,” and insert “amending section 18, chapter 266, Laws of 1947 as amended by section 58, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.200; amending section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as amended by section 130, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.200; declaring an emergency; making effective dates; and providing for the expiration of sections hereof.”

Signed by Representatives Goldsworthy, Chairman, Saling, Vice Chairman, Backstrom, Brouillet, Chatalas, Copeland, Curtis, DeJarnatt, Farr, Julin, Kalich, King, Kopet, Lynch, Mahaffey, Mentor, Merrill, Moon, Morrison, Richardson, Rosellini, Savage, Shinpoeh, Sprague, Swayze, Wolf, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 116, relating to abortion and providing for a referendum, reported by Committee on Public Health and Welfare.

MAJORITY recommendation: Do pass. Signed by Representatives Farr, Chairman, Zimmerman, Vice Chairman, Adams, Chatalas, Hatfield, Jastad, Jueling, Sprague, Whetzel.

MINORITY recommendation: Do not pass. Signed by Representatives Gladder, Marzano, Pardini.

MOTION

Mr. Charette moved that the rules be suspended and House Bill No. 116 be placed on today's second reading calendar.

Representative Charette spoke in favor of the motion.

POINT OF ORDER

Mr. O'Brien: “I believe the proponent of this motion should adhere to the reasons why he wants this bill to circumvent the rules of this House. It would be entirely out of order to go into the merits of the bill at this time.”

RULING BY THE SPEAKER

The Speaker: “I think your point is well taken. The motion is to suspend the rules. Mr. Charette, I think you should try to confine your remarks to the reasons why the rules should be suspended. I recognize you have to deal a little bit with the subject matter of the bill itself. I want to be reasonably fair in this matter, Mr. Charette, and I hope you will join with me in that regard.”

Representative Charette continued his remarks.

POINT OF ORDER

Mr. Gallagher: “Mr. Speaker, we have never debated, and have never discussed an issue, on the suspension of the rules. I think he is completely out of order.”

RULING BY THE SPEAKER

The Speaker: “I think your point is not well taken, Mr. Gallagher. Mr. Charette, continue.”

Representative Charette continued his remarks in favor of the motion to suspend the rules and place House Bill No. 116 on today's second reading calendar.

POINT OF ORDER

Mr. O'Brien: “Mr. Charette is going into the merits of the bill. I think he should hold his remarks to the reasons why he wants to suspend the rules—why he wants to circumvent the Rules and Administration Committee. That is the only issue before us at this time. The issue is not whether or not the people should have a right to vote on this issue. That should be discussed on final passage.”

RULING BY THE SPEAKER

The Speaker: "Mr. Charette, I know Mr. O'Brien is a reasonable man. I am sure you perhaps could be reasonable when he is reasonable, if not when I am reasonable. Would you kindly confine your remarks to the motion for suspension of the rules?"

PARLIAMENTARY INQUIRY

Mr. Charette: "Would it be proper for me to explain to the members of the House the things that I am not allowed to say under the motion to suspend the rules?"

The Speaker: "I am fairly lenient, but not that lenient, Mr. Charette."

Representative Charette concluded his remarks in favor of the motion to suspend the rules and place House Bill No. 116 on today's second reading calendar.

Representative Bledsoe spoke against the motion.

MOTION

On motion of Mr. Newhouse, the motion by Mr. Charette to suspend the rules and place House Bill No. 116 on today's second reading calendar was laid on the table.

House Bill No. 116 was passed to Committee on Rules and Administration for second reading.

REPORTS OF STANDING COMMITTEES

January 22, 1970.

HOUSE BILL NO. 201, authorizing establishment of speed limits for auto stages, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, following line 11, insert new sections as follows:

"NEW SECTION. Sec. 3. There is added to chapter 12, Laws of 1961 and to chapter 46.04 RCW a new section to read as follows:

'Private carrier bus' means every bus (having a seating capacity for eleven or more persons) used regularly to transport persons in furtherance of any organized agricultural, business, religious or charitable purpose. Such term does not include buses operated by common carriers under a franchise granted by any city or town or the Washington Public Utilities Commission.

Sec. 4. Section 1, chapter 20, Laws of 1967 ex. sess. as amended by section 1, chapter 68, Laws of 1969 ex. sess. and RCW 46.20.440 are each amended to read as follows:

It shall be unlawful for a person to operate for compensation upon the public highway any motor-truck, truck-tractor, school bus, *private carrier bus*, auto stage or for-hire vehicle as defined by RCW 46.04.310, 46.04.650, 46.04.521, 46.04.050 [and], 46.04.190 and section 3 of this 1970 amendatory act respectively, found by the director to require special operating skills as hereafter provided, unless the driver shall have successfully completed an examination, in addition to the examinations in RCW 46.20.130, demonstrating the ability of the driver to operate and maneuver the vehicle or vehicles upon the public highway in a manner not to jeopardize the safety of persons or property: PROVIDED, That this requirement shall not apply to any person hauling farm commodities from the farm to the processing plant or shipping point, not to exceed a radius of fifty miles from the farm: PROVIDED, FURTHER, That this requirement shall not apply to any person transporting agricultural workers from one farm to another during the course and within the scope of the workers employment.

The director may issue a temporary permit to an applicant for a period not to exceed ninety days. This temporary permit may be renewed for one additional ninety-day period. The director shall collect a two dollar fee for said temporary permit, or renewal, and the said fee shall be deposited in the highway safety fund.

The director shall upon completion of such tests specially endorse the driver's license of the applicant to indicate the type of vehicle qualifications met.

Sec. 5. Section 46.37.190, chapter 12, Laws of 1961 as last amended by section 53, chapter 155, Laws of 1965 ex. sess. and RCW 46.37.190 are each amended to read as follows:

(1) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive marking required by this chapter, be equipped with at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.

(2) Every school bus and *private carrier bus* shall, in addition to any other equipment and distinctive markings required by this chapter, be equipped with a 'stop' signal upon a background not less than fourteen by eighteen inches displaying the word 'stop' in letters of distinctly contrasting colors not less than eight inches high, and shall further be equipped

with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level and those lights shall have sufficient intensity to be visible at five hundred feet in normal sunlight.

(3) A police vehicle when used as an authorized emergency vehicle may but need not be equipped with alternately flashing red lights specified herein.

(4) The alternately flashing lighting described in subsections (2) and (3) of this section shall not be used on any vehicle other than a school bus, a private carrier bus or an authorized emergency vehicle.

(5) The use of the signal equipment described herein shall impose upon drivers of other vehicles the obligation to yield right of way and stop as prescribed in RCW 46.61.210 [and], RCW 46.61.370 and section 7 of this 1970 amendatory act.

Sec. 6. Section 46.37.290, chapter 12, Laws of 1961 and RCW 46.37.290 are each amended to read as follows:

(1) The state commission on equipment is authorized to adopt standards and specifications applicable to lighting equipment on and special warning devices to be carried by school buses and private carrier buses consistent with the provisions of this chapter, but supplemental thereto. Such standards and specifications shall correlate with and, so far as possible, conform to the specifications then current as approved by the society of automotive engineers.

(2) It shall be unlawful to operate any flashing warning signal light on any school bus or private carrier bus except when any said [school] bus is stopped on a highway for the purpose of permitting [school children] passengers to board or alight from said [school] bus. The term flashing signal as used herein shall not include an electric turn signal.

Sec. 7. Section 48, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.350 are each amended to read as follows:

(1) The driver of any motor vehicle carrying passengers for hire, other than a passenger car, or of any school bus or private carrier bus carrying any school child, or other passenger, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty feet but not less than fifteen feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossing and the driver shall not shift gears while crossing the track or tracks.

(2) No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed.

NEW SECTION. Sec. 8. There is added to chapter 12, Laws of 1961 and to chapter 46.61 RCW a new section to read as follows:

(1) The driver of a vehicle upon overtaking or meeting from either direction any private carrier bus which has stopped on the highway for the purpose of receiving or discharging any passenger shall stop the vehicle before reaching such private carrier bus when there is in operation on said bus a visual signal as specified in RCW 46.37.190 and said driver shall not proceed until such bus resumes motion or is signaled by the bus driver to proceed or the visual signals are no longer activated.

(2) Every private carrier bus shall bear upon the front and rear thereof plainly visible signs containing the words 'PRIVATE CARRIER BUS' in letters not less than eight inches in height, and in addition shall be equipped with visual signals meeting the requirements of RCW 46.37.190 which shall be actuated by the driver of said private carrier bus whenever but only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging passengers, except:

(a) When the passengers boarding or alighting do not have to cross a highway and the bus is stopped completely off the main traveled portion of the roadway; or

(b) When the bus is stopped at an intersection or place where traffic is controlled by a traffic officer or official traffic control signal.

(3) The driver of a vehicle upon a highway divided into separate roadways as provided in RCW 46.61.150, need not stop upon meeting or passing a private carrier bus which is on a separate roadway or when upon a limited access highway and the private carrier bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway."

Renumber the remaining section accordingly.

On page 1, line 5, after the semicolon and before "and" insert the following: "amending section 1, chapter 20, Laws of 1967 ex. sess. as amended by section 1, chapter 68, Laws of 1969 ex. sess. and RCW 46.20.440; amending section 46.37.190, chapter 12, Laws of 1961 as last amended by section 53, chapter 155, Laws of 1965 ex. sess. and RCW 46.37.190; amending section 46.37.290, chapter 12, Laws of 1961 and RCW 46.37.290; amending section 48, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.350; adding a new section to chapter 12, Laws of 1961 and to chapter 46.04 RCW; adding a new section to chapter 12, Laws of 1961 and to chapter 46.61 RCW;"

Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Amen, Anderson, Beck, Conner, Cunningham, Gallagher, Hawley, Hubbard, Jolly, Kuehne, Leckenby, Martinis, McCormick, Perry, Schumaker, Thompson, Veroske, Wanamaker, Whetzel.

Passed to Committee on Rules and Administration for second reading.

January 21, 1970.

HOUSE JOINT RESOLUTION NO. 5, amending Constitution to require annual sessions of the legislature, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Cunningham, DeJarnatt, Marzano, Saling, Savage, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Farr, Hurley.

Passed to Committee on Rules and Administration for second reading.

January 21, 1970.

HOUSE JOINT RESOLUTION NO. 8, changing the procedure for amending the Constitution, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Conway, Cunningham, DeJarnatt, Farr, Saling, Savage, Williams.

MINORITY recommendation: Do not pass. Signed by Representative Hurley.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 21, 1970.

Mr. Speaker: The Senate has passed:

ENGROSSED SENATE BILL NO. 4,

SENATE BILL NO. 9,

SENATE BILL NO. 15,

SENATE BILL NO. 66,

SENATE BILL NO. 67,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 4, by Senators Durkan, Knoblauch, McCormack, Talley, Dore, Stortini and Keefe:

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

Referred to Committee on Appropriations.

SENATE BILL NO. 9, by Senators Greive, Stortini and Odegaard:

An Act relating to industrial insurance; and amending section 51.32.080, chapter 23, Laws of 1961 as last amended by section 1, chapter 165, Laws of 1965 ex. sess., and RCW 51.32.080.

Referred to Committee on Labor and Employment Security.

SENATE BILL NO. 15, by Senator Walgren:

An Act relating to divorce; and amending section 3, chapter 215, Laws of 1949 and RCW 26.08.030.

Referred to Committee on Judiciary.

SENATE BILL NO. 66, by Senators Holman, Gissberg and Williams (by Judicial Council request):

An Act relating to appointment and payment of counsel and payment of certain costs and expenses for indigents; amending section 5, chapter 126, Laws of 1913 as last amended by section 3, chapter 133, Laws of 1965 and RCW 2.32.240; amending section 2, chapter 133, Laws of 1965 and RCW 10.01.112; and declaring an emergency.

Referred to Committee on Judiciary.

SENATE BILL NO. 67, by Senators Holman, Francis and Andersen (by Judicial Council request):

An Act relating to the election of the court of appeals judges by position number; and amending section 29.21.110, chapter 9, Laws of 1965 and RCW 29.21.110.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 88, by Senators Washington, Henry, Odegaard, Wilson, Durkan, Huntley, Bailey, McCormack, Gissberg, Donohue, McDougall, Woodall, Twigg, Guess, Peterson (Lowell), Sandison and Canfield:

An Act relating to education; suspending a proviso; and declaring an emergency.

Referred to Committee on Appropriations.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-8, by Representatives Bottiger, Wojahn, Chatalas, King, Sprague, Marzano and Adams:

WHEREAS, The Department of Public Assistance has adopted certain rules and regulations regarding eligibility of recipients of public assistance; and

WHEREAS, One of the rules and regulations prevents a person who is eligible for unemployment compensation from also drawing supplemental public assistance; and

WHEREAS, In most cases present unemployment compensation benefits are grossly inadequate to provide essential support for a family; and

WHEREAS, The net effect of said regulation is to encourage husbands and fathers to desert their families so that their wives and children might be eligible for public assistance; and

WHEREAS, It is doubtful that this change in eligibility requirements will result in any significant fiscal savings to the Department of Public Assistance but will most certainly adversely affect the families involved.

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Department of Public Assistance be urged to reconsider its position and rescind at least that portion of its regulation affecting those persons eligible for unemployment compensation.

Mr. Bottiger moved adoption of the resolution.

Debate ensued, Representative Bottiger speaking in favor of adoption of the resolution, and Representative Newhouse speaking against it.

The resolution was lost.

HOUSE RESOLUTION NO. 70-9, by Representatives North, Chatalas and Pardini:

WHEREAS, Throughout the nation there are millions of one-parent families and families where two parents must work in order to provide the necessities of life; and

WHEREAS, There is a growing concern for the children which through such necessity have been left without proper care and supervision; and

WHEREAS, The President of the United States in his plans for reforming the welfare system has put heavy emphasis on quality day care centers offering not just custodial care but a true developmental program; and

WHEREAS, A major expansion of day care centers would make it possible for mothers on public assistance to take jobs by which they could ultimately support themselves and their children; and

WHEREAS, There is an urgent need for increasing the number of quality child care facilities in the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council Committee on Public Health and Public Assistance is directed to make a study of present day care facilities throughout the state. The inventory should include the number of centers and number of children served, as well as numbers on waiting lists; the funding of present facilities; the variety and quality of programs offered; the geographical areas of greatest need; and the possibilities for expansion of facilities in churches, schools, community club buildings, et cetera. The Committee should further be in communication with the local communities that are now organizing themselves into Community Coordinated Child Care Councils (the "4 C's").

BE IT FURTHER RESOLVED, That the Legislative Council Committee on Public Health and Public Assistance shall report its findings and recommendations as to suggested legislative action to the members of the House and Senate prior to the 1971 Legislative Session.

Mrs. North moved adoption of the resolution.

Representatives North and Chatalas spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-10, by Representatives Conner, Savage, Zimmerman, O'Dell, Marsh and Smythe:

WHEREAS, Crown Zellerbach Corporation celebrates its one hundredth anniversary in 1970; and

WHEREAS, Plants at Camas, Port Angeles and Port Townsend have long provided employment opportunity, income and secondary economic benefits for many residents of our State; and

WHEREAS, Crown Zellerbach has been among the first to recognize the social responsibilities of industry and has contributed extensively to many communities of our State; and

WHEREAS, In problems of air and water pollution cooperation with state and local agencies has been forthcoming and much effort and income have gone into alleviating these problems; and

WHEREAS, Prudent methods of tree farming and waste utilization have contributed toward the conservation of our natural resources and assured future generations of paper, packaging and building supplies; and

WHEREAS, Scholarships and summer job placement of college students have benefited many of our young people and allowed them to reach life goals;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Crown Zellerbach Corporation be commended for its success over the last one hundred years and for its leadership and efforts in the field of industrial-community relations, and that it be encouraged to continue its efforts with the hope that it will continue to provide economic opportunity and benefits to the residents of our State, and that it will continue its efforts to achieve the substantial elimination of environmental pollution.

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to the plant managers at Camas, Port Angeles and Port Townsend, and to the Board of Directors of the Crown Zellerbach Corporation.

Mr. Conner moved adoption of the resolution.

Representatives Conner and Zimmerman spoke in favor of adoption of the resolution. The resolution was adopted.

HOUSE RESOLUTION NO. 70-11, by Representatives Backstrom and Charette:

WHEREAS, In recent years there have been significant and far-reaching changes in the relationship between the State of Washington and members of the various Indian tribes residing within its borders; and

WHEREAS, The Constitution of the United States and the Constitution of the State of Washington and its statutes afford the members of the various Indian tribes certain guarantees and assurances with respect to their freedom and rights in matters such as ownership of property and existence within the political, social, and economic spheres of society; and

WHEREAS, The State of Washington has assumed obligatory responsibilities and authority with respect to both criminal and civil jurisdiction over Indians and their lands upon their request within the statutory guidelines of RCW 37.12, and with the consent of the United States (Public Law 280, 83rd Congress, 1st session); and

WHEREAS, The Treaty of 1855 granted certain jurisdictional rights and privileges to Indians which thereafter have been restricted by the passage of state laws; and

WHEREAS, The obtaining statutes contain no provisions for the state to retrocede from any measure of civil or criminal jurisdiction once acquired by the state under the provisions of RCW 37.12; and

WHEREAS, The State of Washington now carries out its present legal and social responsibilities, with respect to Indians and Indian affairs, within a cooperative relationship with the Federal government, through various programs and an executive organization consisting of a gubernatorial advisory body, a special assistant, and the state's attorney general office; and

WHEREAS, It is becoming both apparent and substantiated that a need exists for an executive organizational structure which may address itself to and accept the primary responsibility for resolution of past and future issues concerning Indians and Indian affairs affecting both individuals and the State as a whole;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Budget Committee be authorized and directed to undertake a study of (1) the need and proposed methodology for procedural retrocession by this state from any measure of civil or criminal jurisdiction acquired by the state under the provisions of Chapter 37.12 RCW, upon the request of a majority of any Indian governing body or tribal council duly recognized by the Bureau of Indian Affairs, and (2) the feasibility and desirability of establishing an Indian Affairs Commission within the state's executive organization together with a method of financing such program; and

BE IT FURTHER RESOLVED, That the Legislative Budget Committee shall report its findings, conclusions, and recommendations to the next regular session of the Legislature.

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

HOUSE RESOLUTION NO. 70-12, by Representatives Amen, Benitz, Newhouse, Haussler, Jolly, Schumaker, Moon, Bozarth, Wanamaker, Morrison and Farr:

WHEREAS, At the Fortieth Anniversary National Future Farmer Convention held in 1968, Mr. Bert L. Brown of Olympia, Washington received special recognition for distinguished services to vocational agriculture and to the Future Farmers of America; and

WHEREAS, Mr. Brown, who retired on December 22, 1969, began his service to vocational agriculture in 1927 as the instructor at Evergreen High School for a two-year tenure; and

WHEREAS, During his devoted service he also taught at Woodland from 1929 to 1935, at Kent from 1935 to 1940, served at Washington State University as a teacher trainer and supervisor from 1940 to 1945 and has served continuously as Head Supervisor and State Advisor of the Future Farmers of America since 1945, for a total of forty-two and one-half years of continuous service; and

WHEREAS, During his long tenure he has taught vocational agriculture to several thousand boys, has contributed to the basic professional preparation of numerous vocational agriculture instructors and has directed the state-wide program for a period of twenty-five years, wherein approximately one hundred thousand students have felt his influence and profited by his leadership and vast knowledge of vocational agriculture; and

WHEREAS, While acknowledging that not all students enrolling in vocational agriculture in high school will become full-time productive farmers, Bert Brown summarizes that: "There's one thing we never want to forget, although sometimes we do, and it's this: Agriculture is basic and vital. The need for individuals involved in producing our food and fiber will continue indefinitely."; and

WHEREAS, During his tenure as State Advisor of the Future Farmers of America, eight individual members have been awarded the Pacific Regional Star American Farmer Degree, of which two were awarded the coveted Star American Farmer Degree as the top American Farmer Degree recipient throughout the nation; and

WHEREAS, During this same period thirty-five individual Future Farmers have received either the Pacific Regional or National Award in Farm Proficiency with the State of Washington being the first state association to place a national winner in each of the possible award categories; and

WHEREAS, The House of Representatives in Extraordinary Session assembled, wishes to commend Bert L. Brown on his long and distinctive service to Future Farmers of America and to all of Washington agriculture;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That we do by this Resolution pay tribute to Bert L. Brown for his longstanding leadership in vocational agriculture in this state; and

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this Resolution be prepared and forwarded by the Chief Clerk of the House of Representatives to Mr. Bert L. Brown in appreciation of his great service to the Future Farmers of America and, particularly, to those thousands of young members of the Future Farmers of America in the State of Washington who have profited from his teaching, leadership and dedication.

Mr. Moon moved adoption of the resolution.

HOUSE RESOLUTION NO. 70-13, by Representative Evans:

WHEREAS, David O. McKay, President of the Church of Jesus Christ of Latter-day Saints since 1951, and one of that church's most distinguished leaders, died on Sunday, January 18, 1970, in Salt Lake City, Utah; and

WHEREAS, President McKay guided the church in its growth from one million members to nearly three million members during the period of his presidency; and

WHEREAS, His leadership has been the source of inspiration to all the members of his church, among whom are numbered many citizens of the State of Washington, who by their personal lives and dedication to the lofty ideals of the Mormon Church contribute significantly to the moral and spiritual vitality of their communities; and

WHEREAS, President McKay's exhortations to and encouragement of the formation of vital family relationships among his followers demonstrates his deep concern with this most fundamental of all social relationships;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington mourns the death of this devoted and beloved leader of the Church of Jesus Christ of Latter-day Saints, and joins with the family of Mr. McKay and the members of his church in their bereavement.

BE IT FURTHER RESOLVED, That a copy of this Resolution be suitably inscribed and presented to the family of Mr. McKay.

Mr. Evans moved adoption of the resolution.

Representatives Evans and Mahaffey spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-14, by Representatives Mentor, Wanamaker, Randall and Beck:

WHEREAS, Debbie Amos, age twelve, of Kitsap County rescued Janet Holland, age six, and John Holland, age ten, from drowning in the waters of Puget Sound off Fay Bainbridge Park on Bainbridge Island; and

WHEREAS, The unselfish act of Debbie Amos is responsible for saving the lives of the two children; and

WHEREAS, Debbie Amos has demonstrated rare courage and heroism without regard for her own personal safety; and

WHEREAS, The action of Debbie Amos symbolizes those qualities which are best representative of the youth of the State of Washington; and

WHEREAS, Courage and heroism are traits which should be recognized and encouraged;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Debbie Amos be commended for her courage and heroism on behalf of others and be encouraged to continue her unselfish actions in the hope that others will follow her outstanding contributions to the health and safety of others.

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to Debbie Amos and her family and to the Central Kitsap Junior High School.

Mr. Mentor moved adoption of the resolution.

Representatives Mentor and Randall spoke in favor of adoption of the resolution.

The resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery Debbie Amos and her mother and father and asked them to stand and be recognized.

The Speaker asked the members of the House of Representatives to stand and appropriately acknowledge Debbie Amos.

HOUSE RESOLUTION NO. 70-15, by Representatives Berentson, Haussler, Bozarth and Veroske:

WHEREAS, Washington State Highway Route 20, known as the North Cross-state Highway, traverses and serves in whole or in part the North Cascades National Park, the Ross Lake National Recreation Area, the Pasayten Wilderness and the Mt. Baker and Okanogan National Forests, all within the northern sector of the State of Washington; and

WHEREAS, This same North Cross-state Highway, when completed, will in addition provide direct access from the northwest coastal area of Washington State to the interior of the Okanogan and Methow Valleys, and by means of the interconnection of Interstate Route 5 on the west with State Routes 97 and 153 on the east will serve through traffic between the coastal areas and eastern Washington State; and

WHEREAS, The North Cross-state Highway will serve not only recreational traffic but will as well provide service to the commercial and industrial traffic involving the lumber, petroleum, agriculture, mining and shipping industries; and

WHEREAS, Only one section of this highway, some 3.5 miles in length and identified as Vicinity of East Creek to Granite Creek Crossing, remains to be placed under construction to connect the portions of the route already under construction; and

WHEREAS, The sum of one million dollars in Public Lands Highway Funds has been allocated for this work by the United States Department of Transportation, but under the President's request to defer new construction starts the funds have not been released for obligation; and

WHEREAS, The construction season in the North Cascades area where the above project is located is extremely short, and therefore an entire construction season can be lost if a project is not advertised for bids in March or April, thereby delaying the opening of the entire route for up to a year;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That while ever mindful of the condition of the national economy and the President's wishes in connection therewith, in view of the necessity to place the cited project under construction in a timely manner thereby serving the best interests of the populace of the State of Washington, the House of Representatives does respectfully pray that the President of the United States and the Secretary of the United States Department of Transportation immediately release for obligation the one million dollars of Public Lands Highway Funds heretofore allocated to the State of Washington for construction of the North Cross-state Highway project as identified herein.

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the Honorable Richard M. Nixon, President of the United States; the Secretary of the United States Department of Transportation; and to each member of Congress from the State of Washington.

Mr. Berentson moved adoption of the resolution.

Representatives Berentson and Haussler spoke in favor of adoption of the resolution.

The resolution was adopted.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Chapin, Goldsworthy and Kink who were excused.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Copeland, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

January 22, 1970.

HOUSE BILL NO. 3, specifying number of directors and officers of professional corporations, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 34, correcting code sections relating to revenue and taxation, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 35, correcting code sections relating to motor vehicles, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 36, correcting code sections relating to elections, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 37, correcting code sections relating to metropolitan municipal corporations, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 38, correcting code sections relating to state government, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 39, correcting code sections relating to intoxicating liquor, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 40, correcting code sections relating to public lands, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 41, correcting code sections relating to education code, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 42, updating repealer of old school code, effective when new education codes take effect, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 59, relating to Judicial conferences, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Clark (Newman H.), O'Dell, Swayze, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 74, relating to the retirement and pensions of law enforcement officers and fire fighters, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass with the following amendments:

On page 18, section 10, line 2, after "(2)" and before the colon insert the following ". In the case of active or retired fire fighters the employer may make the payments provided for in this section from the firemen's pension fund established pursuant to RCW 41.16.050 where such fund had been established prior to March 1, 1970: PROVIDED, That in the event the pension fund is depleted, the employer shall have the obligation to pay all retirement benefits payable under RCW 41.16 and 41.18"

On page 24, section 17, line 7, after "amount" strike "[two hundred fifty thousand] three hundred forty nine thousand, three hundred and seventy" and insert "two hundred fifty thousand"

Signed by Representatives Morrison, Chairman, Spanton, Vice Chairman, Backstrom, Curtis, Grant, King, Kuehnle, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 97, adding two judges of the court of appeals to the judicial council, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 127, providing minimum pension for certain pensioners under supreme court judges' retirement act, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Bottiger, Clark (Newman H.), O'Dell, Swayze, Wojahn.

MOTION

Mr. Newhouse moved that HOUSE BILL NO. 127 be rereferred to the Committee on Appropriations.

Representative Clark (Newman H.) spoke against the motion.

The motion was carried.

January 22, 1970.

HOUSE BILL NO. 158, including certain nonprofit organizations in definition of "debt adjuster," reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 253, authorizing increases in tuition and incidental fees for institutions of higher education, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Saling, Vice Chairman, Clark (Newman H.), Conway, Curtis, Fleming, Julin, Kalich, Kirk, Kopet, Lynch, Mahaffey, Mentor, Morrison, Richardson, Rosellini, Shera, Sprague, Swayze, Wolf, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representatives Backstrom, Jueling, King, Savage, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

MOTION

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

SECOND READING

HOUSE BILL NO. 47, by Representatives Flanagan, Williams, Richardson, Amen, Bledsoe, Bluechel, Brown, Chapin, Clarke (George W.), Conway, Cunningham, Curtis, Evans, Farr, Harris, Hawley, Hoggins, Hubbard, Julin, Kirk, Kopet, Leckenby, Mahaffey, Marsh, McCaffree, Mentor, Murray, North, O'Dell, Pardini, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Ceccarelli and Copeland (by Executive request):

Providing for a department of environmental quality.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 1, line 20, following "environment" before the period insert "and to benefit from the proper development and use of its natural resources"

On page 2, section 1, line 21, following "that" strike the remainder of the section and insert "as the population of our state grows, the need to provide for our increasing industrial, agricultural, residential, social, recreational, economic and other needs will place an increasing responsibility on all segments of our society to plan, coordinate, restore and regulate the utilization of our natural resources in a manner that will protect and conserve our clean air, our pure and abundant waters, and the natural beauty of the state."

On page 2, section 2, line 31 after "policies" strike "of environmental protection as"

On page 3, section 2, line 1, following "manage" and before "our air" insert "and develop"

On page 3, section 2, line 6, after "regulation" insert a comma and strike the word "and" and after "management" insert a comma and the words "planning and development" and after "now" and before "performed" insert "authorized to be"

On page 3, section 2, line 10, after "program" and before "to be" insert "authorized"

On page 3, section 2, line 11, after "management" strike ", and"

On page 3, section 2, line 12, after "protection" and before "programs" insert "and development"

On page 4, section 6, line 3, after "functions" and before "performed" strike "exercised and" and insert "authorized to be"

On page 4, section 6, line 7, after "functions" and before "performed" strike "exercised and" and insert "authorized to be"

On page 4, section 6, line 11, after "functions" and before "performed" strike "exercised and" and insert "authorized to be"

On page 4, section 6, line 17, after "functions" and before "performed" strike "exercised and" and insert "authorized to be"

On page 6, section 13, line 7, beginning with the period after "air" strike all the matter down to and including "land" on line 19.

On page 6, section 14, line 29, after "health" strike everything down to and including "environment" on line 30.

On page 6, section 14, line 31, following "common." strike the remainder of the section.

On page 7, section 17, line 28, after "of" and before "members" strike "thirteen" and insert "fifteen"

On page 8, section 17, line 1, after "health;" strike "and" and insert a new subsection "(7) The director of highways;" and renumber the remaining subsection

On page 8, section 17, line 2, after "(7)" and before "persons" strike "Seven" and insert "Eight"

On page 8, section 17, line 3, after "The" and before "members" strike "seven" and insert "eight"

On page 8, section 18, line 16, following "director" and before the period insert "or upon the written request of a majority of the council"

On page 8, section 18, line 16, after the period following "director" strike "Members" and insert "Public members"

On page 8, section 18, line 19, after "reimbursement" strike everything down to and including "amended," on line 21

On page 9, strike all of section 21 and substitute the following:

"NEW SECTION. Sec. 21. In addition to the duties and authorities contained in sections 19 and 20, the advisory council may agree to consider any matter pertinent to the purposes of this act by consent of a majority of the members."

On page 11, section 26, line 27, strike all of subsection (4) and renumber the remaining subsection

The bill was read the second time.

On motion of Mr. Flanagan, the committee amendments to page 2, page 3, page 4 and page 6 were adopted.

Mr. Flanagan moved adoption of the committee amendment to page 7.

INQUIRY BY THE SPEAKER

The Speaker: "Mr. Thompson, it would appear that, in view of your amendment adding additional members, the committee amendment at this point would have to be amended. Is that correct?"

Mr. Thompson: "That is true, Mr. Speaker. My amendment conforms to this increase in membership."

The Speaker: "Yes, but you don't have an amendment to this committee amendment increasing the designation of number of members beyond fifteen."

Mr. Thompson: "It isn't my intent."

The Speaker: "You are not adding any new members?"

Mr. Thompson: "No, I am not. I am simply changing the designation."

The committee amendment to page 7 was adopted.

On motion of Mr. Flanagan, the committee amendment to page 8, line 1, was adopted.

Mr. Thompson moved adoption of the following amendment:

On page 8, line 2, insert a new subsection (8) as follows:

"(8) Three public members to be appointed by the governor as follows:

(a) One public member shall be a representative of organized labor and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of organized labor of the state.

(b) One public member shall be a representative of the business community and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of the business community of the state.

(c) One public member shall be a representative of the agricultural community and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of the agricultural community of the state."

Representative Thompson spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Wolf.

Mr. Wolf: "Mr. Thompson, I recognize this amendment as subsection (a) being state employees and subsection (b) being Safeway stores. But my question is, In subsection (c) is it not possible that there might be more than one, and would you consider changing the word 'an' to 'any'?"

Mr. Thompson: "I don't think the present language precludes that, but if you think it clarifies it, I certainly have no objection."

Mr. Wolf: "My point would be that if we did have two organizations that represented a majority because of overlap, if you change it to 'any' they both could submit lists of three and the Governor would have his choice from six."

Mr. Thompson: "I think yours is a reasonable request."

Mr. Wolf: "Would you so notify the Chair?"

With the consent of the House, Mr. Thompson amended the amendment as follows:

In subparagraph (c), line 3, after "governor by" and before "organization" strike "an" and insert "any"

Representative Julin spoke against adoption of the amendment by Mr. Thompson.

The amendment by Mr. Thompson to page 8, section 17, was adopted on a rising vote.

INQUIRY BY THE SPEAKER

The Speaker: "Mr. Thompson, do I understand correctly: The committee amendment indicates striking seven and inserting eight. Your amendment strikes eight and inserts five. Is that correct?"

Mr. Thompson: "Yes, the mathematics come out all right on this. We simply, by our last action, designated three of the eight public members to come from these constituencies. That leaves five for the public at large and requires this change on page 8, line 2, of the original bill."

Mr. Flanagan moved adoption of the committee amendment to page 8, line 2.

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

Amend the committee amendment as follows: On line 2 of the amendment strike "eight" and insert "five"

The committee amendment to page 8, line 2, as amended, was adopted.

On motion of Mr. Flanagan, the committee amendment to page 8, line 3, was adopted.

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

On page 8, subsection (7) renumbered (9), line 3, after "eight" insert "public members" and strike "from the public at large"

On motion of Mr. Flanagan, the remaining committee amendments to page 8 and the committee amendments to pages 9 and 11 were adopted.

House Bill No. 47 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 47 was placed on final passage.

Representatives Flanagan, Julin, Thompson, Bluechel, Ceccarelli and Moon spoke in favor of passage of the bill, and Representatives Anderson and Gallagher spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 47, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent or not voting, 4.

Voting yea: Representatives Ackley, Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray,

Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Anderson, Gallagher, Kalich, Thompson—4.

Absent or not voting: Representatives Chapin, Goldsworthy, Kink, Sawyer—4.

Engrossed House Bill No. 47, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

My negative vote on the final passage of Engrossed House Bill No. 47 was cast in the expectation that this bill will be amended in the Senate, necessitating a conference between the two bodies. It is my hope that should this occur my vote would qualify me for consideration as an appointee to the conference committee. ALAN THOMPSON, 18th District.

MOTIONS

On motion of Mr. Newhouse, the House deferred consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Newhouse, the House advanced to the twelfth order of business.

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Friday, January 23, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWELFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 23, 1970.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Copeland presiding). The Clerk called the roll and all members were present except Representatives Benitz, DeJarnatt and Sprague who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Robert D. Bradbury of the Congregational Church of Richmond Beach.

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

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery high school seniors from Snohomish and asked them to stand and be recognized.

The Speaker observed in the south gallery a group of Girl Scouts from Bellevue and asked them to stand and be recognized.

The Speaker observed in the north gallery seventeen Girl Scouts from the Wenatchee area and asked them to stand and be recognized.

REPORTS OF STANDING COMMITTEES

January 22, 1970.

HOUSE BILL NO. 2, requiring unloaded school buses to stop before crossing railroad tracks, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Leland, Chairman, Amen, Barden, Beck, Conner, Cunningham, Hawley, Kuehnle, Leckenby, Martinis, May, McCaffree, McCormick, Perry, Schumaker, Shinpoch, Spanton, Wanamaker, Whetzel, Wolf.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 66, implementing law relating to irrigation district local improvement districts, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Wanamaker, Vice Chairman, Benitz, Bozarth, Farr, Haussler, Jolly, Moon, Newhouse, Schumaker.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 126, relating to irrigation and reclamation districts, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Wanamaker, Vice Chairman, Benitz, Bozarth, Farr, Haussler, Jolly, Moon, Newhouse, Schumaker.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 304, relating to toll facilities and financing, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12, following the enacting clause insert a new section to read as follows:

"NEW SECTION. Section 1. (1) The legislature finds that the state's ferry fleet available for mass transportation of people within the urban region of Puget Sound is critically deficient and that substantial financial assistance for the acquisition of new ferries is necessary if the Washington state ferries is to continue to fulfill its role in the Puget Sound regional urban transportation system.

(2) The Washington state highway commission is authorized:

(a) To apply to the Secretary of Transportation for a financial grant to assist the state to acquire urgently needed ferries.

(b) To enter into an agreement with the Secretary of Transportation or other duly authorized federal officials and to assent to such conditions as may be necessary to obtain financial assistance for the acquisition of additional ferries. In connection with such agreement the Washington state highway commission may pledge any moneys in the Puget Sound capital construction account in the motor vehicle fund or any moneys to be deposited in said account for the purpose of paying the state's share of the cost of acquiring ferries. To the extent of such pledge the commission shall use the moneys available in the Puget Sound capital construction account to meet such obligations as they arise."

Renumber remaining sections consecutively.

On page 4, section 6, line 28 strike "one million five hundred sixty thousand" and insert "six million five hundred thousand"

On page 4, section 6, line 29 after "dollars for" strike "design and construction of two" and insert "the acquisition of additional"

On page 5, following section 7, add a new section to read as follows:

"NEW SECTION. Sec. 8. The joint committee on highways is directed to study alternative methods of financing the construction of ferries, terminals and other cross-sound transportation facilities after July 1, 1973 and report its recommendations to the 1973 legislature as to whether or not the additional one-eighth cent of motor vehicle fuel taxes allocated by this 1970 amendatory act for capital construction of ferries and terminal facilities may be restored to the motor vehicle fund to be used for state highway purposes."

Renumber remaining section consecutively.

Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Anderson, Barden, Beck, Conner, Cunningham, Gallagher, Hawley, Leckenby, Martinis, McCaffree, McCormick, O'Dell, Perry, Schumaker, Thompson, Wanamaker, Whetzel, Wolf.

MINORITY recommendation: Do not pass. Signed by Representative Kuehnl.

Passed to Committee on Rules and Administration for second reading.

PERSONAL PRIVILEGE

Mr. Grant: "Point of personal privilege, Mr. Speaker. I just wanted to commend you on your decorum and the early assumption of your new duties."

The Speaker (Mr. Copeland presiding): "Thank you, Mr. Grant."

MOTION

On motion of Mr. Swayze, HOUSE BILL NO. 312 was rereferred from the Committee on State Government and Legislative Procedures to the Committee on Appropriations.

SECOND READING

HOUSE BILL NO. 15, by Representatives Wolf, Haussler, Newhouse, Chapin, Conway, Kalich, North, Cunningham, Barden, Jastad, Bluechel, Brown, Bledsoe and Mahaffey:

Regulating surface mining.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 4, line 19, after "material" insert "in remote areas"

On page 2, section 4, line 21, after "roads" insert "to or"

On page 2, section 4, line 22, after "erty" strike "in remote areas"

On page 5, section 4, line 10, before "of" and after "section" strike "9" and insert "10"

On page 6, section 9, line 10, before "A separate" and after "department" strike the period and insert ", except as otherwise permitted in subsection (10) of this section."

On page 7, section 9, subsection (9), line 12, following "operation," strike the remainder of the subsection down to and including "; and" and insert "Whenever feasible, visual screening, vegetative or otherwise, will be maintained or established on the property containing the surface mining to screen the view of the operation from public highways, public parks, and residential areas."

On page 7, section 9, subsection (10), line 25, before "of this" and after "section" strike "8" and insert "9"

On page 7, section 9, subsection (10), line 27, before "covering" and after "reclamation" strike "plan" and insert "program"

On page 1, line 5 of the title after "providing an" strike "effec-" and insert "effective"
The bill was read the second time.

On motion of Mr. Flanagan, the committee amendments to page 2 and page 5 were adopted.

On motion of Mr. Flanagan, the committee amendment to page 6 was not adopted.

On motion of Mr. Flanagan, the following amendment to page 6 was adopted:

On page 6, section 9, line 10, after "department." and before "separate", strike "A" and insert "Except as otherwise permitted in this section, a"

On motion of Mr. Flanagan, the committee amendments to page 7 were adopted.

Mr. Moon moved adoption of the following amendment by Representatives Moon and Thompson:

On page 4, section 4, subsection (9), line 4, after "department of" strike "environmental quality" and insert "natural resources"

Debate ensued, Representative Moon speaking in favor of adoption of the amendment, and Representative Julin speaking against it.

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

Further debate ensued, Representatives Thompson and Ackley speaking in favor of adoption of the amendment, and Representative Newhouse speaking against it.

Representative Thompson again spoke in favor of adoption of the amendment.

PERSONAL PRIVILEGE

Mr. Newhouse: "I realize that the previous speaker and I are both speaking the second time. My point of personal privilege, sir, is that I was misquoted. I did not say that the department does not wish to administer this act. I said the official said he did not want the act to be passed."

Further debate ensued, Representative Moon speaking in favor of adoption of the amendment, and Representative Flanagan speaking against it.

Mr. Wolf demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Moon and Thompson to House Bill No. 15, and the amendment was lost by the following vote: Yeas, 39; nays, 56; absent or not voting, 4.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Fleming, Gallagher, Grant, Haussler, Hurley, Jastad, Jolly, Kalich, Kink, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Scott, Shinpoch, Thompson, Wojahn—39.

Voting nay: Representatives Ackley, Amen, Barden, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Hawley, Hoggins, Hubbard, Juelling, Julin, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman—56.

Absent or not voting: Representatives Benitz, DeJarnatt, Sprague, Mr. Speaker—4.

The Clerk read the following amendment by Representatives Moon and Thompson:

On page 5, section 5, line 11, after "department of" strike "environmental quality" and insert "natural resources"

With the consent of the House, Representatives Moon and Thompson withdrew the amendment.

POINT OF INQUIRY

Mr. Bottiger: "Mr. Speaker, I take it Mr. Moon is not withdrawing his amendment to page 16."

Mr. Moon: "That is correct, we are just withdrawing the amendments that deal with changing the department of environmental quality to the department of natural resources."

The Speaker (Mr. Copeland presiding): "Mr. Moon, did you want the Clerk to read the amendment to page 16?"

POINT OF ORDER

Mr. Ackley: "Point of order, Mr. Speaker. I have an amendment to page 10 on the desk."

The Speaker (Mr. Copeland presiding): "Mr. Ackley, I don't think we have a conflict. We will come back to your amendment. We are not precluding it at all. Mr. Moon's amendments are just all on one sheet, if this will be all right."

POINT OF ORDER

Mr. Whetzel: "Point of order, Mr. Speaker. I also have an amendment on page 16 that I believe comes before Mr. Moon's amendment on line 23."

The Speaker (Mr. Copeland presiding): "In view of the fact that we have several conflicting amendments, we will take them in numerical order rather than the order in which they were delivered to the Clerk. We will now consider Mr. Ackley's amendment to page 10."

ANNOUNCEMENT BY THE SPEAKER (MR. COPELAND PRESIDING)

The Speaker (Mr. Copeland presiding): "The Speaker would like to announce to the members of the House that the Chief Clerk is ordering a new form for amendments. These will be pasted together and there will be automatic carbons. When you present amendments, the Chief Clerk will be able to have one copy and you will have a copy. These won't be available until next week, but when the new forms come out, we will be able to handle the procedure much easier."

Mr. Ackley moved adoption of the following amendment:

On page 10, section 11, line 3, after "plan shall" and before "be cause" strike "not"

Debate ensued, Representative Ackley speaking in favor of adoption of the amendment, and Representatives Newhouse, Leckenby and Wolf speaking against it.

The Speaker resumed the chair.

Representative Ackley spoke again in favor of adoption of the amendment.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

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

On motion of Mr. Newhouse, the following amendment by Representatives Newhouse and Ackley was adopted:

On page 10, section 11, line 3, after "Failure to" strike "approve" and insert "act within the twenty-five day period on"

Mr. Whetzel moved adoption of the following amendment:

On page 16, section 20, after line 12, add a new section as follows:

"NEW SECTION. Sec. 21. Nothing in this act shall authorize surface mining in violation of an ordinance or resolution of the city, town or county within which the surface mining is conducted."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Moon: "Mr. Speaker, there is another amendment on the desk dealing with this same section. If Representative Whetzel's amendment is adopted, will that prevent consideration of our amendment?"

Mr. Whetzel: "Mr. Speaker, I see nothing inconsistent."

RULING BY THE SPEAKER

The Speaker: "I will make the decisions, Mr. Whetzel. No, Mr. Moon, yours is a striking amendment and Mr. Whetzel's is a perfecting amendment."

Representative Whetzel spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Whetzel yielded to question by Mr. Moon.

Mr. Moon: "Under your amendment, which appears to solve the problem that our amendment was going to solve, will an operator have to submit plans and regulations to both the local authority and the state authority?"

Mr. Whetzel: "Yes, Mr. Moon, he will have to do that, as we do in so many other areas of government in our police and health regulations. I see no way out of it."

At the request of Mr. Bottiger, the Speaker instructed the Clerk to reread the amendment by Mr. Whetzel.

The amendment by Mr. Whetzel was adopted.

The Clerk read the following amendment by Representatives Moon and Thompson:

On page 16, section 21, line 13, after "Sec. 21." strike all of the matter down to and including "established," on line 19 and change "references" to "References"

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

On motion of Mr. Flanagan, the committee amendment to the title was adopted.

House Bill No. 15 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

MOTION

On motion of Mr. Bledsoe, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Ackley, Benitz, DeJarnatt, Perry and Sprague who were excused.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SECOND READING

HOUSE BILL NO. 142, by Representatives Leland, Perry and Berentson:

Appropriating funds for maintenance and operation of state highways.

The bill was read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Bill No. 142 was placed on final passage.

Representatives Leland, Beck and Leckenby spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 142, and the bill passed the House by the following vote: Yeas, 90; nays, 1; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jolly, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representative Scott—1.

Absent or not voting: Representatives Ackley, Benitz, DeJarnatt, Hurley, Kink, Perry, Sawyer, Sprague—8.

House Bill No. 142, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 13, by Representatives Goldsworthy, Flanagan, Zimmerman, Amen, Jastad, Haussler, Jolly, Veroske, O'Dell, Bozarth, Hubbard, Gladder, Hurley, Conner, Benitz and Bledsoe:

Changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts.

The bill was read the second time.

MOTION

On motion of Mr. Bledsoe, the House deferred further action on House Bill No. 13, and the bill was ordered held for the top of tomorrow's second reading calendar.

HOUSE JOINT RESOLUTION NO. 8, by Representatives Bledsoe, Kuehne, Conway, Swayze, Bluechel, North, Amen, Chapin, McCaffree, Lynch, Veroske, Farr, Murray, Clarke (George W.), Kopet, Wanamaker, Hawley, Gladder, Mentor, Curtis, Pardini, Leckenby, Shera, Zimmerman, Copeland and Mahaffey (by Legislative Council request):

Changing the procedure for amending the Constitution.

The resolution was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 5, by Representatives Conner and Marzano:

Creating a tax exemption for sheltered workshops.

Committee recommendation: Majority, do pass with the following amendments:

On page 2 add a new section after line 20 as follows:

"NEW SECTION, Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to the gross sales or gross income received by nonprofit organizations which operate 'sheltered workshops'. For the purposes of this section, 'sheltered workshops' mean rehabilitation facilities, or that part of rehabilitation facilities, where any manufacture of handiwork is carried on and which is operated for the primary purpose of (1) providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for disadvantaged individuals."

In line 1 of the title, after "taxation;" and beginning with "creating" strike everything down to and including "workshops" in line 2 and insert "adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW"

The bill was read the second time.

Mrs. McCaffree moved adoption of the committee amendment adding a new section.

Representative Scott spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mrs. McCaffree yielded to question by Mr. O'Brien.

Mr. O'Brien: "On this matter of sheltered workshops and the type of people that are employed within these workshops, what relation would this have to alcoholics and other disabled workers that are employed by Goodwill Industries or St. Vincent de Paul and don't come into the area of the sheltered workshop definition? Is this amendment, in your opinion, broad enough to take care of all these people that are employed within these institutions?"

Mrs. McCaffree: "My understanding is that it applies just to the definition in the Revised Code of Washington as to sheltered workshop. It would not be broad enough to take in these other areas. That is my understanding."

Mr. O'Brien: "Has the Goodwill Industries approved this amendment?"

Mrs. McCaffree: "This amendment is Mr. Scott's amendment, and I have not had any correspondence from the Goodwill Industries. I think Mr. Scott has, however, if you would like to ask him."

POINT OF INQUIRY

Mr. Scott yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Scott, could you answer the question?"

Mr. Scott: "Yes, Mr. O'Brien. The Goodwill has been exempted by administrative decree since 1925, but we were just recently notified last August that they, along with the Salvation Army which has been exempted because it is considered a religious organization, will now be subject to the tax. The trouble with broadening the language of the amendment, as Mr. Sanford of the Department pointed out to me, is if you just specify 'nonprofit organization' then you are involving the Elks, and a number of other civic groups that participate in nonprofit charitable efforts."

Mr. O'Brien: "That is my point. I understand just recently they were notified by the Department of Revenue that all their revenue would be subject to the B & O tax, and the Goodwill Industries, along with the Salvation Army and St. Vincent de Paul were concerned because they are charitable organizations and their main work is the rehabilitation of people. Most of the people employed by these various agencies are handicapped in one way or another. Perhaps they are not all under the sheltered workshop classification, but these agencies were deeply concerned because of the tax impact and the fact they are engaged in charitable work. The tax burden is something they would like to eliminate if at all possible. I don't know whether you are taking them out in this amendment or just taking this portion under the sheltered workshop provision."

Mr. Scott: "It takes care of any group that operates a sheltered workshop. There are a total of about twenty-five agencies that do operate them. As I said, the B & O tax amounts to \$25,000 a year on all those agencies, but they are very minor by comparison to the four major ones that I cited."

The committee amendment was adopted.

On motion of Mrs. McCaffree, the committee amendment to the title was adopted.

MOTION

On motion of Mr. King, the House deferred further consideration of House Bill No. 5 on second reading, and the bill was ordered placed at the top of tomorrow's second reading calendar.

HOUSE BILL NO. 74, by Representatives Morrison, O'Brien, Fleming, Charette, Bagnariol, Gladder, Shera, Kuehnle, Richardson and Ceccarelli (by Public Employees' Retirement System and Public Pension Commission request):

Relating to the retirement and pensions of law enforcement officers and fire fighters.

Committee recommendation: Majority, do pass with the following amendments:

On page 18, section 10, line 2, after "(2)" and before the colon insert the following "*In the case of active or retired fire fighters the employer may make the payments provided for in this section from the firemen's pension fund established pursuant to RCW 41.16.050 where such fund had been established prior to March 1, 1970: PROVIDED, That in the event the pension fund is depleted, the employer shall have the obligation to pay all retirement benefits payable under RCW 41.16 and 41.18*"

On page 24, section 17, line 7, after "amount" strike "[two hundred fifty thousand] three hundred forty nine thousand, three hundred and seventy" and insert "two hundred fifty thousand"

The bill was read the second time.

On motion of Mr. Morrison, the committee amendments were adopted.

House Bill No. 74 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 74 was placed on final passage.

Representatives Morrison and Savage spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Morrison, a question has been asked me which I would like to ask of you. It relates to the provision in this bill requiring the employer to provide medical insurance and hospitalization for the employee. Certainly we all agree this is a fine provision, but the question which has been asked of me is, Is the employee obligated to accept these services they have offered?"

Mr. Morrison: "Mr. Kuehnle, the answer is 'no.' Section 10, subsection (1) provides that the disability board shall designate the hospital and medical services which are available to that particular member."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 74, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representative Grant—1.

Absent or not voting: Representatives Ackley, Benitz, Chapin, DeJarnatt, Perry, Sawyer, Sprague—7.

Engrossed House Bill No. 74, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 116, by Representatives North, Chatalas, Kink, Smythe, Scott, Charette, Copeland and Sprague:

Relating to abortion and providing for a referendum.

The bill was read the second time.

Mrs. Hurley moved adoption of the following amendment:

On page 1, section 1, line 15, after the period add "": PROVIDED, HOWEVER, That except in those instances where a physician determines that termination is immediately necessary to meet a medical emergency, those terminations authorized herein shall be administered or performed only upon the written consent of both such woman and her husband, if any."

Debate ensued, Representative Hurley speaking in favor of adoption of the amendment, and Representative Swayze speaking against it.

Representative Grant spoke in favor of adoption of the amendment by Mrs. Hurley.

POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, point of order. I doubt if the arguments being advanced are to the point at issue."

The Speaker: "I think your point is well taken. I wonder, Mr. Grant, if you could confine your remarks to the amendment that is before us."

Mr. Grant concluded his remarks in favor of adoption of the amendment.

POINT OF INQUIRY

Mrs. Hurley yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mrs. Hurley, I notice that I have copies of two amendments which you have proposed. They are somewhat similar. It would seem to me that the second is somewhat more stringent. The one you are now advocating is a bit more lenient. I am a bit nonplussed. The normal reaction to try to improve the bill would be to try the second one first. Can you explain?"

Mrs. Hurley: "Well, that just doesn't happen to be the way I thought about it. I actually wanted to propose an amendment that could be adopted, and I am terribly afraid that House Bill No. 116 is going to pass this House. If it does pass this House, I wanted it to have a little tightening up at least. I didn't think this was going to be before us this afternoon. I didn't think it would be before us until tomorrow. That is why I didn't have an opportunity to cut these amendments in two and just pass the one around that I intended to present. Let's not consider the one that is more stringent because I am sure all of you would vote against it. Let's consider this one."

Further debate ensued, Representative Bottiger speaking in favor of adoption of the amendment by Mrs. Hurley, and Representatives Smythe, Brown and Charette speaking against it.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mrs. Hurley to House Bill No. 116, and the amendment was lost by the following vote: Yeas, 28; nays, 66; absent or not voting, 5.

Voting yea: Representatives Bagnariol, Barden, Bottiger, Bozarth, Brouillet, Ceccarelli, Conner, Conway, Curtis, Fleming, Gallagher, Gladder, Grant, Hurley, Jolly, Kink, Kopet, Marsh, Martinis, Marzano, May, McCormick, Merrill, O'Brien, Richardson, Rosellini, Sawyer, Schumaker—28.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Beck, Berentson, Bledsoe, Bluechel, Brown, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Copeland, Cunningham, Evans, Farr, Flanagan, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Kuehnle, Leckenby, Litchman, Lynch, Mahaffey, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Randall, Saling, Savage, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—66.

Absent or not voting: Representatives Ackley, Benitz, DeJarnatt, Leland, Perry—5.

Mr. Kuehnle moved adoption of the following amendment:

On page 2, after section 3, insert a new section as follows:

"NEW SECTION. Sec. 4. A pregnancy shall not be terminated pursuant to this act unless the applicant shall have been a bona fide resident of this state for a period of 90 days. The physician performing the operation shall be responsible for ascertaining that the applicant satisfies the residency requirement, and said physician shall submit a written affidavit attesting to such compliance."

Renumber the remaining section consecutively.

Representative Kuehnle spoke in favor of adoption of the amendment.

Mrs. Hurley demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Ackley, Benitz, DeJarnatt and Perry.

On motion of Mr. Bledsoe, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker declared the question before the House to be the amendment by Mr. Kuehnle to House Bill No. 116.

Further debate ensued, Representatives Brown and Sprague speaking against adoption of the amendment, and Representative Curtis speaking in favor of it.

Mrs. Hurley demanded an electric roll call and the demand was sustained.

Further debate ensued, Representative Pardini speaking in favor of adoption of the amendment, and Representative Charette speaking against it.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Chatalas.

Mr. Chatalas: "Mr. Pardini, yesterday at the committee meeting, you mentioned a doctor coming in. You mentioned all kinds of reasons to have residency requirements. Was there anything which forced the doctor to have a signed affidavit?"

Mr. Pardini: "I don't believe we asked him that question."

Mr. Chatalas: "Yes, we did, but there weren't any residency requirements."

Further debate ensued, Representatives Clark (Newman H.) and Kuehnle speaking in favor of adoption of the amendment, and Representative Savage speaking against it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to House Bill No. 116, and the amendment was lost by the following vote: Yeas, 38; nays, 57; absent or not voting, 4.

Voting yea: Representatives Amen, Bagnariol, Barden, Berentson, Bledsoe, Bottiger, Bozarth, Ceccarelli, Conway, Cunningham, Curtis, Evans, Flanagan, Fleming, Gallagher, Gladder, Grant, Hurley, Jolly, Kink, Kopet, Kuehnle, Leland, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Merrill, O'Brien, Pardini, Richardson, Rosellini, Schumaker, Veroske, Wolf, Zimmerman—38.

Voting nay: Representatives Adams, Anderson, Backstrom, Beck, Bluechel, Brouillet, Brown, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Farr, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jueling, Julin, Kalich, King, Kirk, Kiskaddon, Leckenby, Litchman, Lynch, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Randall, Saling, Savage, Sawyer, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Mr. Speaker—57.

Absent or not voting: Representatives Ackley, Benitz, DeJarnatt, Perry—4.

Mr. Kuehnle moved adoption of the following amendment:

On page 2, following section 3 insert the following: "PROVIDED, HOWEVER, That except in those instances where a physician determines that termination is immediately necessary to meet a medical emergency, those terminations authorized herein shall be administered or performed only upon the written consent of both such woman and her husband, if any, unless divorce proceedings have been filed or unless husband and wife are legally separated, in which case the consent of the husband shall not be necessary."

Debate ensued, Representative Kuehnle speaking in favor of adoption of the amendment, and Representatives Swayze and Brown speaking against it.

Mr. Chatalas demanded the previous question and the demand was sustained on a rising vote.

Mrs. Hurley demanded an electric roll call and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to House Bill No. 116, and the amendment was lost by the following vote: Yeas, 32; nays, 63; absent or not voting, 4.

Voting yea: Representatives Bagnariol, Barden, Bottiger, Bozarth, Brouillet, Ceccarelli, Chatalas, Conway, Cunningham, Curtis, Fleming, Gallagher, Gladder, Grant, Hurley, Jolly, Kink, Kopet, Kuehnle, Marsh, Martinis, Marzano, May, McCormick, Merrill, O'Brien, Randall, Richardson, Rosellini, Sawyer, Schumaker, Wolf—32.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Beck, Berentson, Bledsoe, Bluechel, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Evans, Farr, Flanagan, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Leckenby, Leland, Litchman, Lynch, Mahaffey, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Saling, Savage, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Zimmerman, Mr. Speaker—63.

Absent or not voting: Representatives Ackley, Benitz, DeJarnatt, Perry—4.

Mr. Curtis moved adoption of the following amendment:

On page 2, section 4, line 10, strike all of section 4.

Representative Curtis spoke in favor of adoption of the amendment.

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

The amendment by Mr. Curtis to House Bill No. 116 was not adopted.

POINT OF ORDER

Mr. Cunningham: "Mr. Speaker, I have an amendment on the desk."

The Speaker: "Unfortunately your amendment came in after we had already completed action on the sections ahead, and it is out of order."

Mr. Cunningham: "Was that after Mr. Kuehnle's amendment?"

The Speaker: "Your amendment deals with page 1, section 2. We have considered amendments in order. We have perfected prior sections. Your amendment came in after we had perfected the preceding matter, Mr. Cunningham. We were considering section 3 at the time your amendment to section 2 came to the desk."

Mr. Bledsoe moved that the rules be suspended, the second reading considered the third, and House Bill No. 116 be placed on final passage.

Representative Perry appeared at the bar of the House.

Debate ensued, Representative Bledsoe speaking in favor of the motion, and Representative O'Brien speaking against it.

Representative Litchman spoke against the motion.

RULING BY THE SPEAKER

The Speaker: "It has been our procedure over the years, established by Mr. O'Brien when he was Speaker and perhaps before that, that on the motion to suspend the rules we hear from each side by one individual. We have had one individual speak on each side, and I think now the matter is before us."

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

ROLL CALL

The Clerk called the roll on the motion to advance House Bill No. 116 to third reading and final passage, and the motion was lost by the following vote: Yeas, 58; nays, 38; absent or not voting, 3.

Voting yea: Representatives Anderson, Backstrom, Bledsoe, Bluechel, Brouillet, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Evans, Farr, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Randall, Richardson, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Zimmerman, Mr. Speaker—58.

Voting nay: Representatives Adams, Amen, Bagnariol, Barden, Beck, Berentson,

Bottiger, Bozarth, Ceccarelli, Chatalas, Conway, Cunningham, Curtis, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hurley, Jolly, Kuehnle, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, O'Brien, Pardini, Perry, Rosellini, Spanton, Veroske, Wojahn, Wolf—38.

Absent or not voting: Representatives Ackley, Benitz, DeJarnatt—3.

MOTIONS

On motion of Mr. Newhouse, the House dispensed with further business under the Call of the House.

On motion of Mr. Newhouse, the House advanced to the twelfth order of business.

On motion of Mr. Newhouse, the House adjourned until 9:00 a.m., Saturday, January 24, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

THIRTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, January 24, 1970.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Haussler, Litchman and Perry who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

REPORTS OF STANDING COMMITTEES

January 22, 1970.

HOUSE BILL NO. 6, permitting handcrafted articles made in any state institution to be displayed and sold at public gatherings, reported by Committee on Public Institutions and Youth Development.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, beginning on line 20, after "*to be*" strike all the matter down to and including "*thereto*" on line 21, and insert "*deposited in a revolving fund to be expended for the purchase of supplies, materials and equipment for the production of handcrafted articles, provided, that any resident of a state correctional institution who produces a handcrafted article with supplies or materials purchased or procured by him, not at state expense, may be permitted by the director, or his designee, to sell such article under the authority of this act, the proceeds to be deposited in his personal account*"

Signed by Representatives Leckenby, Chairman, Evans, Vice Chairman, Beck, Conner, DeJarnatt, Lynch, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 69, prohibiting the use of prisoner's earnings to defray expenses, reported by Committee on Public Institutions and Youth Development.

MAJORITY recommendation: Do pass. Signed by Representatives Leckenby, Chairman, Evans, Vice Chairman, Beck, Conner, DeJarnatt, Lynch, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 24, 1970.

HOUSE BILL NO. 88, changing effective date of income tax reform package and providing income tax credit for property taxes, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Bluechel, Brown, Chapin, Clarke (George W.), Evans, Grant, Murray, North, Pardini, Randall, Scott, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 23, 1970.

HOUSE BILL NO. 94, authorizing 2nd, 3rd and 4th class cities to publish ordinances by synopsis, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, section 7, beginning with line 3, strike the remainder of the section and substitute the following:

"No ordinance enacted by second, third, and fourth class municipalities shall become effective unless within seven days from the date of its passage the city or town clerk shall deliver a certified copy thereof to the Association of Washington Cities. Deposit of such copy in the United States mail with postage prepaid and addressed to the principal office of the Association of Washington Cities shall constitute delivery under this section."

Signed by Representatives Kopet, Chairman, Adams, Bozarth, Brown, Fleming, Haussler, Leckenby, May, Mentor, Merrill, North, Rosellini, Sawyer, Scott, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 118, granting superintendents authority to make payment from patients' accounts, reported by Committee on Public Institutions and Youth Development.

MAJORITY recommendation: Do pass. Signed by Representatives Leckenby, Chairman, Evans, Vice Chairman, Beck, Conner, DeJarnatt, Lynch, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 23, 1970.

HOUSE BILL NO. 135, authorizing excess levies by townships, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Adams, Bozarth, Brown, Haussler, Leckenby, May, Mentor, Merrill, North, Rosellini, Scott, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

January 23, 1970.

HOUSE BILL NO. 215, establishing salary funds and claims funds for counties, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Ackley, Adams, Bozarth, Brown, Fleming, Haussler, Leckenby, May, Mentor, Merrill, North, Rosellini, Sawyer, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE BILL NO. 251, providing for deferred retirement allowances, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 19, after "education" and before "(b) at" insert "or"

On page 3, section 2, line 5, after "education or" and before "at such" insert "(b)"

Signed by Representatives Lynch, Chairman, Smythe, Vice Chairman, Amen, Bluechel, Brouillet, King, Kiskaddon, Marsh, Mentor, Murray, Thompson, Williams, Wolf.

Passed to Committee on Rules and Administration for second reading.

January 23, 1970.

HOUSE BILL NO. 271, imposing an additional one cent per ounce tax upon liquor to be used for public assistance purposes, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 12, after "day of" strike "June, 1965" and insert "[June, 1965] *March, 1970*"

On page 2, section 1, line 13, after "rate of" strike "two" and insert "[two] *three*"

On page 2, section 1, line 22, before ", the Washington" strike "July, 1961" and insert "[July, 1961] *March, 1970*"

On page 2, section 1, beginning on line 31, strike all of subsection (4) and renumber the remaining subsections consecutively

On page 3, section 2, line 25, after "effect" strike "February" and insert "March"

Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Ackley, Bledsoe, Bluechel, Brown, Clarke (George W.), Evans, Flanagan, Hatfield, Murray, North, Pardini, Randall, Scott.

Passed to Committee on Rules and Administration for second reading.

January 22, 1970.

HOUSE CONCURRENT RESOLUTION NO. 5, directing a review of teacher preparation program of public and private institutions of higher education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Smythe, Vice Chairman, Amen, Bluechel, Brouillet, King, Kiskaddon, Marsh, Mentor, Murray, Thompson, Williams, Wolf.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 23, 1970.

Mr. Speaker: The Senate has passed SUBSTITUTE SENATE BILL NO. 28, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 28, by Committee on Natural Resources, Fisheries and Game:

An Act relating to hunting and fishing license fees; amending section 77.32.020, chapter 36, Laws of 1955 as last amended by section 1, chapter 10, Laws of 1967 and RCW 77.32.020; amending section 77.32.060, chapter 36, Laws of 1955 as amended by section 2, chapter 176, Laws of 1957 and RCW 77.32.060; amending section 77.32.100, chapter 36, Laws of 1955 as last amended by section 1, chapter 48, Laws of 1965 and RCW 77.32.100; amending section 77.32.103, chapter 36, Laws of 1955 as last amended by section 2, chapter 48, Laws of 1965 and RCW 77.32.103; amending section 77.32.105, chapter 36, Laws of 1955 as last amended by section 3, chapter 48, Laws of 1965 and RCW 77.32.105; amending section 77.32.110, chapter 36, Laws of 1955 as last amended by section 4, chapter 48, Laws of 1965 and RCW 77.32.110; amending section 77.32.113, chapter 36, Laws of 1955 as last amended by section 5, chapter 48, Laws of 1965 and RCW 77.32.113; amending section 77.32.130, chapter 36, Laws of 1955 as amended by section 8, chapter 176, Laws of 1957 and RCW 77.32.130; amending section 77.32.150, chapter 36, Laws of 1955 as amended by section 9, chapter 176, Laws of 1957 and RCW 77.32.150; amending section 77.32.160, chapter 36, Laws of 1955 as amended by section 10, chapter 176, Laws of 1957 and RCW 77.32.160; amending section 77.32.190, chapter 36, Laws of 1955 as last amended by section 7, chapter 177, Laws of 1963 and RCW 77.32.190; amending section 77.32.200, chapter 36, Laws of 1955 and RCW 77.32.200; amending section 13, chapter 176, Laws of 1957 and RCW 77.32.225; amending section 77.28.020, chapter 36, Laws of 1955 and RCW 77.28.020; adding a new section to chapter 77.32 RCW; and prescribing an effective date.

Referred to Committee on Natural Resources.

SECOND READING

HOUSE BILL NO. 5, by Representatives Conner and Marzano:

Creating a tax exemption for sheltered workshops.

The House resumed consideration of House Bill No. 5 on second reading.

House Bill No. 5 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 5 was placed on final passage.

Representative O'Brien spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 5, and the bill passed the House by the following vote: Yeas, 89; nays, 0; absent or not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Hawley, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—89.

Absent or not voting: Representatives Ackley, Benitz, Flanagan, Haussler, Hoggins, Litchman, Mentor, Merrill, Perry, Spanton—10.

Engrossed House Bill No. 5, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

HOUSE BILL NO. 13, by Representatives Goldsworthy, Flanagan, Zimmerman, Amen, Jastad, Haussler, Jolly, Veroske, O'Dell, Bozarth, Hubbard, Gladder, Hurley, Conner, Benitz and Bledsoe:

Changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts.

Committee recommendation: Majority, do pass with the following amendments:

(For Committee Amendments see Journal of January 22, 1970, Eleventh Day.)

The bill was read the second time.

PARLIAMENTARY INQUIRY

Mr. Saling: "Point of parliamentary inquiry, Mr. Speaker. May we handle the first two amendments together since they are identical?"

The Speaker: "I think that would be in order, and we have an amendment to the amendment that would apply in both places."

Mr. Saling moved adoption of the committee amendments to page 1 and page 3.

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

Amend the committee amendment as follows: In the last line after "1970" insert "*except that this act shall not apply to those school districts which have been declared remote and necessary by the state board of education*"

Debate ensued, Representatives Thompson, Charette and Kalich speaking in favor of adoption of the amendment to the amendment, and Representatives Saling, DeJarnatt and Sprague speaking against it.

Further debate ensued, Representative Thompson speaking in favor of adoption of the amendment to the committee amendment, and Representative Saling speaking against it.

The Speaker: "Mr. Saling, we have allowed Mr. Thompson to close the debate."

Mr. Saling: "I didn't hear a motion to close debate, Mr. Speaker."

The Speaker: "I looked around and no one was available except Mr. Thompson, and I just assumed everyone had done his thing. I will let you speak, but I think it is a little out of line here."

Representative Saling concluded his remarks in opposition to the amendment by Mr. Thompson to the committee amendment to House Bill No. 13.

The Speaker called on Mr. Copeland to preside.

Representative Amen spoke in favor of adoption of the amendment to the amendment.

The amendment by Mr. Thompson to the committee amendment was lost on a rising vote.

The committee amendments to page 1 and page 3 were adopted.

Mr. Saling moved adoption of the committee amendment to page 4.

Representatives Saling and Evans spoke in favor of adoption of the amendment.

The committee amendment to page 4 was adopted.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan and Amen:

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

"NEW SECTION. Section 1. Notwithstanding the provisions of RCW 28.41.140 (3) and 28A.41.140 as reenacted in chapter 244, Laws of 1969 1st ex. sess., or of chapter 282, Laws of 1969 1st ex. sess., the budget and appropriations bill of that extraordinary session, and more particularly page 2719 thereof, the weighting schedule for high school with an enrollment of less than two hundred fifty students in grades 9 through 12 and for nonhigh districts with an enrollment of less than one hundred students shall be for the 1970-1971 fiscal school year the same as it is for the 1969-1970 fiscal school year, and the state superintendent of public instruction shall so provide in his distribution of state funds to the several school districts of the state.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representative Flanagan spoke in favor of adoption of the amendment.

POINT OF ORDER

Mr. Brouillet: "I have great sympathy for what Mr. Flanagan is trying to do, but I would like to raise a point of order, Mr. Speaker. He is amending last year's budget bill by reference. I think we should look at that and see if he can do this in the method by which he attempts to accomplish the task."

RULING BY THE SPEAKER (MR. COPELAND PRESIDING)

The Speaker (Mr. Copeland presiding): "Mr. Brouillet, your point is very well taken. The text and the subject of Mr. Flanagan's amendment not only should be declared out of order but is out of order for two reasons: First, the body has perfected the bill by establishing the amendments where they were attached to sections 1 through 5 of the act. Second, Mr. Flanagan's amendment seeks to make an interpretation of the budget act of 1969 by reference without necessarily making a repealer of that particular budget act. For that reason the Speaker would have to rule that Mr. Flanagan's amendment would be out of order and not germane to this particular bill."

PARLIAMENTARY INQUIRY

Mr. Charette: "Point of parliamentary inquiry, Mr. Speaker. I am wondering, first of all, if Mr. Flanagan's amendment was on the desk before we voted on the other ones, and if it was, if we don't defeat the purpose of a member having the right to present an amendment by the order in which they are presented, in line with your ruling?"

RULING BY THE SPEAKER (MR. COPELAND PRESIDING)

The Speaker (Mr. Copeland presiding): "No sir, this is not the case at all. Any time a member does present an amendment that is designed to strike all of the material and reinsert it, and it is presented, it is offered at that time. The normal procedure is that the amendments are handled in a reasonable order, to a point where the body does have an opportunity to perfect. The basic rule of parliamentary procedure is that we are addressing

ourselves to the friends of the bill, and this is what we have done in this particular case. But notwithstanding the order, Mr. Charette, I think this amendment is not germane to this particular bill relating to education when it is making reference to the budget act that was passed in the 1969 session of the legislature."

POINT OF ORDER

Mr. Flanagan: "Mr. Speaker, in regard to your ruling, we had considerable discussion about this subject a month or two ago when I first went down to the bill drafting room and drafted this amendment. I also discussed it with the legislative budget committee. The bill drafting attorneys said they considered it completely legal to make this kind of a change in the law. We are not just doing this by reference. We are saying 'notwithstanding the provisions of existing law' and saying exactly what law it is."

RULING BY THE SPEAKER (MR. COPELAND PRESIDING)

The Speaker (Mr. Copeland presiding): "That is exactly my point, Mr. Flanagan. This is exactly what I said you are attempting to do. In other words, by reference, you are trying to establish an interpretation of a 1969 act without making a repealer, and this is the inconsistency. For that reason I am going to have to rule that this amendment is not germane to the subject that is before us, and that is a bill relating to education."

POINT OF ORDER

Mr. Flanagan: "Point of order, Mr. Speaker. In regard to that, I know I can show you all kinds of federal laws where they passed and have gone through Congress and said exactly that same thing, 'notwithstanding the existing provisions of law, we are going to do this and this.' I happen to know this, and can show it to you in the Sugar Act legislation. When they amended the Sugar Act, it was such a complicated piece of legislation that instead of going back through the whole procedure, they said 'notwithstanding the provisions, we are going to do this,' and that is the way they passed it. All I can say is that I know it has been done that way."

The Speaker (Mr. Copeland presiding): "I can believe that would be the case in federal law."

PARLIAMENTARY INQUIRY

Mr. Wolf: "Point of parliamentary inquiry, Mr. Speaker. In order to get Mr. Flanagan's question on the floor on House Bill No. 13, is there a method available?"

The Speaker (Mr. Copeland presiding): "Would there be a method available? Yes, there probably would be. I would imagine that if you wanted to construct this into a completely new act and possibly run it under a title only bill, that would be one way to do it."

Mr. Wolf: "If his amendment were offered as striking everything after the enacting clause, would it be in order?"

The Speaker: "This is precisely what he did in this case."

Mr. Wolf: "And you ruled against it."

The Speaker: "Because of the texture of the amendment rather than the procedure."

POINT OF INFORMATION

Mr. Bottiger: "Mr. Speaker, in support of your ruling, I think the body should look at Article 2, Section 37, of the Washington State Constitution, where it states we have to set out in full the act that is being amended. In support of your ruling, that would be the fault of the amendment that is offered. It attempts to do it by reference rather than setting out the act."

PARLIAMENTARY INQUIRY

Mr. Brown: "Mr. Speaker, is it not true that the subject matter of this is within the exception to the rule which sets deadlines on the introduction of bills? Couldn't this be introduced as a separate bill now?"

RULING BY THE SPEAKER (MR. COPELAND PRESIDING)

The Speaker (Mr. Copeland presiding): "No sir, that wouldn't be the case. We are talking about first reading of bills and the printing and things like that. That wouldn't be the case."

PARLIAMENTARY INQUIRY

Mr. Brouillet: "Couldn't Mr. Flanagan accomplish this by amending or repealing that section of the budget bill if he wants to open up the budget bill?"

RULING BY THE SPEAKER (MR. COPELAND PRESIDING)

The Speaker (Mr. Copeland presiding): "Certainly, I would imagine so. He is referring particularly to page 2719 and chapter 282, Laws of 1969 1st ex. sess. and RCW 28.41.140 (3) and that portion was contained in the budget act."

Mr. Brouillet: "The point I am raising is that if Mr. Flanagan wants to do this, he should amend the budget bill."

The Speaker: "I think your point is quite well taken."

PARLIAMENTARY INQUIRY

Mr. Newhouse: "Because of the subject matter of this bill which would deal with revenue, a matter which would be exempt from the cutoff, could such a bill be introduced at any time?"

RULING BY THE SPEAKER (MR. COPELAND PRESIDING)

The Speaker (Mr. Copeland presiding): "I think this is a technicality. If there were a title only bill, obviously this could be appended to it."

Mr. Saling moved adoption of the committee amendment to the title.

MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of House Bill No. 13, and the bill was rereferred to the Committee on Rules and Administration.

The Speaker (Mr. Copeland presiding) declared the House to be at ease.

The Speaker called the House to order.

SECOND READING

HOUSE BILL NO. 304, by Representatives Wanamaker, Berentson, Randall, Mentor, Beck, Leland, Cunningham, Perry and Conner (by Executive request):

Relating to toll facilities and financing.

Committee recommendation: Majority, do pass with the following amendments:

(For Committee Amendments see Journal of January 23, 1970, Twelfth Day.)

The bill was read the second time.

On motion of Mr. Leland, the committee amendments to page 1 and page 4, line 28, were adopted.

Mr. Leland moved adoption of the committee amendment to page 4, line 29.

Representative Leland spoke in favor of adoption of the amendment.

POINT OF ORDER

Mr. Ackley: "Point of order, Mr. Speaker. This section appears to have a direct appropriation, and I refer to Rule 81 of our temporary rules which states: 'All bills including a direct appropriation must be referred to the Appropriations Committee before appearing on the second reading calendar.'"

RULING BY THE SPEAKER

The Speaker: "Mr. Ackley, you are not new to this body. I think during your service you will recall that highway matters have not gone to the standing Committee on Appropriations. If this is wrong, then I think we will have to consider that policy at another

time. The precedent has pretty well been established that bills coming out of the Transportation Committee, considered by the Transportation Committee with an appropriation, deal with moneys outside the General Fund, and we have not referred them to the Committee on Appropriations."

The committee amendment to page 4, line 29, was adopted.

On motion of Mr. Leland, the committee amendment to page 5 was adopted.

House Bill No. 304 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 304 was placed on final passage.

Representatives Leland, Beck, Newhouse, Savage, Mentor and Wanamaker spoke in favor of passage of the bill.

Mr. Bledsoe demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 304, and the bill passed the House by the following vote: Yeas, 74; nays, 19; absent or not voting, 6.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Farr, Fleming, Grant, Harris, Hatfield, Hawley, Hoggins, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Leckenby, Leland, Mahaffey, Marsh, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, North, O'Brien, O'Dell, Pardini, Randall, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—74.

Voting nay: Representatives Amen, Benitz, Bozarth, Brouillet, Evans, Gallagher, Gladder, Goldsworthy, Hubbard, Hurley, Jolly, Kopet, Kuehnle, Lynch, Martinis, Morrison, Newhouse, Richardson, Sawyer—19.

Absent or not voting: Representatives Flanagan, Haussler, Jastad, Kink, Litchman, Perry—6.

Engrossed House Bill No. 304, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House former State Representative Avery Garrett, now the Mayor of Renton, and requested that Representatives Bledsoe and Charette conduct him to a place on the rostrum.

THIRD READING

ENGROSSED HOUSE BILL NO. 15, by Representatives Wolf, Haussler, Newhouse, Chapin, Conway, Kalich, North, Cunningham, Barden, Jastad, Bluechel, Brown, Bledsoe and Mahaffey:

Regulating surface mining.

Engrossed House Bill No. 15 was read the third time and placed on final passage.

Representative Newhouse spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 15, and the bill passed the House by the following vote: Yeas, 86; nays, 8; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland,

Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Hawley, Hoggins, Hubbard, Hurley, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Rosellini, Saling, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Anderson, Bozarth, Jolly, Kuehne, Moon, Richardson, Savage, Wolf—8.

Absent or not voting: Representatives Haussler, Jastad, Litchman, Perry, Wojahn—5.

Engrossed House Bill No. 15, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mrs. Hurley demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Haussler, Litchman and Perry.

On motion of Mr. Bledsoe, the absent members were excused, and the House proceeded with business under the Call of the House.

HOUSE BILL NO. 116, by Representatives North, Chatalas, Kink, Smythe, Scott, Charette, Copeland and Sprague:

Relating to abortion and providing for a referendum.

House Bill No. 116 was read the third time and placed on final passage.

Debate ensued, Representatives North, Shera, Charette and Brown speaking in favor of passage of the bill, and Representatives Hurley, O'Brien, Curtis and Grant speaking against it.

POINT OF INQUIRY

Mr. Farr yielded to question by Mr. Cunningham.

Mr. Cunningham: "One part of House Bill No. 116 that concerns me is the emergency section that says, in essence, if any physician considers the abortion an emergency, it would be done elsewhere. In the testimony before your committee, did the Medical Association of the State of Washington feel that if this referendum becomes law that they could control this aspect of the proposal?"

Mr. Farr: "Thank you, Representative Cunningham. The testimony before the Public Health and Welfare Committee in the House brought out the point that this section concerns (if you look in the bill) a medical emergency. I put that in quotes. This refers, in the medical terminology and in the context that it is used, to the accident case, the patient who is near death at the time of appearing, possibly bleeding at that time, and it is a matter of minutes or seconds in which this medical emergency must be cared for. This is the intent of this particular section. If there were to be some possible abuse by some practitioners, the Medical Association through its disciplinary board would be able to deal with this in the usual manner that they do with doctors who might be disobeying the law and could even have their licenses lifted, so this area is well protected."

Mr. Cunningham: "Might I ask an additional question? Representative Farr, as you know, this section is very similar to the one that is in the law today except it is in there under different circumstances. You feel, and your committee felt, that with the testimony you had, the doctors could withstand this additional pressure and really control this aspect of it?"

Mr. Farr: "Yes, I do, Representative Cunningham. The testimony indicated this. There was really no worry or concern. I think this tends to go into the area of some other facility and this particular part is only reemphasized. It is similar to what is in the law at the present, and this law, as I understand it, was reemphasized to be clear. One other restriction is the hospital. There is a requirement at the present time that the operation must be done in this facility, but there is an opening left for some future possibility that another type of facility would be necessary with strong regulation. This is left only to the future, and at the present would be a hospital or the truly medical emergency. I personally am convinced that the Medical Society would be able to control the possible abuse you speak to now."

Representative Kink spoke in favor of passage of the bill.

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

Representative Ceccarelli spoke against passage of the bill.

Mr. Wolf demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 116, and the bill passed the House by the following vote: Yeas, 60; nays, 36; absent or not voting, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Beck, Berentson, Bledsoe, Bluechel, Brouillet, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Cunningham, DeJarnatt, Farr, Goldsworthy, Hatfield, Hawley, Hoggins, Hubbard, Jastad, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Moon, Murray, North, O'Dell, Randall, Saling, Savage, Sawyer, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Zimmerman, Mr. Speaker—60.

Voting nay: Representatives Bagnariol, Barden, Benitz, Bottiger, Bozarth, Ceccarelli, Chatalas, Conway, Curtis, Evans, Flanagan, Fleming, Gallagher, Gladder, Grant, Harris, Hurley, Jolly, Kopet, Kuehnle, Marsh, Martinis, Marzano, May, McCormick, Merrill, Morrison, Newhouse, O'Brien, Pardini, Richardson, Rosellini, Schumaker, Spanton, Veroske, Wolf—36.

Absent or not voting: Representatives Haussler, Litchman, Perry—3.

House Bill No. 116, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, all bills passed by the House today were ordered transmitted immediately to the Senate.

EXPLANATION OF VOTE

On Saturday, January 24, 1970, I voted "no" on final passage of House Bill No. 116 in order to qualify to serve on a conference committee, if one is appointed. WILLIAM "BILL" CHATALAS, 33rd District.

HOUSE JOINT RESOLUTION NO. 8, by Representatives Bledsoe, Kuehnle, Conway, Swayze, Bluechel, North, Amen, Chapin, McCaffree, Lynch, Veroske, Farr, Murray, Clarke (George W.), Kopet, Wanamaker, Hawley, Gladder, Mentor, Curtis, Pardini, Leckenby, Shera, Zimmerman, Copeland and Mahaffey (by Legislative Council request):

Changing the procedure for amending the Constitution.

House Joint Resolution No. 8 was read the third time and placed on final passage.

Debate ensued, Representatives Bledsoe, Savage, Copeland, Bottiger and Clarke (George W.) speaking in favor of passage of the resolution, and Representative Hurley speaking against it.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 8, and the resolution passed the House by the following vote: Yeas, 88; nays, 8; absent or not voting, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Berentson, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Hawley, Hoggins, Hubbard, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray,

Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—88.

Voting nay: Representatives Barden, Beck, Benitz, Bozarth, Gallagher, Hurley, Schumaker, Spanton—8.

Absent or not voting: Representatives Haussler, Litchman, Perry—3.

House Joint Resolution No. 8, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Newhouse, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

January 24, 1970.

HOUSE BILL NO. 27, authorizing and creating a formula for distribution of thirty-four percent of the income tax to school districts for special levy relief, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 26, beginning with "Upon receipt" strike all of the matter down to and including the period after "this 1970 act" on page 2, line 8 and insert:

"Upon receipt of moneys collected pursuant to chapter 82.30 RCW (the Net Income Tax Act) for the calendar year 1972 and deposited with him, the state treasurer shall separately identify thirty-four percent of such moneys as a separate account for support for basic maintenance and operation of the common schools, thus permitting a reduction in property taxes attributable to school district excess levies. On the first day of the months April, July, October, and the last day of December of 1972, the state treasurer shall distribute all moneys in such separate account in accordance with the program of apportionment determined by the superintendent of public instruction in accordance with section 3 of this 1970 act."

On page 5, section 3, line 6 after "district" and before "by" insert "within the preceding two tax years"

On page 5, section 3, line 14 at the beginning of the line strike "state department of revenue" and insert "superintendent of public instruction"

On page 5, section 4, line 20 before "during" at the beginning of the line insert "(1)"

On page 5, section 4, line 20 after "months of" strike "each even numbered year," and insert "1970"

On page 5, section 4, line 28 insert the following subsection:

"(2) During each biennium, the department of program planning and fiscal management in cooperation with the department of public instruction and the department of revenue shall conduct a study to determine the level of operational and maintenance funding requirements necessary to attain 'basic education' for students throughout the state as defined by the special levy study commission in accordance with the mandates of chapter 235, Laws of 1969 extraordinary session and the degree of state support necessary to supply reasonable financial support to school districts so that 'basic education' in the district may be attained without resort to special levies. The department of program planning and fiscal management shall report its findings, conclusions and recommendations from its study to the next regular session of the legislature."

Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Bledsoe, Bluechel, Brown, Chapin, Charette, Clarke (George W.), Evans, Murray, North, Pardini, Randall, Scott.

Passed to Committee on Rules and Administration for second reading.

January 23, 1970.

HOUSE BILL NO. 52, supplementing water pollution control law, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 16, after "therein" insert "in order to maintain the highest possible standards of all waters of the state in accordance with the public policy as declared in RCW 90.48.010"

Signed by Representatives Flanagan, Chairman, Veroske, Vice Chairman, Beck, Hawley, Jolly, Julin, Kiskaddon, Leland, Martinis, Moon, Smythe, Thompson, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representatives Berentson, Gallagher, Kalich, Kink, McCormick, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

January 23, 1970.

HOUSE BILL NO. 278, defining "water" to include salt and saline waters, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Veroske, Vice Chairman, Gallagher, Hawley, Julin, Kalich, Kink, Kiskaddon, McCormick, Martinis, Moon, Newhouse, Schumaker, Smythe, Thompson, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 23, 1970.

SENATE JOINT MEMORIAL NO. 3, requesting Congress to turn Fort Lawton over to the people of Seattle for development of a park, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Veroske, Vice Chairman, Gallagher, Hawley, Jolly, Julin, Kalich, Kink, Kiskaddon, McCormick, Martinis, Moon, Schumaker, Smythe, Thompson, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

SPEAKER'S PRIVILEGE

The Speaker: "I would just like to compliment the members of the House after the first two weeks of this extraordinary session. I think we have accomplished a great deal. We have held some major joint committee hearings on important legislation. We have processed and passed a number of important measures in the first two weeks of the session. The cooperation of the members has been great in my estimation and the committee chairmen have worked hard and, I think, in a responsible manner. Additionally, I appreciate the way in which this group handled a very controversial, very touchy, piece of legislation this morning. The debate was kept at a high level; it was objective; it was good. I know that the citizens of this state may not appreciate the job you are doing here. I do, and I hope it will be reflected.

"One other thing before we adjourn: We have another group of pages that are leaving, and on behalf of the House I want to thank them for their attention to their duties. We certainly appreciate having you here and hope you will come back and visit us during the remaining days of the session."

MOTIONS

On motion of Mr. Newhouse, the House advanced to the twelfth order of business.

On motion of Mr. Newhouse, the House dispensed with further business under the Call of the House.

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Monday, January 26, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

FIFTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 26, 1970.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Copeland presiding). The Clerk called the roll and all members were present except Representatives Chapin, Charette, Morrison and Mr. Speaker who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

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

REPORTS OF STANDING COMMITTEES

January 23, 1970.

HOUSE BILL NO. 50, enacting a comprehensive gambling law, reported by Committee on Business and Professions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Murray, Chairman, Gladder, Vice Chairman, Bagnariol, Ceccarelli, Curtis, Gallagher, Hatfield, Jastad, Juelling, Kuehnle, Leland, Pardini, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery members of the State and Local Government Class at Fort Steilacoom State College and asked them to stand and be recognized.

The Speaker observed in the south gallery Girl Scouts from Mount Vernon and asked them to stand and be recognized.

The Speaker observed in the south gallery students from St. Leo's Elementary School in Tacoma and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Kalama High School and asked them to stand and be recognized.

MESSAGES FROM THE SENATE

January 24, 1970.

Mr. Speaker: The Senate has passed:
ENGROSSED SENATE BILL NO. 2,
ENGROSSED SENATE BILL NO. 10,
ENGROSSED SENATE BILL NO. 45,
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2, by Senators Durkan and Greive:

An Act relating to pollution control; amending section 12, chapter 13, Laws of 1967 and RCW 90.48.135; and amending section 36, chapter 238, Laws of 1967 and RCW 70.94.222.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 10, by Senators Greive, Bailey, McCutcheon, Herr, Talley, Dore and Stortini:

An Act relating to workmen's compensation; and amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 1, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.050; and amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.060; amending section 51.16.080, chapter 23, Laws of 1961 and RCW 51.16.080; amending section 51.16.110, chapter 23, Laws of 1961 and RCW 51.16.110; amending section 51.16.130, chapter 23, Laws of 1961 and RCW 51.16.130; amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 3, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.090; adding a new section to chapter 23, Laws of 1961 and to chapter 51.16 RCW; repealing section 51.16.010, chapter 23, Laws of 1961 and RCW 51.16.010; repealing section 51.16.020, chapter 23, Laws of 1961, as amended by section 6, chapter 274, Laws of 1961 and RCW 51.16.020; and repealing section 51.16.030, chapter 23, Laws of 1961 and RCW 51.16.030.

Referred to Committee on Labor and Employment Security.

ENGROSSED SENATE BILL NO. 45, by Senators Gissberg, Walgren and Twigg:

An Act relating to salaries of certain public officials; amending section 43.03.028, chapter 8, Laws of 1965 as amended by section 1, chapter 19, Laws of 1967 and RCW 43.03.028; amending section 43.03.040, chapter 8, Laws of 1965 and RCW 43.03.040; adding new sections to chapter 8, Laws of 1965 and to chapter 43.03 RCW; and declaring an emergency.

Referred to Committee on State Government and Legislative Procedures.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-16, by Representatives Mentor, Perry, O'Dell, Barden, Hubbard, Murray, Merrill, Bagnariol, Gallagher, Leckenby, Marsh, Newhouse, Juelling, Berentson, Ceccarelli, Hawley, Jolly, Brown, Cunningham, Wanamaker, Wolf, Clark (Newman H.), Mahaffey, Haussler and Conway:

WHEREAS, The Governor of the State of Washington, The Mayor of the City of Seattle, The County Executive of King County, other state and local officials of government and leading business and civic representatives are embarking for Oakland, California, for a meeting with American League owners and officials to try to save the Seattle Pilots and major league baseball for the Northwest; and

WHEREAS, The Pilots are not only a major entertainment feature for citizens of the Northwest, but also a significant economic asset to this State; and

WHEREAS, The Pilots, an expansion club, drew more fans for their ball games in their initial year of competition than teams located in Chicago, Philadelphia, Cleveland and San Diego; and

WHEREAS, The citizens of the Northwest have shown continued interest in the Pilots as evidenced by the recent successful ticket-selling drive; and

WHEREAS, One year is not a fair test of the potential drawing power of the Pilots; and

WHEREAS, The Sonics, of the Western Division of the National Basketball Association, consistently draw more fans than the first place team of their division and thereby prove that this area is major league in the sports field; and

WHEREAS, The new ownership of the Pilots has pledged to lower admission prices and cooperate fully with government at all levels; and

WHEREAS, The loss of the Pilots would have an adverse effect on the economy and people of this State;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That The Governor, The Mayor of Seattle, The Executive of King County, other officials of state and local government and leading business and civic representatives be commended for their leadership in trying to save the Pilots and that they be encouraged to continue their efforts with the hope that they will save the Pilots and major league baseball for the people of this State and thereby strengthen the economy of this State.

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to The Governor, The Mayor of the City of Seattle, The County Executive of King County, The President of the American League and The Commissioner of Baseball.

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

MOTION

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker (Mr. Newhouse presiding) called the House to order at 1:00 p.m.
The Clerk called the roll and all members were present.

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

SECOND READING

HOUSE BILL NO. 52, by Representatives Julin, King, Kiskaddon, Bluechel, Chapin, Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray, North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request):
Supplementing water pollution control law.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 52, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 27, by Representatives Chapin, Brouillet, McCaffree, Randall, Cunningham, Barden, Bluechel, North, Bottiger, Zimmerman, Brown, Litchman, Bledsoe, Lynch, Leckenby and Adams (by Special Levy Study Commission request):

Authorizing and creating a formula for distribution of thirty-four percent of the income tax to school districts for special levy relief.

Committee recommendation: Majority, do pass with the following amendments:
(For Committee Amendments see Journal of January 24, 1970, Thirteenth Day.)

The bill was read the second time.

On motion of Mrs. McCaffree, the committee amendments to page 1 and page 5, lines 6 and 14, were adopted.

Mrs. McCaffree moved adoption of the first committee amendment to page 5, line 20.

Representatives McCaffree and Kiskaddon spoke in favor of adoption of the amendment.

The amendment was adopted.

On motion of Mrs. McCaffree, the second committee amendment to page 5, line 20, was adopted.

Mrs. McCaffree moved adoption of the committee amendment to page 5, line 28.

Representative McCaffree spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mrs. McCaffree yielded to question by Mr. Grant.

Mr. Grant: "I don't think the same remarks necessarily apply to this amendment, Mrs. McCaffree. The measure, as it has been amended so far, would permit earmarking of additional revenues derived from the state income tax for a one-year period. Is that correct? This amendment establishes a study commission made up of the department of program planning and fiscal management, the department of public instruction, and the department of revenue for an indefinite period of time to study the effects of whatever recommendation the special levy study commission might come up with. Is that correct?"

Mrs. McCaffree: "This is correct."

Representative Grant spoke against adoption of the committee amendment, and Representative McCaffree closed debate, speaking in favor of adoption of the amendment.

The committee amendment to page 5, line 28, was adopted.

Mr. Charette moved adoption of the following amendment:

On page 2, section 3, line 26, after "more than" and before "culturally disadvantaged" strike "ten thousand" and insert "two hundred and fifty" and on line 28 after "excess of" and before "and" strike "ten thousand" and insert "two hundred and fifty"

Debate ensued, Representative Charette speaking in favor of adoption of the amendment, and Representatives Brouillet and Chapin speaking against it.

The amendment by Mr. Charette was lost on a rising vote.

House Bill No. 27 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 27 was placed on final passage.

Debate ensued, Representative Chapin speaking in favor of passage of the bill, and Representative Grant speaking against it.

POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Brouillet, I have anticipated a report for some time from the special levy study commission. I understand that this report on my desk today is the first that we have received. I am a bit disturbed by an evidently higher rating for the so-called 'fogey' pay for the longtime experienced teacher. Is that an integral part of this bill?"

Mr. Brouillet: "Representative Newhouse, there was, I think, a report sent to you earlier. You may not have been able to dig it out from all the other reports. There is a weighting formula in here for experience. We found, in our deliberations, that many districts in the state had to run special levies in order to take care of this. This is one of the three factors Representative Chapin touched upon for which these funds are being used. One is for disadvantaged students, another is for salary schedules where districts have older employees in lines of service, and the third is for leveling off excess levies. This is a small district amendment because large districts are able to attract people. For some reason people like to go to large school districts. We thought it would be more fair that small districts get something out of this, so we put it in here."

POINT OF INQUIRY

Mr. Chapin yielded to question by Mr. Amen.

Mr. Amen: "On the additional revenue, how do you arrive at this? Would this be considered that what would be brought in at the 4½-cent sales tax?"

Mr. Chapin: "No, the money that is reserved for one year under this bill is the additional money that would come in solely as a result of the income tax if it is successful this November. It does not include the increase that would take place in other taxes due to an increase in the economy."

Mr. Amen: "I am still not clear on this, Representative Chapin. Going back, would this include the income that would have been derived if the sales tax had been at 4½ percent?"

Mr. Chapin: "No, as I understand it, this is a net gain on the income tax."

POINT OF INQUIRY

Mrs. McCaffree yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mrs. McCaffree, referring to the committee amendment on page one, where this revenue is received and deposited in a special account, it says: '... thus permitting a reduction in property taxes attributable to school district excess levies. . . .' How is that going to work? Who is going to benefit by it? You are going to credit school district excess levies. What does it mean?"

Mrs. McCaffree: "Mr. O'Brien, that is what the bill is all about. When you take this money, it will be distributed to the school districts on the basis of the formula which is set out in this bill. House Bill No. 27 is to reduce the special levies that much in each district. It is all spelled out in this bill, and in your report you have in front of you from the special levy study commission, it tells exactly how much your special levies will be reduced in each school district in the state. So if you want to take your report and look at it, you can tell precisely how much the special levy in your own school district is reduced."

Mr. O'Brien: "Mrs. McCaffree, is this mandatory? It shall be reduced? For instance, Seattle levies thirty-two mills. Would this cause the millage, for instance next year, of thirty-two mills to be kicked back and reduced four mills, or whatever it might be? Would the school district be compelled to reduce the special millages by this excess tax money?"

Mrs. McCaffree: "No, the moneys would just be distributed in order that the school districts may reduce their special levies to this amount."

Mr. O'Brien: "They are not compelled to do this?"

Mrs. McCaffree: "There is no mandatory provision to this."

Mr. O'Brien: "Anyway, is this more or less your intent of the legislature that, all things being equal, the school districts may reduce the special levies?"

Mrs. McCaffree: "I believe it was the intent of the legislature. I think, as we got farther along with tax reform in the last session, it was the feeling of the legislature that it was

necessary that we dedicate these tax moneys — at least for the first year after tax reform was passed — to the reduction of these special levies because we are faced with this problem. Our largest problem in this state is the increasing special levies, and this is an attempt to distribute these moneys and to dedicate them — this amount of money — to reducing the special levies.”

Mr. O'Brien: "I haven't followed the bill in its entirety, but why did you use the word 'may'? Why didn't you say: 'The school districts shall reduce their levies by this excess funding.?'"

Mrs. McCaffree: "Perhaps one of the other committee members who worked more closely on it can tell you. I wasn't on the subcommittee."

POINT OF INFORMATION

Mr. Chapin: "Mr. O'Brien, what this committee had in mind was the pretty clearly enunciated policy by this legislature last session — good, bad or indifferent — when we concluded, after consideration, not to place a limitation on the amount of special levies that a school district could raise. We also, in proposing this bill, put our faith in the people to the extent that it seems pretty obvious to me that if the state is going to furnish this amount of additional money, it is going to take a pretty brazen school district, and a pretty sleepy electorate, to sit still for the same amount of special levy that they have had to pay in the past on the basis that there was not sufficient money. These figures that are set forth in here are an example of the amount of reduction in special levies that could have taken place this year—1970—if this additional money had been distributed at the state level under this distribution formula. In other words, the local school districts would have received the same amount of money for M and O as they are now getting with this greatly reduced special levy. Now if the school districts are going to put one by the people, and the people are going to sit still and have one put by them, I am afraid that is beyond our power to control. We certainly are giving the school districts the dollars to work with in this bill without the necessity of resorting to extra levies. I think that is all this legislature can do."

POINT OF INQUIRY

Mr. Brouillet yielded to question by Mrs. Hurley.

Mrs. Hurley: "Mr. Brouillet, under this weighting schedule, the moneys that are allocated to the school district for culturally disadvantaged students are going to be spent for something a little more than just basic education. Isn't that true? Could you tell me in what areas these people are culturally disadvantaged, and what the money will really go for?"

Mr. Brouillet: "Thank you, Mrs. Hurley. It would be difficult to tell you what the money will go for because each school district has different programs. I am sure you are aware of some of the programs in Seattle and some of the programs in Spokane, etc. In some cases it doesn't go for basic education, but in some cases it does. For example, many of the schools in the state have used this type of money for tutors for reading and these kinds of things, which I am sure we would all consider as basic education. However, other districts have used it in other ways. I think it would be wrong to assume that a lot of this money was not going into basic education. 'Culturally disadvantaged' is a term that covers people in Seattle, Spokane, Yakima or in Camas. It is a sociological term, but I think you will find a great deal of this money will go to basic education because these people are frequently behind in basic skills. They can't read as well, they can't add as well, they can't do the things that are basic to education. This is why they are behind. If they could do these things they would be involved in some of the other programs. I think it is up to the school districts. I know it is up to the school districts to use the money the best way they see fit. They are independent school districts. I think you will find a great share, if not most, of this money going into what most of us consider basic education, although I am sure you will find some programs in certain districts that are peculiar to that district and who may want to use the money in some other way. I think this is a local determination by the people."

Further debate ensued, Representatives Hurley and Flanagan speaking against passage of the bill, and Representative Fleming speaking in favor of it.

POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Beck.

Mr. Beck: "I don't know if I could do anything without consulting with my favorite certified public accountant, John, if you will notice, my school district is the sixth largest millage in the state. Not only do we have the sixth highest millage up there, but we also have a \$1.9 million bond issue which is quite a burden. Would you explain to me just how I am going to get credit for these taxes here? They are supposed to be providing some property tax relief for me."

Mr. O'Brien: "Mr. Beck, I was just going to make a motion that we lay this over until tomorrow and maybe we could get an answer to the questions that have been raised. Apparently, the bill is somewhat involved and technical. We have moved rather fast on it, so if you will allow me, Mr. Beck, I would like to move that further action on this bill be deferred."

Mr. Beck: "I will very gladly yield because I don't know whether I am going to get to claim this as a deduction or whether you are going to give the money back to me. I would like to find this out before I vote on the bill."

MOTION

On motion of Mr. O'Brien, the House deferred further consideration of Engrossed House Bill No. 27 on third reading, and the bill was ordered held for tomorrow's third reading calendar.

HOUSE BILL NO. 88, by Representatives McCaffree, Randall, Chapin, Bledsoe, Swayze and Adams (by Temporary Special Levy Study Commission request):

Changing effective date of income tax reform package and providing income tax credit for property taxes.

The bill was read the second time.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 88 on second reading, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 13, by Representatives Goldsworthy, Flanagan, Zimmerman, Amen, Jastad, Haussler, Jolly, Veroske, O'Dell, Bozarth, Hubbard, Gladder, Hurley, Conner, Benitz and Bledsoe:

Changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts.

The House resumed consideration of House Bill No. 13 on second reading.

The Speaker declared the question before the House to be the committee amendment to the title, the other committee amendments having been previously adopted. (For amendments see Journal of thirteenth day, January 24, 1970.)

The committee amendment to the title was adopted.

House Bill No. 13 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 13 was placed on final passage.

POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Julin.

Mr. Julin: "Representative Flanagan, I listened with great interest to your arguments concerning the possible prematurity of the prior bill, House Bill No. 27, insofar as its possible foreclosure of consideration by the special levy study commission of all the factors dealing with basic education. I note that you are one of the sponsors of this bill. I would like to know whether you feel the passage of this bill, House Bill No. 13, which has a one-year limitation, would, in your opinion, in any way foreclose the special levy study commission from considering and reevaluating the doctrine of remote and necessary schools."

Mr. Flanagan: "No, I do not think that it precludes them from making the study and trying to accomplish the things that they were told to do in the bill that set them up. However, as I said, and my argument was, when you go ahead and do these things ahead of time and create a situation where dollars are distributed in a certain way, this may add strength to continuing to do it that way and make it more difficult to go back and do the things that they are required to do under the bill. However, in a direct answer to your question, I say 'no' this will not preclude them from going ahead and carrying out what they are supposed to carry out."

Representative Julin spoke in favor of passage of the bill.

Mr. Wolf demanded the previous question and the demand was not sustained.

POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Haussler.

Mr. Haussler: "What happens, Bob, if a remote school district votes to get their millage up to the average state level, and they do everything they possibly can, and it fails? Are they immediately out of business? How can they be consolidated overnight? How can school buses be arranged? How can other high schools, or schools, take care of these students? There is probably a simple answer, but I can't seem to arrive at it."

Mr. Goldsworthy: "The answer really is the intent in this amendment on page one: ' . . . in the alternative convincing evidence that as of said December 1, 1970, said district will be raising by special levies . . .' This would be shown to the state superintendent — convincing evidence of the special levy situation there — and then . . ."

Mr. Haussler: "This, I think, is the gray area in this bill. I have no objection to remote areas taking some action to pay their share, but I still don't know what is going to happen immediately if they are unable to do it, raise hell or high water."

POINT OF INQUIRY

Mr. Saling yielded to question by Mr. Haussler.

Mr. Haussler: "Since Mr. Goldsworthy has been in the hospital, and you are the Vice Chairman of the Committee, could you answer the question?"

Mr. Saling: "Mr. Haussler, the amendment states that the district must show convincing evidence to the state superintendent that they are going to either raise this amount or raise the average levy in mills. It would be up to the state superintendent or the state board of education if they have shown convincing evidence that they are going to do this."

Further debate ensued, Representatives Amen and Brouillet speaking in favor of passage of the bill, and Representative Charette speaking against it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Grant.

Mr. Grant: "I am somewhat perplexed, Bob. Were you speaking for or against House Bill No. 13?"

Mr. Charette: "I was trying to explain it, and I thought most intelligent people on the floor understood what I said."

Mr. Bledsoe demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 13, and the bill passed the House by the following vote: Yeas, 89; nays, 10; absent or not voting, 0.

Voting yea: Representatives Ackley, Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jolly, Jueling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Williams, Wojahr, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representatives Anderson, Charette, Clark (Newman H.), Conner, Hubbard, Jastad, Kalich, Thompson, Wanamaker, Whetzel—10.

Engrossed House Bill No. 13, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

The reason for our "no" votes on Engrossed House Bill No. 13 was that the bill did not give enough money to the smaller school districts in our legislative districts. ERIC O. ANDERSON, 19th District, and HUGH "BUD" KALICH, 20th District.

MOTIONS

On motion of Mr. Bledsoe, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.

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

On motion of Mr. Newhouse, the House adjourned until 10:00 a.m., Tuesday, January 27, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

SIXTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 27, 1970.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bottiger, Charette, Hubbard, Kalich, Litchman and O'Brien. Representatives Charette, Hubbard, Litchman and O'Brien were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that many citizens of Olympia had called to offer rooms to legislators who might have been left without accommodations because of the fire last night at the Tyee Motor Inn. Anyone needing a room should register with the Sergeant at Arms.

SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House David R. Sternoff, National President of the Young Democratic Club of America, and requested that Representatives King and Swayze conduct him to a place on the rostrum.

The Speaker introduced David R. Sternoff formerly of Bellevue, Washington, now living in Virginia. Mr. Sternoff was elected National President of the Young Democratic Club of America in 1969.

Mr. Sternoff addressed the House of Representatives.

The Speaker requested Representatives King and Swayze to escort Mr. Sternoff to the bar of the House.

REPORTS OF STANDING COMMITTEES

January 26, 1970.

HOUSE BILL NO. 9, authorizing compensation for veterans of the Viet Nam conflict, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10, after "sons" and before "in the" insert "and daughters"

On page 1, section 1, line 16, after "sons" and before "to once" insert "and daughters"

On page 2, section 2, line 11, after "excess of" and before "days" strike "eighty-nine" and insert "one hundred ninety"

On page 2, section 2, line 13, after "excess of" and before "days" strike "eighty-nine" and insert "one hundred ninety"

On page 2, section 2, beginning on line 30, strike all of subsection (2) and insert the following:

"(2) In case of the death of any such person prior to said termination date as referred to in subparagraph (1) above, or at such time as such person would have been eligible for benefits hereunder, an equal amount shall be paid to such person's surviving spouse if not remarried at the time compensation is requested, or in case such person left no spouse or in case such spouse has remarried and there are surviving children, then to such surviving children, or in the event there is no surviving spouse eligible for payment hereunder, or children surviving on such date, then to such person's surviving parent or parents: PROVIDED, HOWEVER, That no such parent who has been deprived of custody of such child by a decree of a court of competent jurisdiction shall be entitled to any compensation under this act."

On page 4, section 4, line 2, after "forth" and before "name" strike "his" and insert "claimant's"

On page 4, section 4, line 8, after "subject" and before "to full" strike "himself"

On page 4, section 4, line 9, after "that" and before "has not" strike "he" and insert "claimant"

On page 8, section 12, line 18, after "paid to" and before "parent" strike "his widow" and insert "such person's surviving spouse"

On page 8, section 12, line 20, after "for" and before "burial" strike "his" and insert "such person's"

Signed by Representatives Goldsworthy, Chairman, Saling, Vice Chairman, Backstrom, Brouillet, Chatalas, Conway, DeJarnatt, Farr, Fleming, Hoggins, Kalich, King, Kink, Kirk, Lynch, Marsh, Mentor, Merrill, Rosellini, Savage, Shinpoch, Sprague, Wolf.

MINORITY recommendation: Do not pass. Signed by Representatives Curtis, Shera.

Passed to Committee on Rules and Administration for second reading.

January 26, 1970.

HOUSE BILL NO. 129, reimbursing counties for salaries paid county intermediate district and intermediate school district superintendents, reported by Committee on Education and Libraries.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hoggins, Chairman, Richardson, Vice Chairman, Brown, Conner, Conway, Evans, Gladder, Hatfield, Kalich, May, McCormick, North, Randall, Saling, Scott, Shinpoch, Sprague, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 145, relating to lawyers' code of ethics, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Chapin, Harris, Marsh, O'Dell, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 176, providing Spokane county with an eighth justice of the peace, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Bottiger, Chapin, Harris, Marsh, O'Dell, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 180, reducing property tax millage limitations by one-half, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Ackley, Bagnariol, Benitz, Bledsoe, Bluechel, Brown, Ceccarelli, Chapin, Clarke (George W.), Evans, Flanagan, Grant, Hatfield, Haussler, Marzano, Murray, North, Pardini, Randall, Scott, Wojahn.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 26, 1970.

Mr. Speaker: The Senate has passed:
 SENATE BILL NO. 82,
 ENGROSSED SENATE BILL NO. 141,
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 82, by Senators Woodall, Twigg, Greive and Cooney:
 An Act relating to juries; and amending section 1, chapter 36, Laws of 1895 and RCW
 4.44.380.
 Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 141, by Senators Woodall, Greive, Cooney and
 Twigg:
 An Act establishing crimes; and prescribing penalties.
 Referred to Committee on Judiciary.

MOTION

On motion of Mr. Bledsoe, HOUSE BILL NO. 326 was rereferred from the Committee
 on Financial Institutions and Insurance to the Committee on State Government and
 Legislative Procedures.

SECOND READING

HOUSE BILL NO. 52, by Representatives Julin, King, Kiskaddon, Bluechel, Chapin,
 Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray,
 North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request):
 Supplementing water pollution control law.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 52 on
 second reading, and the bill was ordered placed at the end of today's second reading
 calendar.

HOUSE BILL NO. 88, by Representatives McCaffree, Randall, Chapin, Bledsoe,
 Swayze and Adams (by Temporary Special Levy Study Commission request):
 Changing effective date of income tax reform package and providing income tax credit
 for property taxes.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 88 on
 second reading, and the bill was ordered placed at the end of today's second reading
 calendar.

HOUSE BILL NO. 34, by Representatives Charette, Clarke (George W.) and Clark
 (Newman H.) (by Statute Law Committee request):
 Correcting code sections relating to revenue and taxation.
 The bill was read the second time.
 On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the
 third, and House Bill No. 34 was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill along with the other Statute Law Committee request bills on today's second reading calendar relating to correcting code sections.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 34, and the bill passed the House by the following vote: Yeas, 89; nays, 0; absent or not voting, 10.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—89.

Absent or not voting: Representatives Bottiger, Charette, Fleming, Gallagher, Harris, Hubbard, Kalich, Litchman, O'Brien, Shipoch—10.

House Bill No. 34, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 35, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

Correcting code sections relating to motor vehicles.

The bill was read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Bill No. 35 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 35, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Bottiger, Charette, Fleming, Gallagher, Hubbard, Kalich, Litchman, O'Brien, Shipoch—9.

House Bill No. 35, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 36, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

Correcting code sections relating to elections.

The bill was read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Bill No. 36 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 36, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent or not voting, 8.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussier, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Absent or not voting: Representatives Bottiger, Charette, Fleming, Gallagher, Hubbard, Kalich, Litchman, O'Brien—8.

House Bill No. 36, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 37, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

Correcting code sections relating to metropolitan municipal corporations.

The bill was read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Bill No. 37 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 37, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent or not voting, 6.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussier, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Absent or not voting: Representatives Bottiger, Charette, Gallagher, Hubbard, Litchman, O'Brien—6.

House Bill No. 37, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 38, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

Correcting code sections relating to state government.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 38 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 38, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent or not voting, 6.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Absent or not voting: Representatives Bottiger, Charette, Gallagher, Hubbard, Litchman, O'Brien—6.

House Bill No. 38, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 39, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

Correcting code sections relating to intoxicating liquor.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 39 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 39, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Charette, Gallagher, Hubbard, Litchman, O'Brien—5.

House Bill No. 39, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 40, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

Correcting code sections relating to public lands.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 40 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 40, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent or not voting, 5.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy,

Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Sawyer, Schumaker, Scott, Shera, Shipnuch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representative Savage—1.

Absent or not voting: Representatives Adams, Charette, Gallagher, Hubbard, Litchman—5.

House Bill No. 40, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 41, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

Correcting code sections relating to education code.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 41 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 41, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipnuch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Charette, Gallagher, Hubbard, Litchman—4.

House Bill No. 41, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 42, by Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request):

Updating repealer of old school code, effective when new education codes take effect.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 42 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 42, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison,

Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Charette, Chatalas, Gallagher, Hubbard, Litchman—5.

House Bill No. 42, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from John Marshall Junior High School in Seattle and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Kent Junior High School and asked them to stand and be recognized.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Clerk called the roll and all members were present except Representatives Charette, Hubbard, Litchman and Perry who were excused.

SECOND READING

HOUSE BILL NO. 52, by Representatives Julin, King, Kiskaddon, Bluechel, Chapin, Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray, North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request):

Supplementing water pollution control law.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 52 on second reading, and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 88, by Representatives McCaffree, Randall, Chapin, Bledsoe, Swayze and Adams (by Temporary Special Levy Study Commission request):

Changing effective date of income tax reform package and providing income tax credit for property taxes.

The House resumed consideration of House Bill No. 88.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Bill No. 88 was placed on final passage.

POINT OF INQUIRY

Mrs. McCaffree yielded to question by Mr. Randall.

Mr. Randall: "Representative McCaffree, is the final passage of this bill pertinent prior to the final passage of Engrossed House Bill No. 27? It would seem to me that Engrossed House Bill No. 27 should be passed first with this to be the substantial reason for it being passed."

Mrs. McCaffree: "I think they go together, but I don't believe it makes any difference. We are going to consider Engrossed House Bill No. 27 right after this, Mr. Randall."

Representatives Randall and McCaffree spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 88, and the bill passed the House by the following vote: Yeas, 81; nays, 10; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—81.

Voting nay: Representatives Ackley, Benitz, Gladder, Hatfield, Hurley, May, McCormick, Schumaker, Spanton, Wojahn—10.

Absent or not voting: Representatives Charette, Flanagan, Gallagher, Hubbard, Litchman, Newhouse, Perry, Sawyer—8.

House Bill No. 88, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED HOUSE BILL NO. 27, by Representatives Chapin, Brouillet, McCaffree, Randall, Cunningham, Barden, Bluechel, North, Bottiger, Zimmerman, Brown, Litchman, Bledsoe, Lynch, Leckenby and Adams (by Special Levy Study Commission request):

Authorizing and creating a formula for distribution of thirty-four percent of the income tax to school districts for special levy relief.

The House resumed consideration of Engrossed House Bill No. 27 on third reading.

Debate ensued, Representatives Chapin, Smythe and Brouillet speaking in favor of passage of the bill, and Representative Grant speaking against it.

POINT OF INQUIRY

Mr. Chapin yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Chapin, in order to clarify a little more what these two weighting formulas do: At the present time we know what the State Superintendent of Public Instruction has appropriated to him for this biennium, and we know that this amount cannot be changed before the next session of the legislature. We also have a good estimate of the total amount of local revenue that when added to the appropriation, constitutes the total amount available for school distribution. The figures that we have indicate that by adding these two weightings we increase the number of weighted pupils by ten percent. If we increase the number of weighted pupils by ten percent, we would automatically have to reduce the amount per pupil by ten percent. We already know that this amount per pupil is \$371 based on the present estimate, that everyone says is as near correct as you can get, and that the entire appropriation is being used to provide this amount. Therefore, in my computation, this would result in a reduction per pupil statewide if we don't have any additional revenue of \$37.10 per pupil. Is that right?"

Mr. Chapin: "Mr. Flanagan, I have learned over the years that it is very difficult to match your knowledge and understanding of school financing. However, let me say this: My understanding is, first, this formula goes into effect only if the additional dollars are available from the passage of tax reform. Therefore, by the terms of this bill, I don't see how it can possibly result in a reduction because this only comes along if the other passes."

Mr. Flanagan: "Well, go ahead and assume that we do get the additional \$80 million by passing the income tax, which then would amount to an increase of about \$90 per pupil. By adding \$90 to the \$371, we would have \$461 per pupil. Then the reduction at that point would be \$46 per pupil. Is that right?"

Mr. Chapin: "You are making it tough. I don't know, Mr. Flanagan, whether that is correct or not."

Mr. Flanagan: "It is correct."

Further debate ensued, Representative Flanagan speaking against passage of the bill, and Representative Beck speaking in favor of it.

POINT OF INQUIRY

Mr. Chapin yielded to question by Mr. Julin.

Mr. Julin: "I will not be nearly as mean as Representative Flanagan. My question is this: You are the prime sponsor of this bill. You are also a member of the special levy study commission. I would like to vote for this, but would like reassurance from you, both as prime sponsor and as a member of the commission, that passage of this bill will not in any way prejudice or foreclose the commission from reevaluating or studying the various factors in the formula for local school support that are dealt with in this act."

Mr. Chapin: "You have my assurance. As I stated earlier, no one is contending this is the ultimate answer. We have barely scratched the surface, and hopefully we will reevaluate this entire field before making our report next January."

Representative Fleming spoke in favor of passage of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 27, and the bill passed the House by the following vote: Yeas, 68; nays, 26; absent or not voting, 5.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Beck, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Goldsworthy, Harris, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, Mentor, Merrill, Moon, Murray, North, O'Brien, Randall, Saling, Savage, Sawyer, Schumaker, Shera, Shipoch, Smythe, Sprague, Thompson, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—68.

Voting nay: Representatives Ackley, Amen, Benitz, Berentson, Bledsoe, Chapin, Flanagan, Gladder, Grant, Hatfield, Hurley, Kopet, Kuehnle, May, McCormick, Morrison, Newhouse, O'Dell, Pardini, Richardson, Rosellini, Scott, Spanton, Swayze, Veroske, Wojahn—26.

Absent or not voting: Representatives Charette, Gallagher, Hubbard, Litchman, Perry—5.

Engrossed House Bill No. 27, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I voted against Engrossed House Bill No. 27 for the sole purpose of being eligible to serve on the conference committee on this bill. I am the prime sponsor of, and in favor of, Engrossed House Bill No. 27. RICHARD U. CHAPIN, 48th District.

MOTION

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Wednesday, January 28, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

SEVENTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 28, 1970.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Gallagher, Hubbard, Perry and Saling who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

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

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery Gregg Baker, Student Body President at Western Washington State College, and Tim Wing, Student Body President at Central Washington State College, and asked them to stand and be recognized.

The Speaker observed in the north gallery Political Science students from Lewis and Clark College in Portland and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Sacred Heart School in Bellevue and asked them to stand and be recognized.

REPORTS OF STANDING COMMITTEES

January 27, 1970.

HOUSE BILL NO. 17, making the limitation of quantity in retail sales an unfair business practice, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Murray, Chairman, Gladder, Vice Chairman, Bagnariol, Ceccarelli, Curtis, Hatfield, Jastad, Juelling, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 19, permitting licensing of out-of-state beer and wine salesmen and increasing agent's license fee, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Murray, Chairman, Gladder, Vice Chairman, Bagnariol, Ceccarelli, Curtis, Hatfield, Kuehnle, Pardini, Wolf.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 23, requiring the disclosure of birth defects by adoption agencies, reported by Committee on Public Health and Welfare.

MAJORITY recommendation: Do pass with the following amendments:

In section 1, line 8, after "adopting parent" strike "upon application to adopt" and insert "prior to placement"

In section 1, line 11, before "available information" strike "reasonable" and insert "reasonably"

Signed by Representatives Farr, Chairman, Adams, Ceccarelli, Kirk, Kopet, Marzano, Rosellini, Sprague, Whetzel.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 43, appropriating funds for preliminary planning for Northwest Environmental Education Center, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following section 4, line 30, strike all of sections 5 and 6.

Renumber the remaining section.

In line 1 of the title after "education;" and before "and declaring" strike "making an appropriation"

Signed by Representatives Hoggins, Chairman, Richardson, Vice Chairman, Brown, Conner, Conway, Fleming, Kalich, McCormick, North, Saling, Shinpoch, Sprague, Wanamaker.

MINORITY recommendation: Do not pass. Signed by Representatives Evans, Gladder, Hatfield, Randall, Scott.

Passed to Committee on Rules and Administration for second reading.

January 26, 1970.

HOUSE BILL NO. 51, implementing law relating to pollution of waters by oil, reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Flanagan, Chairman, Veroske, Vice Chairman, Hawley, Julin, Kalich, Kiskaddon, Martinis, Moon, Smythe, Thompson, Wanamaker, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representatives Benitz, Gallagher, Kink, McCormick.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 56, providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe, reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Ackley, Adams, Brown, Haussler, Leckenby, May, Mentor, Merrill, North, Richardson, Rosellini, Scott, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 63, requiring associations of municipal corporations to submit recommendations for improvements, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Adams, Brown, Haussler, Hoggins, Leckenby, May, Mentor, Merrill, North, Richardson, Rosellini, Scott, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 87, adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Adams, Haussler, Hoggins, Leckenby, May, Mentor, Merrill, North, Richardson, Rosellini, Scott, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 117, allowing seventy-five year leases for school purposes, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16, after "district" and before "for" insert "*or institutions of higher education*"

On page 1, section 1, line 19, after "district" and before "to" insert "*or institutions of higher education*"

On page 2, section 1, line 2, after "school" and before "purposes" insert "*college or university*"

Signed by Representatives Hoggins, Chairman, Richardson, Vice Chairman, Brown, Conner, Conway, Evans, Gladder, Hatfield, Kalich, May, McCormick, North, Randall, Saling, Scott, Shinpoch, Wanamaker.

MINORITY recommendation: Do not pass. Signed by Representative Conner.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

HOUSE BILL NO. 169, relating to agriculture, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Amen, Chairman, Wanamaker, Vice Chairman, Benitz, Bozarth, Farr, Haussler, Jolly, Moon, Morrison, Newhouse, Schumaker.
Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 202, increasing interest rate on assessments of county road improvement districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Adams, Brown, Haussler, Hoggins, Leckenby, Mentor, Merrill, North, Richardson, Scott, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

January 26, 1970.

HOUSE BILL NO. 203, establishing health care programs for state employees, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 13, after "house," insert "The senate and house members of the board shall serve in an ex officio capacity only."

On page 4, section 5, line 18, after "limited to" strike "fifteen" and insert "ten"

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Hurley, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 210, creating a state board of examiners for licensing of nursing home administrators, reported by Committee on Business and Professions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Murray, Chairman, Gladder, Vice Chairman, Bagnariol, Ceccarelli, Curtis, Hatfield, Jastad, Juelling, Kuehnle, Leland, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 220, pertaining to public hospital districts, reported by Committee on Public Health and Welfare.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Farr, Chairman, Adams, Ceccarelli, Gladder, Juelling, Kirk, Kopet, Marzano, Rosellini, Sprague, Whetzel.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

HOUSE BILL NO. 236, establishing compensation for the board of tax appeals, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Ackley, Benitz, Bluechel, Brown, Clarke (George W.), Evans, Hatfield, Haussler, Murray, North, Pardini, Scott.

MOTION

On motion of Mr. Newhouse, House Bill No. 236 was rereferred to the Committee on Appropriations.

January 27, 1970.

HOUSE BILL NO. 237, pertaining to the organization and operation of miscellaneous and mutual corporations, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendments:

Strike all of section 1 and insert:

"Section 1. Section 19, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.095 are each amended to read as follows:

The initial bylaws of a corporation shall be adopted by its board of directors. The power to alter, amend or repeal the bylaws or adopt new bylaws shall be vested in the board of directors unless otherwise provided in the articles of incorporation or the bylaws. The bylaws may contain any provisions for the regulation and management of the affairs of a

corporation not inconsistent with law or the articles of incorporation: *PROVIDED, That where the bylaws of an existing corporation prohibit voting by mail or by proxy or attorney-in-fact, and the quorum required by its bylaws for election of directors or transaction of other business has not been obtained at a shareholders' or members' meeting, for a period which includes at least two consecutive annual meeting dates, the board of directors shall have power to amend such bylaws to thereafter authorize voting by mail or by proxy or attorney-in-fact.*"

In line 1 of the title after "corporations" and before the period insert "; and amending section 19, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.095"

Signed by Representatives Murray, Chairman, Gladder, Vice Chairman, Bagnariol, Ceccarelli, Curtis, Jastad, Kuehne, Leland, Pardini, Perry.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 292, pertaining to communications, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On line 3, strike the whole section and insert the following:

"Section 1. Section 1, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.030 are each amended to read as follows:

Except as otherwise provided in this chapter, it shall be unlawful for any individual, partnership, corporation, association, or the state of Washington, its agencies, and political subdivisions to intercept, record or divulge any:

(1) Private communication transmitted by telephone, telegraph, radio, or other device between two or more individuals between points within or without the state by any device electronic or otherwise designed to record and/or transmit said communication regardless how such device is powered or actuated, without first obtaining the consent of all the participants in the communication;

(2) Private conversation, by any device electronic or otherwise designed to record or transmit such conversation regardless how the device is powered or actuated without first obtaining the consent of all the persons engaged in the conversation.

An employee of any regularly published newspaper, magazine, wire service, radio station or television station acting in the course of bona fide news gathering duties on a full time or contractual or part time basis, shall be deemed to have consent to record and divulge communications otherwise prohibited by this chapter if the consent is expressly given or if the recording or transmitting device is readily apparent or obvious to the speakers. Withdrawal of the consent after the communication has been made shall not prohibit any such employee of a newspaper, magazine, wire service, radio or television station from divulging the communication. *Police and fire personnel shall be deemed to have consent to record and divulge incoming telephone calls to police and fire stations where such recording is for the purpose and only for the purpose of verifying the accuracy of reception of emergency calls.*

Sec. 2. Section 5, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.070 are each amended to read as follows:

The provisions of this chapter shall not apply to any activity in connection with services provided by a common carrier pursuant to its tariffs on file with the Washington utilities and transportation commission or the Federal Communication Commission and any activity of any officer, agent or employee of a common carrier who performs any act otherwise prohibited by this law in the construction, maintenance, repair and operations of the common carrier's communications services, facilities, or equipment or incident to the use of such services, facilities or equipment. Common carrier as used in this section means any person engaged as a common carrier or public service company for hire in intrastate, interstate or foreign communication by wire or radio or in intrastate, interstate or foreign radio transmission of energy. *The provisions of this chapter shall not apply to police and fire personnel when they record incoming telephone calls to police and fire stations for the purpose and only for the purpose of verifying the accuracy of reception of emergency calls and such recordings shall not be used for any other purpose whatsoever.*"

In line 1 of the title after "communications" and before the period insert "; amending section 1, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.030; and amending section 5, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.070"

Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Adams, Brown, Haussler, Hoggins, Leckenby, May, Mentor, Merrill, North, Richardson, Rosellini, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 300, abolishing present and prohibiting new nonoperating school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Richardson, Vice Chairman, Brown, Conway, Evans, Fleming, Gladder, Kalich, May, McCormick, Randall, Shinpoch, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE CONCURRENT RESOLUTION NO. 6, providing for study on price structure of gasoline and petroleum throughout areas of state, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Murray, Chairman, Gladder, Vice Chairman, Bagnariol, Curtis, Hatfield, Jueling, Kuehnle, Pardini, Wojahn, Wolf.

Passed to committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 27, 1970.

Mr. Speaker: The Senate has passed:
ENGROSSED SENATE BILL NO. 86,
SENATE BILL NO. 130,
ENGROSSED SENATE BILL NO. 145,
SENATE JOINT MEMORIAL NO. 8,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 27, 1970.

Mr. Speaker: The Senate has passed SENATE JOINT RESOLUTION NO. 6, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 86, by Senators Herr, Bailey, Huntley, Lewis (Harry), Andersen and Durkan (by Washington Public Employees' Retirement System request):

An Act relating to the Washington public employees' retirement system; and adding a new section to chapter 41.40 RCW.

Referred to Committee on Labor and Employment Security.

SENATE BILL NO. 130, by Senators Talley, Atwood and Bailey:

An Act relating to harbor improvement; providing for the removal of certain material for the improvement of harbors and channels and its use for a public purpose; and amending section 1, chapter 47, Laws of 1965 and RCW 79.01.178.

Referred to Committee on Natural Resources.

ENGROSSED SENATE BILL NO. 145, by Senators Williams, Ridder and Elicker (by Public Pension Commission request):

An Act relating to the retirement and pensions of law enforcement officers and fire fighters; amending section 33, chapter 209, Laws of 1969 ex. sess. and RCW 41.18.104; amending section 34, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.250; and amending section 38, chapter 209, Laws of 1969 ex. sess. and RCW 41.16.145.

Referred to Committee on Labor and Employment Security.

SENATE JOINT RESOLUTION NO. 6, by Senators Walgren, Bailey, Atwood, Keefe, Twigg and Cooney:

Deleting prohibition against lotteries.

Referred to Committee on Business and Professions.

SENATE JOINT MEMORIAL NO. 8, by Senator Henry:

Urging the disposal of nerve agents and prohibiting the transportation of such agents through the state of Washington.

Referred to Committee on State Government and Legislative Procedures.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-17, by Representatives Bottiger, Grant, McCormick, Perry, Moon, Backstrom, Hurley, Jolly, Wojahn, Martinis, Anderson, Hatfield and Gladder:

WHEREAS, A certain segment of the population of the State of Washington finds it necessary from time to time to seek financial assistance from the state to enable them to

provide the minimum necessities of food, clothing, shelter and medical treatment for themselves and their families; and

WHEREAS, The Department of Public Assistance was created to assist this segment of the population in their time of need; and

WHEREAS, A present revenue and spending crisis exists in the Department of Public Assistance which has resulted in a curtailment of monetary allowances and benefits to certain eligible recipients of the welfare program; and

WHEREAS, It has been disclosed that certain revenues of the Department of Public Assistance are being expended in providing paid educational advancements for its employees and staff, as well as payment of their full or partial salaries while they are away from their jobs and attending educational institutions; and

WHEREAS, The pursuance of such paid educational programs results in a substantial decrease of funds available for eligible recipients of the state welfare program.

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Department of Public Assistance, and the persons responsible for the administration thereof, be urged to immediately suspend all such paid educational programs of its staff and employees so that the revenues presently being expended in such programs can be properly used in assisting the plight of the needy.

Mr. Bottiger moved adoption of the resolution.

Mrs. Lynch moved adoption of the following amendment to the resolution:

On line 1 of the last paragraph after "that" strike "the Department of Public Assistance" in line 2 and insert the following: "all departments of state government, including the Department of Public Assistance, the Superintendent of Public Instruction, the State Universities and Colleges, and the State Board of Community Colleges"

Debate ensued, Representatives Lynch, Sprague and Copeland speaking in favor of adoption of the amendment, and Representative Bottiger speaking against it.

POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Bledsoe.

Mr. Bledsoe: "Representative Goldsworthy, in view of the growing complexity of the question before us (the stipend program and others as indicated in this resolution), do you feel you could profitably conduct a hearing on this in your Appropriations Committee with the end result being more knowledge on the subject than we presently have?"

Mr. Goldsworthy: "Yes, Representative Bledsoe. I think this is an area we are going to have to delve into. I hate to get into too much duplication on this, and our Appropriations Committee has already sent out directives to all departments requesting this information. I know the Senate is doing the same, but I think we have a situation here of enough magnitude that our committee is certainly going to sit down with all these people. For that reason I would support Mrs. Lynch's amendment. I don't want to single out one department. That's not our purpose. It is to look at the whole picture of state government in this area of stipends. That is the direction we will take on it."

MOTION

Mr. Newhouse moved that House Resolution No. 70-17 and the amendment by Mrs. Lynch be referred to Committee on Appropriations.

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

ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse to refer House Resolution No. 70-17 and the amendment by Mrs. Lynch to the Committee on Appropriations, and the motion was carried by the following vote: Yeas, 49; nays, 42; absent or not voting, 8.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Brown, Chapin, Clark (Newman H.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hawley, Hoggins, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Schumaker, Scott, Shera, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—49.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Fleming, Grant, Hatfield, Haussler, Hurley, Jastad, Jolly, Kalich, King, Kink, Litchman, Marsh,

Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Randall, Rosellini, Savage, Shinpoch, Spanton, Sprague, Thompson, Williams, Wojahn-42.

Absent or not voting: Representatives Bluechel, Clarke (George W.), Gallagher, Hubbard, Perry, Saling, Sawyer, Smythe-8.

HOUSE RESOLUTION NO. 70-18, by Representatives Marsh, Zimmerman, Smythe, Hawley and O'Dell:

WHEREAS, The United States Bureau of the Budget has recently cut back one hundred eighty thousand dollars in appropriations from the Columbia River Fisheries program; and

WHEREAS, That cutback has all but eliminated the research program on the salmon and steelhead runs; and

WHEREAS, Research is of paramount importance to the preservation of our fish resources; and

WHEREAS, Discontinuance of the research will do irreparable damage to our salmon and steelhead runs; and

WHEREAS, The resulting loss of harvest will many times exceed the value of the cutbacks; and

WHEREAS, Research of fish propagation requires more effort because of the increasing number of dams and other obstructions; and

WHEREAS, Research alone can answer the questions raised by thermal discharge from nuclear power plants; and

WHEREAS, The residents of the State of Washington are greatly concerned over the loss of research funds;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests the United States Bureau of the Budget to restore the funds which have been cut from the Columbia River Fisheries program so that needed and vital research can be continued.

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

Mr. Marsh moved adoption of the resolution.

Representatives Marsh, Zimmerman and Hawley spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-19, by Representatives Conner, Kink, Barden, Grant, Curtis, Pardini, Bledsoe, Hatfield, Bagnariol, Bottiger, Marsh, DeJarnatt, Randall and Fleming:

WHEREAS, The United States Junior Chamber of Commerce, popularly known as the Jaycees, celebrates its fiftieth anniversary in 1970; and

WHEREAS, The Jaycees is an organization of dedicated men from twenty-one to thirty-five years of age who are interested in leadership training through community participation; and

WHEREAS, These young American leaders are devoted to civic improvement and strive with energy and enthusiasm to advance the best interests of their fellow citizens across our State and nation; and

WHEREAS, The Jaycees have been in the forefront of so many civic activities in communities throughout our State; and

WHEREAS, In a world beset by fear and lack of faith, every manifestation of fraternity and faith in humanity must be encouraged;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commends the Jaycees for fifty years of civic service and expresses its sincere appreciation for the multitude of projects undertaken for the betterment of our communities.

BE IT FURTHER RESOLVED, That the House of Representatives encourages the Jaycees to continue its enthusiastic and dedicated leadership which provides so fine an example for others to emulate.

AND BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the United States Junior Chamber of Commerce, to the Washington State Junior Chamber of Commerce and to each active chapter within the State of Washington.

Mr. Conner moved adoption of the resolution.

Representatives Conner and Curtis spoke in favor of the resolution.

The resolution was adopted.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Berentson, Gallagher, Hubbard, Perry and Saling. Representatives Gallagher, Hubbard, Perry and Saling were excused.

MOTION

Mr. Randall moved that HOUSE BILL NO. 321 be rereferred from the Committee on Natural Resources to the Committee on State Government and Legislative Procedures.

POINT OF INQUIRY

Mr. Charette: "Mr. Speaker, before we vote on the motion, will the mover of the motion get a chance to explain what the bill is, or will he explain what it is?"

The Speaker: "I am sure he will. He is still standing, but there are so many members milling around that it is a little difficult to conduct the business of the House."

Representative Randall spoke in favor of the motion to rerefer House Bill No. 321 from the Committee on Natural Resources to the Committee on State Government and Legislative Procedures.

The motion was carried.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Darrington High School and asked them to stand and be recognized.

MOTION

On motion of Mr. Newhouse, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

January 27, 1970.

HOUSE BILL NO. 68, permitting the granting of furloughs to felons, reported by Committee on Public Institutions and Youth Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 6, line 16, after "department may" and before "provide" insert "in cases of need."

On page 3, section 6, beginning on line 19, after "suitable clothing" strike all of the matter down to and including "furlough" on line 20.

Signed by Representatives Leckenby, Chairman, Evans, Vice Chairman, Beck, Conner, DeJarnatt, Kuehnle, Lynch, O'Brien, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 72, authorizing interstate purchase of shotguns and rifles, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Chapin, Clark (Newman H.), Julin, Marsh, O'Dell, Swayze, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 103, increasing jurisdiction of small claims department of justice courts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Ackley, Chapin, Clark (Newman H.), Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 162, relating to civil disturbance and providing penalties, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Chapin, Clark (Newman H.), Julin, Marsh, O'Dell, Swayze.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 218, making certain changes in search warrants and arrest warrants, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 26, after "prosecution of any" strike the remainder of the section and insert the following: "*misdemeanor or any gross misdemeanor as specified in the complaint, or any homicide or any felony.*"

On page 3, section 4, line 16, after ";" and" strike the remainder of the section and insert the following: "*shall deliver the warrant to the defendant prior to booking.*"

Signed by Representatives Clarke (George W.), Chairman, Chapin, Clark (Newman H.), Julin, O'Dell, Swayze, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 27, 1970.

HOUSE BILL NO. 258, relating to discrimination, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clarke (George W.), Chairman, Ackley, Clark (Newman H.), Julin, Marsh, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

HOUSE BILL NO. 326, permitting state agencies, municipalities, fiduciaries to invest in "A" rated bonds of specified institutions, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Conway, Cunningham, DeJarnatt, Harris, Savage, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

HOUSE JOINT MEMORIAL NO. 2, requesting Blaine Peace Arch commemorative stamp and inviting President Richard M. Nixon to attend 50th anniversary celebration, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Farr, Grant, Harris, Hurley, Marzano, Perry, Savage, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

HOUSE JOINT MEMORIAL NO. 3, petitioning the President, Congress and the Department of State to undertake more determined efforts in support of captured American men and those missing in action, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Farr, Grant, Harris, Hurley, Marzano, Perry, Savage, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery students from Reeves Junior High School in Olympia and asked them to stand and be recognized.

MOTION

On motion of Mr. Newhouse, the House advanced to the ninth order of business.

SECOND READING

HOUSE BILL NO. 52, by Representatives Julin, King, Kiskaddon, Bluechel, Chapin, Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray, North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request):
Supplementing water pollution control law.

MOTION

Mr. Newhouse moved that the House defer consideration of House Bill No. 52 on second reading and the bill be held for Thursday's second reading calendar.

POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Thompson.

Mr. Thompson: "Mr. Newhouse, may we know why this bill is repeatedly being delayed?"

Mr. Newhouse: "Mr. Thompson, I understand that there have been requests for a couple of amendments to be submitted which are not yet completely drafted."

Mr. Thompson: "Thank you, Mr. Newhouse."

The motion by Mr. Newhouse was carried.

MOTION

On motion of Mr. Newhouse, the House adjourned until 10:00 a.m., Thursday, January 29, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

EIGHTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 29, 1970.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Copeland presiding). The Clerk called the roll and all members were present except Representatives Charette, Hubbard and Saling who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

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

REPORTS OF STANDING COMMITTEES

January 28, 1970.

HOUSE BILL NO. 46, providing post retirement adjustments in retirement allowances for public employees' retirement system, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 16 strike all of subsection (3) and renumber the remaining subsections consecutively.

Beginning on page 1, section 1, line 27, following "paid" strike the remainder of the bill and insert a period.

Signed by Representatives Morrison, Chairman, Spanton, Vice Chairman, Backstrom, Curtis, King, Kuehne, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 157, providing for education of students on drug misuse and drug abuse, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 4, line 6 after "sum of" strike "forty thousand dollars" and insert "one dollar"

Signed by Representatives Hoggins, Chairman, Bottiger, Brown, Conway, Evans, Hatfield, North, Randall, Scott, Shinpoch, Sprague, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 166, relating to public school day care centers, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

Strike all of section 1 and insert the following:

NEW SECTION. Section 1. The purpose of this 1970 act is to permit school districts to provide the use of their facilities, personnel, and related services for day care for children of the age of three through fourteen years, inclusive, in order that low-income parents may be employed or be in training for employment. By providing such a service, mothers particularly will have more opportunity to accept training and employment, thus lessening their need for public assistance. Children will within reasonable limits be provided with that protection, education, health and social services necessary to their growth and development for responsible adulthood.

NEW SECTION. Sec. 2. For the purposes of this 1970 act, 'day care', 'day care services' and 'day care program' shall mean the care of children identified under sections 3 and 4 of this 1970 act for the entire calendar year during the hours necessary to meet the needs of the individual families from which children are enrolled and related services to the families thereof.

NEW SECTION. Sec. 3. Any school district is authorized to:

(1) Provide day care services to children and related services to families they determine eligible;

(2) Contract and cooperate with the department of public assistance, or any successor agency, in the establishment of day care services; and

(3) Provide necessary funds, facilities, materials and personnel, and in addition thereto, management, operation maintenance and other services which may be required to promote the purposes of this 1970 act.

NEW SECTION. Sec. 4. The department of public assistance is authorized to:

(1) Cooperate with any school district authorized to establish day care services and to contract for payment for eligible children;

(2) Accept funds from any source including the federal government;

(3) Identify and certify for eligibility within the department's regulations those children who are to be enrolled in a day care service program which may be established under this 1970 act;

(4) Promulgate and adopt rules and regulations in accordance with chapter 34.04 RCW, the administrative procedure act, and, take such other action including contracting with such other parties as is consistent with the establishment of day care programs to serve the purposes of this 1970 act; and

(5) Approve the standards of care provided through such day care programs according to the licensing requirements of the state and as set forth in the Federal Interagency Day Care Requirements, as now or hereafter amended.

NEW SECTION. Sec. 5. Each school district which elects to implement a program shall stimulate the use of volunteer services and low-income personnel to the fullest extent possible. Personnel and materials used by such day care program shall be selected to promote the education, cultural development, emotional growth and health of the children selected.

NEW SECTION. Sec. 6. There is hereby appropriated to the department of public assistance from the general fund the sum of one dollar to carry out the provisions of this act.

NEW SECTION. Sec. 7. If any provision of this 1970 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. This 1970 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 1 of the title after "care" strike "centers." and insert "services and programs; making an appropriation; and declaring an emergency."

Signed by Representatives Hoggins, Chairman, Bottiger, Brown, Evans, Fleming, Hatfield, North, Randall, Scott, Shipoch, Sprague, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

HOUSE BILL NO. 242, relating to the commission on higher education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Smythe, Vice Chairman, Amen, Anderson, Bluechel, Brouillet, Goldsworthy, King, Kirk, Kiskaddon, Marsh, Mentor, Murray, Thompson, Williams.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

HOUSE BILL NO. 293, establishing new definitions within the explosive law, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 14, after "That" insert "for the purposes of this act"

On page 5, section 1, line 22, after "percussion" strike "cups" and insert "caps"

On page 8, section 6, line 12, after "pounds" insert "of smokeless propellant or twenty-five pounds of black powder as used in muzzle loading firearms"

Signed by Representatives Morrison, Chairman, Spanton, Vice Chairman, Backstrom, Curtis, King, Kuehnle, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

ENGROSSED SENATE BILL NO. 86, providing post retirement adjustments in retirement allowances for public employees' retirement system, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass. Signed by Representatives Morrison, Chairman, Spanton, Vice Chairman, Backstrom, Curtis, King, Kuehnle, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) recognized within the bar of the House legislators from Oregon State: Representative Hank Hart from Medford, Representative Wally Carson, Jr. from Salem, and Mr. Bob Stevens, their Legislative Administrator, and requested that Representatives Grant and Bledsoe conduct them to a place on the rostrum.

The Speaker: "The Speaker would like to call on Wally Carson to give us a few words. The Oregon State Legislature is not necessarily known for extremely short sessions, but he might be able to give us a few words of advice."

Representative Carson: "Thank you, Mr. Speaker. It is my pleasure to be here this morning, and I bring you greetings from your sister state to the south. I envy you in a way—we never have been able to have annual sessions like you do up here in Washington. Or is that a sore point? I like the way you do things. We are the one state in the Union that still has secretaries on the floor, and you can't believe—let me state that over again. But the confusion this brings is something to behold, and I will change the subject now. One of the things I am very pleased about is the way you do things in Washington. As we came in this morning, we noticed that there is a motel out south called the Tye, and there is a signboard giving an idea as to what is going on at the motel. It says 'entertainment nightly' and boy, you guys really swing up here. We do appreciate the opportunity to be here with you today. One of our major functions today is to learn how you operate your systems and your House here. You have thirty-nine more members than we do, but you seem to do a good job. We are very pleased to be here and wish you well. I think the one thing we are most pleased about in Oregon is that we have found something less popular than the subject of taxes to the voter, and that is the nerve gas. When things get really tough, you can bring that out and drag it around because that is a little more unpopular than taxes."

The Speaker instructed the committee to escort the Oregon State visitors from the rostrum.

MESSAGES FROM THE SENATE

January 28, 1970.

Mr. Speaker: The Senate has passed:
 ENGROSSED SENATE BILL NO. 18,
 ENGROSSED SENATE BILL NO. 61,
 ENGROSSED SENATE BILL NO. 120,
 SENATE BILL NO. 129,
 SENATE BILL NO. 204,
 SENATE BILL NO. 275,
 SENATE BILL NO. 297,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 18, by Senators Dore and Holman:

An Act relating to minors; providing minor students with capacity to borrow; adding new sections to chapter 26.28 RCW; and providing an effective date.

Referred to Committee on Higher Education.

ENGROSSED SENATE BILL NO. 61, by Senators Greive, Williams, Herr, Peterson (Ted), Elicker and Walgren:

An Act relating to counties; authorizing the establishing, acquiring, developing, constructing and improving of open space, park, recreation and community facilities, public health and safety facilities, storm water control facilities, and highways; amending section 1, chapter 109, Laws of 1967 and RCW 36.89.010; amending section 2, chapter 109, Laws of 1967 and RCW 36.89.020; amending section 3, chapter 109, Laws of 1967 and RCW 36.89.030; amending section 4, chapter 109, Laws of 1967 and RCW 36.89.040; amending section 5, chapter 109, Laws of 1967 and RCW 36.89.050; amending section 2, chapter 66, Laws of 1907 as last amended by section 9, chapter 204, Laws of 1941 and RCW 86.12.020; adding new sections to chapter 36.89 RCW; repealing section 8, chapter 109, Laws of 1967 and RCW 36.89.070; and declaring an emergency.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 120, by Senators Mardesich and Dore:

An Act prohibiting attorney general and full time assistant attorneys general from practice of law in their private capacity as attorney; amending section 43.10.010, chapter 8, Laws of 1965, and RCW 43.10.010; adding new sections to chapter 8, Laws of 1965 and to chapter 43.10 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

SENATE BILL NO. 129, by Senators Lewis (Harry), Greive, Atwood and Peterson (Lowell):

An Act relating to state government; providing for per diem allowances for officers and employees; and amending section 43.03.050, chapter 8, Laws of 1965 as amended by section 1, chapter 77, Laws of 1965 ex. sess. and RCW 43.03.050.

Referred to Committee on State Government and Legislative Procedures.

SENATE BILL NO. 204, by Senators Keefe, Twigg and Guess:

An Act relating to justice courts and administration; amending section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 66, Laws of 1969 ex. sess., and RCW 3.34.010; and amending section 11, chapter 299, Laws of 1961, as amended by section 7, chapter 66, Laws of 1969 ex. sess. and RCW 3.34.020.

Referred to Committee on Judiciary.

SENATE BILL NO. 275, by Senators Woodall, Cooney, Gissberg, Durkan, Twigg, Dore, McCormack and Stender:

An Act relating to unfair business practices and consumer protection; amending section 8, chapter 216, Laws of 1961 and RCW 19.86.080; amending section 9, chapter 216, Laws of 1961 and RCW 19.86.090; amending section 10, chapter 216, Laws of 1961 and RCW 19.86.100; amending section 11, chapter 216, Laws of 1961 and RCW 19.86.110; amending section 12, chapter 216, Laws of 1961 and RCW 19.86.120; amending section 13, chapter 216, Laws of 1961 and RCW 19.86.130; and amending section 14, chapter 216, Laws of 1961 and RCW 19.86.140; and providing penalties.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 297, by Senators Odegaard, Elicker and Marquardt:

An Act relating to the facilities, equipment and personnel of the institutions under the supervision of the department of institutions; amending section 1, chapter 46, Laws of 1967 and RCW 72.01.450; adding new sections to chapter 72.01 RCW; repealing section 72.40.030, chapter 28, Laws of 1959 and RCW 72.40.030; and declaring an emergency.

Referred to Committee on Public Institutions and Youth Development.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery a group of Girl Scouts from Ritzville and asked them to stand and be recognized.

The Speaker observed in the north gallery twenty-five students from Highline Community College and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Enumclaw High School and asked them to stand and be recognized.

The Speaker observed in the south gallery students from West High School in Bremerton and asked them to stand and be recognized.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-20, by Representatives Brouillet and Smythe:

WHEREAS, Certain racial, ethnic, and economic minorities have historically suffered difficulties when attempting to register to vote in the United States; and

WHEREAS, There are numerous such minorities residing in the State of Washington; and

WHEREAS, No study has ever been made of the ability of such groups to register to vote;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Secretary of State be directed to conduct a study of the problems of minority voting in the State and to report its findings to the Forty-second Session of the Legislature.

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to the Honorable A. Ludlow Kramer, Secretary of State.

Mr. Brouillet moved adoption of the resolution.

Representatives Brouillet and Smythe spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-21, by Representatives Farr, Kink, Amen, Moon, Haussler, Morrison, Veroske and Benitz:

WHEREAS, The Congress of the United States adopted the Agricultural Marketing Act of 1965 providing for the allocation of Class 1 milk bases to dairy producers under Federal Marketing Orders for Milk; and

WHEREAS, The Federal Milk Marketing Order for the Puget Sound Marketing Area (Federal Order No. 125) was amended to provide for the allocation of Class 1 milk bases to dairy producers in the Puget Sound Marketing Area; and

WHEREAS, Dairy producers in the Puget Sound Marketing Area are now producing milk for public consumption under a Class 1 base plan; and

WHEREAS, The provisions of the 1965 Agricultural Marketing Act providing for the allocation of Class 1 milk bases in Federal Marketing Orders will expire on December 31, 1970; and

WHEREAS, Congress has not yet provided for a continuation of such allocation by law after December 31, 1970; and

WHEREAS, The discontinuance of the Class 1 milk base plan will cause a disruption in the orderly production of milk and cause severe economic repercussions to the dairy producers and their ability to meet their financial obligations in the support of state and local government;

NOW, THEREFORE, The dairy producers of this state respectfully request the 1970 Legislature to review and study the provisions of House Bill No. 328 through the Legislative Council and its subcommittee on Agriculture.

Mr. Amen moved adoption of the resolution.

Mr. Farr moved adoption of the following amendment to the resolution:

Strike the entire last paragraph of the resolution and substitute the following:

“NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives authorizes the Legislative Council to review and study the provisions of House Bill No. 328 through the Committee on Agriculture.”

Representatives Farr and Amen spoke in favor of adoption of the amendment.

The amendment was adopted.

House Resolution No. 70-21 as amended was adopted.

The Speaker (Mr. Copeland presiding) declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker (Mr. Newhouse presiding) called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Hubbard and Saling who were excused.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Newhouse presiding) observed in the south gallery a group of fifty students from Shoreline High School and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Chinook Junior High School in Olympia and asked them to stand and be recognized.

MOTION

On motion of Mr. Whetzel, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

January 29, 1970.

HOUSE BILL NO. 110, enacting a special fuel tax act, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Beck, Bozarth, Conner, Cunningham, Gallagher, Hawley, Jastad, Jolly, Martinis, May, McCormick, Schumaker, Spanton, Thompson, Veroske, Wolf.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 217, pertaining to taxation and revenue by state and local governments, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Chapin, Evans, Grant, Hatfield, Hurley, Marzano, Murray, North, Pardini, Randall, Scott.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 226, relating to motor vehicle speed, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Amen, Anderson, Beck, Bozarth, Conner, Cunningham, Gallagher, Hawley, Jolly, Kuehne, Leckenby, May, McCormick, Newhouse, O'Dell, Schumaker, Spanton, Thompson, Veroske, Wanamaker, Wolf.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 232, repealing B & O exemption as to financial institutions, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Ackley, Bledsoe, Brown, Chapin, Clarke (George W.), Evans, Hatfield, Murray, North, Pardini, Randall, Scott.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 312, providing for the efficient organization and for the effective operation of the state building authority, reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Goldsworthy, Chairman, Backstrom, Brouillet, Conway, Curtis, DeJarnatt, Farr, Kalich, King, Kink, Kopet, Lynch, Mahaffey, Marsh, Mentor, Merrill, Morrison, Richardson, Shera, Shipoch, Sprague, Swayze, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 318, authorizing temporary loans from funds in the state treasury to the building authority for capital construction projects at the institutions of higher education, reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Goldsworthy, Chairman, Backstrom, Brouillet, Conway, Curtis, DeJarnatt, Farr, Kalich, King, Kink, Kopet, Lynch, Mahaffey, Marsh, Mentor, Merrill, Morrison, Richardson, Shera, Sprague, Swayze, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representative Shipoch.

Passed to Committee on Rules and Administration for second reading.

MOTION

On motion of Mr. Whetzel, the House advanced to the ninth order of business.

SECOND READING

HOUSE BILL NO. 52, by Representatives Julin, King, Kiskaddon, Bluechel, Chapin, Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray, North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request):
Supplementing water pollution control law.

MOTION

On motion of Mr. Whetzel, the House deferred consideration of House Bill No. 52, and the bill was ordered placed on the second reading calendar following House Bill No. 50.

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

MOTION

Mr. Grant moved that the Committee on Business and Professions be relieved of further consideration of SENATE JOINT RESOLUTION NO. 6 and that the resolution be placed on the second reading calendar preceding House Bill No. 50.

POINT OF ORDER

Mr. Whetzel: "Mr. Speaker, we are on the ninth order of business for the second reading of bills. This is not the proper place to place a motion."
The Speaker: "Your point of order is well taken."

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, on what basis do you state that Mr. Whetzel is in order on this motion to relieve the Committee on Business and Professions of Senate Joint Resolution No. 6? The rules state that a committee can be relieved of a bill at any time. I believe you further ruled that the proper time would be on the ninth order of business, second reading of bills. Your prior ruling stated that it was out of order when we made it under propositions and motions."

The Speaker: "I'm sorry, I wasn't on the rostrum. Did you indicate that you had attempted to make the motion on the eighth order of business?"

Mr. O'Brien: "Mr. Speaker, in sessions gone by we have attempted to do it on the eighth order of business, and we have been summarily ruled out of order because it wasn't the right order of business. I believe your ruling stated that it should be on the ninth order of business, second reading of bills."

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

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

HOUSE BILL NO. 50, by Representatives Murray, Bottiger, Pardini, Adams, Gallagher, Bagnariol, Martinis, Merrill, Shera, Richardson, Curtis, Litchman, Leland, Kopet, North, Ceccarelli, Kuehne and Chapin:
Enacting a comprehensive gambling law.

MOTION

Mr. Litchman moved that the House defer consideration of House Bill No. 50 on second reading and that the bill be placed on tomorrow's second reading calendar.

Debate ensued, Representatives Litchman and Moon speaking in favor of the motion, and Representative Murray speaking against it.

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

ROLL CALL

The Clerk called the roll on the motion by Representative Litchman to defer consideration of House Bill No. 50 on second reading and place the bill on tomorrow's second reading calendar, and the motion was lost by the following vote: Yeas, 42; nays, 50; absent or not voting, 7.

Voting yea: Representatives Ackley, Adams, Anderson, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, DeJarnatt, Fleming, Gallagher, Grant, Hatfield, Haussler, Hawley, Hurley, Jastad, Jolly, Kalich, King, Kink, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Randall, Rosellini, Savage, Sawyer, Shinpoch, Spanton, Sprague, Thompson, Wojahn—42.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hoggins, Jueling, Julin, Kirk, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—50.

Absent or not voting: Representatives Backstrom, Conner, Hubbard, Kiskaddon, Morrison, Perry, Saling—7.

MOTION

On motion of Mr. Murray, Substitute House Bill No. 50 was substituted for House Bill No. 50 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 50 was read the second time.

Mr. Litchman moved adoption of the following amendment:

On page 3, section 2, line 10, insert a new subsection as follows:

"(4) A person or an organization is not engaged in 'professional gambling' as defined herein when the person or organization having substantial proprietary or other authoritative control over a residence or premises permits persons to engage in social card games on equal terms with other participants, such social card games being those of skill, in which the success of the player depends upon the knowledge, attention, memory, experience and skill of the player or players whereby the elements of chance are overcome, improved or turned to the advantage of the players."

Renumber the remaining subsections consecutively.

Debate ensued, Representative Litchman speaking in favor of adoption of the amendment, and Representative Murray speaking against it.

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

POINT OF INQUIRY

Mr. Murray yielded to question by Mr. Moon.

Mr. Moon: "Representative Murray, you said this would permit bigtime gambling to take place in cardrooms and what not. It appears to me, or it is my presumption, that our criminal code takes care of this and that if we have criminal laws which do not sanction bigtime gambling, it will not be allowed. Even though this will, as you say, allow it, I think our criminal code can be adapted to take care of this problem and to use this as an argument, I think, is trying to mislead the members of the House."

Mr. Murray: "At the present time, I believe, this would take it out from under the criminal penalty — the same operation we are now trying to do with the bingo operation and the raffle operations for nonprofit corporations."

MOTION

Mr. Ackley moved that the House defer further consideration of Substitute House Bill No. 50 and the bill be placed on the bottom of today's second reading calendar.

Representative Ackley spoke in favor of the motion.

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "I would like to make a comment in regard to the consent calendar, Mr.

Ackley. The consent calendar starts with House Bill No. 2. The Rules Committee agreed that these other bills would precede the consent calendar and that is why they are in that order. However, your motion is in order and I would ask if there are further remarks."

Representative Murray spoke against the motion by Mr. Ackley to defer consideration of Substitute House Bill No. 50 and place it at the bottom of today's second reading calendar.

The motion was lost.

The Speaker declared the question before the House to be the amendment by Mr. Litchman to page 3, section 2, line 10.

Representative Bottiger spoke against adoption of the amendment.

POINT OF INQUIRY

Mr. Murray yielded to question by Mr. Marsh.

Mr. Marsh: "Representative Murray, without this amendment, would it be lawful under Substitute House Bill No. 50 for a grange to hold Friday night pinocle parties where nominal money prizes are awarded to those with the best scores at the end of the evening?"

Mr. Murray: "My interpretation would be 'no' it would not be."

Representative Pardini spoke against adoption of the amendment by Mr. Litchman.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Litchman to page 3, section 2, line 10, and the amendment was lost by the following vote: Yeas, 32; nays, 60; absent or not voting, 7.

Voting yea: Representatives Anderson, Bagnariol, Beck, Bozarth, Ceccarelli, Charette, Conner, DeJarnatt, Fleming, Grant, Jastad, Jolly, Kalich, King, Kink, Leckenby, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Randall, Rosellini, Savage, Shipoch, Spanton, Sprague, Thompson—32.

Voting nay: Representatives Ackley, Adams, Amen, Backstrom, Barden, Benitz, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kuehne, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Sawyer, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—60.

Absent or not voting: Representatives Berentson, Chatalas, Hubbard, Leland, Perry, Saling, Wojahn—7.

SPEAKER'S PRIVILEGE

The Speaker: "Mr. O'Brien, if you and Mr. Copeland have a conversation that needs to be taken care of, I wonder if you would step into the wings. It is very disruptive."

POINT OF INFORMATION

Mr. Juelling: "It was I who was receiving the Fickle Finger of Fate award from Mr. O'Brien."

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "The Speaker would like to caution the members once again that if you are in your seats and we have a roll call vote, you must vote."

Mr. Litchman moved adoption of the following amendment to Substitute House Bill No. 50:

On page 5, section 2, after "random" on line 6 and before "when" on line 7, strike "and in which no consideration in excess of ten cents per card per game is accepted."

Representative Litchman spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Litchman yielded to question by Mr. Clark (Newman H.).

Mr. Clark (Newman H.): "Instead of betting a larger amount in order to give to the charitable donations that would be made by the clubs, couldn't they charge an admission and let that money be earmarked for charitable purposes and accomplish the same thing without the gambling aspect of it?"

Mr. Litchman: "Mr. Clark, I suppose one could answer 'yes,' but based upon the operation of the clubs throughout the state — and there are thousands of clubs and organizations that are playing bingo — they feel that the adequate way is to proceed the way we are now and possibly limit the cards. There are many people, frankly, that would be in favor of paying an admission fee, but the majority just won't do it, and we feel this would hurt bingo. I hasten to add that there are many clubs in the state such as Elks Club 92 in Seattle that raises, I believe, forty or fifty thousand dollars for charitable purposes. The church in my community raised one hundred and fifty thousand dollars for parochial schools. I do feel that your suggestion is a meritorious one, but it just wouldn't work as a practical matter."

Representative Murray spoke against adoption of the amendment.

POINT OF INQUIRY

Mr. Murray yielded to question by Mr. Moon.

Mr. Moon: "It is my understanding then, the way the bill is written, that we would authorize bingo providing the charge per card was not in excess of ten cents. Is that correct?"

Mr. Murray: "The limit as specified in the bill would be ten cents, that's right, per card, per game."

Mr. Moon: "And we would be authorizing bingo to that extent so long as it wasn't in excess of ten cents. What Mr. Litchman would want to do would be to authorize bingo so long as it did not exceed twenty-five cents per card."

Mr. Murray: "The amendment now under consideration actually would take all limits off of it completely. He has another amendment that puts it at twenty-five cents."

Mr. Moon: "Then you prefer we authorize bingo only to the extent of ten cents a card?"

Mr. Murray: "The current limitation is ten cents. I urge you vote against the amendment to take the limit off completely."

POINT OF INFORMATION

Mr. Bottiger: "For purposes of the record, Mr. Speaker, the House is not authorizing bingo."

Representatives Chapin and Bagnariol spoke concerning inadequate preparation of the amendment.

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Bagnariol, one of the churches in your district raises a substantial sum of money under the bingo route under the tolerance policy. Can you tell us what they charge per card?"

Mr. Bagnariol: "I can't give you the exact figures, but the basic concept is three cards for \$2.00 for twenty games, which averages out much less than ten cents per card. Then they have fifty-fifty games following that which do go for ten cents a card and blackout at the end of the evening for, I think, a dollar a card. The average for the evening would be less than ten cents a card."

With the consent of the House, Mr. Litchman withdrew his amendment to page 5, section 2, line 6.

Mr. Litchman moved adoption of the following amendment:

On page 5, section 2, line 7, after "excess of" and before "cents" strike "ten" and insert "twenty-five"

Debate ensued, Representative Litchman speaking in favor of adoption of the amendment, and Representative Murray speaking against it.

POINT OF INFORMATION

Mr. Moon: "Mr. Speaker, in response to Representative Bottiger's remarks, for the record we are authorizing bingo, the classic lottery."

The amendment by Mr. Litchman to page 5, section 2, line 7, was lost.

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

On page 5, subsection (12), line 25, after the comma and before "and" insert "including the sale of tickets for consideration,"

Mr. Litchman moved adoption of the following amendment:

On page 11, add a new section following section 9 as follows:

"NEW SECTION. Sec. 10. Nothing herein shall be construed as prohibiting any county or city from passing such local laws and ordinances as they shall determine necessary for the regulation and control of any action or transaction or thing provided for herein: PROVIDED, That said county or city, in enacting such local laws and ordinances regulating and controlling any such action or transaction or thing, may establish such requirements as it deems necessary or appropriate for the protection of public welfare: PROVIDED FURTHER, That this act is not intended to require any county or city to issue licenses under the provisions hereof: PROVIDED FURTHER, That no county or city shall prohibit the playing of bingo or raffles or social card games as provided for herein unless and until such county or city shall have in effect ordinances which shall have been approved by a majority of the voters voting on the proposition submitted at a general or special election held within said county or city. No county, city or other political subdivision or public agency of this state shall license, tax, permit or authorize any act, transaction or thing in violation of this act, and all rulings, ordinances and regulations in conflict herewith shall be null and void from the effective date of this act. It being the intent of the legislature to give and grant to every county and city the right, power and authority to regulate and control the conduct of bingo, raffles and social card games in accordance with the provisions of this act within the territorial limits of said county or city."

Debate ensued, Representative Litchman speaking in favor of adoption of the amendment, and Representative Murray speaking against it.

POINT OF INQUIRY

Mr. Murray yielded to question by Mr. Bagnariol.

Mr. Bagnariol: "Mr. Murray, based on testimony in committee by the Attorney General regarding this particular subject of the possibility of a fee or a taxation on games which would possibly cause this bill to be more unconstitutional than it probably is already, he pointed out that the bill does not prohibit local government from levying a local license fee. Would that in effect endanger the constitutionality? Let's assume the City of Seattle is having bingo games in churches and private clubs, and they decide to put a local license on each church and each charitable organization that wants to participate in bingo and raffles. Would that endanger the constitutionality any more?"

Mr. Murray: "Not of this bill. In other words, what we want to do is avoid specifically stating that they have that right. What the bill does is avoid the subject and imply that they do have that right."

The amendment by Mr. Litchman adding a new section 10 to Substitute House Bill No. 50 was lost.

Mr. Litchman moved adoption of the following amendment:

On page 11, line 18, insert a new section following section 10 as follows:

"NEW SECTION. Sec. 11. RESTRICTIONS ON BINGO GAMES. The conduct of bingo games shall be subject to the following restrictions irrespective of whether the restrictions are contained in such local laws or ordinances; but nothing herein shall be construed to prevent the inclusion within such local law or ordinance of other provisions imposing additional restrictions upon the conduct of such games:

(1) No person, firm, association, corporation or organization other than as authorized under the provisions of this act shall conduct such game or shall lease or otherwise make available for conducting bingo in a hall or other premises for any consideration whatsoever, direct or indirect.

(2) No bingo games shall be held, operated or conducted on or within any leased premises if rental under such lease is to be paid, wholly or partly, on the basis of a percentage of the receipts or net profits derived from the operation of such game, nor shall the rental under such lease exceed the usual rental for such premises in the same locality.

(3) The entire net proceeds of any game of bingo and of any rental shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.

(4) No person except a bona fide member of such organization shall participate in the management or operation of such game.

(5) The unauthorized conduct of a bingo game and any wilful violation of any provision of any local law or ordinance shall constitute and be punishable as a misdemeanor."

Renumber the remaining sections consecutively.

Representative Litchman spoke in favor of adoption of the amendment.

Mr. Bottiger moved adoption of the following amendment to the amendment:

Amend the amendment by Representative Litchman to Substitute House Bill No. 50 as follows: In section 11, following subsection (4) delete subsection (5).

Representatives Bottiger and Litchman spoke in favor of adoption of the amendment to the amendment.

The amendment by Mr. Bottiger to the amendment by Mr. Litchman was adopted.

Representative Murray spoke in favor of adoption of the amended amendment.

The amendment by Mr. Litchman adding a new section 11, as amended by Mr. Bottiger, was adopted.

Mr. Moon moved adoption of the following amendment:

On page 11, line 18, strike section 11, being renumbered section 12, and renumber the remaining sections.

Debate ensued, Representative Moon speaking in favor of adoption of the amendment, and Representative Murray speaking against it.

The amendment was lost.

Mr. Litchman moved adoption of the following amendment:

On page 11, insert a new section following section 11 as follows:

"NEW SECTION. Sec. 12. Any person, association or corporation who or which shall:

(1) Make any false statement in connection with any reports or information required or authorized under this act;

(2) Fail to keep such books and records as shall fully and truly record all transactions connected with the conducting of bingo or the leasing of premises to be used for the conduct of bingo;

(3) Falsify or make any false entry in any books or records insofar as they relate in any manner to the conduct of bingo, to the disposition of the proceeds thereof and to the application of the rents received by any authorized organization;

(4) Divert or pay any portion of the net proceeds of any game of bingo or raffle to any person, association or corporation, except in furtherance of one or more of the lawful purposes defined herein; shall be guilty of a crime as defined in section 3, page 7."

Renumber the remaining sections consecutively.

Debate ensued, Representative Litchman speaking in favor of adoption of the amendment, and Representative Bledsoe speaking against it.

With the consent of the House, Mr. Litchman amended his amendment as follows and moved its adoption:

After subsection (4), strike "shall be guilty of a crime as defined in section 3, page 7." and insert "shall be guilty of professional gambling, the fine not to exceed \$100,000 or imprisonment for more than five years or both."

Debate ensued, Representative Litchman speaking in favor of adoption of the amendment, and Representatives Bledsoe and Murray speaking against it.

The amendment by Mr. Litchman adding a new section 12 to Substitute House Bill No. 50 was lost.

The Clerk read the following amendment by Representative Litchman:

On page 11, insert a new section following section 12 as follows:

"NEW SECTION. Sec. 13. It shall be lawful to own, operate or conduct, or permit to be operated or conducted, or to participate in the operation of any public card room, not to

exceed eight tables, wherein persons may engage in card games of skill in which the success depends upon the knowledge, attention, experience and skill of the player whereby the elements of chance in any such card game are overcome, improved or turned to the advantage of said player, if said public card room is located in any incorporated city or town, or all that portion of any county not included within the limits of incorporated cities and towns, where the said card room may be licensed."

Renumber the remaining sections consecutively.

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

Mr. Litchman moved adoption of the following amendment:

On page 13, add a new section following section 13, now renumbered section 17, as follows:

"*NEW SECTION.* Sec. 18. The provisions of this law shall become invalid and shall have no force and effect after March 1, 1971 unless the qualified electors of the state of Washington shall approve an amendment to Article II, section 24 of the Constitution of the state of Washington which shall remove any constitutional restriction against the legislature enacting such laws."

Renumber the remaining sections consecutively.

Debate ensued, Representative Litchman speaking in favor of adoption of the amendment, and Representative Chapin speaking against it.

POINT OF INQUIRY

Mr. Chapin yielded to question by Mr. Gallagher.

Mr. Gallagher: "Mr. Chapin, I think it was about 1952 that the State Supreme Court outlawed slot machines because they were allowed in private clubs and noncharitable organizations because there was class distinction. Isn't this similar to what was handed down by the Supreme Court at that time?"

Mr. Chapin: "I don't think so, Mr. Gallagher. I don't pretend to be one of Mr. Litchman's constitutional lawyers, but I have learned from long experience in law practice not to try and second-guess the court. This bill has written into it all of the protections that are possible and all the safeguards it is possible to write under our existing Constitution. So before we go ahead and deny any relief whatsoever to the people of the State of Washington, I say let's pass this bill and give it a chance to work."

Representatives Gallagher and Murray spoke against adoption of the amendment.

Representative Litchman closed debate, speaking in favor of adoption of the amendment.

The amendment by Mr. Litchman to Substitute House Bill No. 50 was not adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker: "Due to a mixup here, Mr. Charette had an amendment on the desk that rightfully should have been considered following Mr. Murray's amendment. In deference to Mr. Charette, I'd like to place his amendment now even though we have gone beyond that point in the bill."

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

On page 2, section 2, line 19, after "67.16 RCW," insert "elections for public office,"

Debate ensued, Representative Charette speaking in favor of adoption of the amendment, and Representatives Bottiger and Murray speaking against it.

Representative Charette closed debate speaking in favor of adoption of the amendment.

The amendment by Representatives Charette and Thompson was lost on a rising vote.

Mr. Ackley moved adoption of the following amendment:

On page 11, section 12, line 29, being renumbered section 13, strike all of section 13 and renumber the remaining sections consecutively.

Debate ensued, Representatives Ackley and Moon speaking in favor of adoption of the amendment, and Representative Murray speaking against it.

The amendment by Mr. Ackley was lost.

Substitute House Bill No. 50 was ordered engrossed.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 50 be placed on final passage.

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

Debate ensued, Representative Barden speaking in favor of the motion, and Representative Bagnariol speaking against it.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute House Bill No. 50 to third reading and final passage, and the motion was lost by the following vote: Yeas, 54; nays, 39; absent or not voting, 6.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Haussler, Hawley, Hoggins, Hurley, Jueling, Julin, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—54.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Gallagher, Grant, Hatfield, Jastad, Jolly, Kalich, King, Kink, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Shinpoch, Spanton, Thompson, Williams, Wojahn—39.

Absent or not voting: Representatives Fleming, Hubbard, Kuehnle, Saling, Sawyer, Sprague—6.

Engrossed Substitute House Bill No. 50 was passed to Committee on Rules and Administration for third reading.

MOTIONS

On motion of Mr. Bledsoe, the House deferred further consideration of the second reading calendar, and the bills thereon were ordered placed on tomorrow's second reading calendar.

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

On motion of Mr. Newhouse, the House adjourned until 10:00 a.m., Friday, January 30, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

NINETEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 30, 1970.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chapin, Hubbard, Kuehnle, Saling and Wojahn who were excused.

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

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

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from West High School in Bremerton and asked them to stand and be recognized.

The Speaker observed in the south gallery a group of students from the University of British Columbia in Vancouver and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Bainbridge High School and asked them to stand and be recognized.

REPORTS OF STANDING COMMITTEES

January 19, 1970.

HOUSE BILL NO. 32, pertaining to indebtedness limitations of taxing districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Ackley, Adams, Barden, Bozarth, Brown, Fleming, Haussler, Hoggins, Leckenby, Martinis, May, Mentor, Merrill, Richardson, Rosellini, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 119, establishing salaries of county officials based on state rather than federal census, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Ackley, Adams, Bozarth, Fleming, Hoggins, Mentor, Merrill, Rosellini, Scott, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 164, authorizing first class cities to contract with U.S. under Demonstration Cities and Metropolitan Development Act of 1966, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

Section 1, line 5, after "of law," strike "first class" and insert "all"

In line 1 of the title after "authorizing" strike "first class" and insert "all"

Signed by Representatives Kopet, Chairman, Fleming, Haussler, Hoggins, McCaffree, May, Mentor, Merrill, North, Richardson, Rosellini, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 182, providing procedure for filling voids in candidacy for nonpartisan offices, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Harris, Hurley, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

January 28, 1970.

HOUSE BILL NO. 204, clarifying the position covered by the definition of faculty appointment as applies to community colleges, reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lynch, Chairman, Smythe, Vice Chairman, Amen, Anderson, Bluechel, Brouillet, Goldsworthy, King, Kirk, Kiskaddon, Marsh, Mentor, Murray, Thompson, Williams.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 239, relating to public contracts, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, lines 3 and 4 strike all of section 1 and insert:

"NEW SECTION. Section 1. As used in this 1970 act:

(1) 'Public contract' shall mean any written contract awarded by a contracting authority for the construction, alteration or repair of any public building, public highway or other public work.

(2) 'Contracting authority' shall mean the state of Washington, and all counties, cities, towns, districts, and other municipal corporations and quasi municipal corporations organized under the law of this state.

(3) 'Contractor' shall mean any person, partnership, corporation, or association that has been awarded a public contract.

(4) 'Employment' shall include, but not be limited to, hiring, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

NEW SECTION. Sec. 2. (1) Except to the extent that classes of contracts or individual contracts shall be determined to be exempt by the Washington state board against discrimination, every public contract shall contain provisions by which the contractor agrees that:

(a) Neither he nor his subcontractors, nor any person acting on their behalf, will discriminate against any person, or intimidate any person, because of race, creed, color or national origin in employment connected with performance of the contract.

(b) He and his subcontractors and all other persons acting on his behalf shall take specific affirmative action as contained in the contract to ensure that persons of every race, creed, color or national origin are in fact free to obtain and retain employment connected with performance of the contract without disadvantage because of race, creed, color or national origin, or because of present or past patterns of exclusion from jobs because of race, creed, color or national origin. The contract shall provide that participation in a multi-employer program for training and/or employing minority workers in a craft or industry approved by the Washington state board against discrimination shall stand in lieu of compliance with the specific contract requirements required by this subsection.

(2) All contracting authorities shall express as precisely as possible in bid specifications what affirmative action contractors will be obligated to take. In developing the bid specifications, contracting authorities shall be guided by general standards and model language developed by the Washington state board against discrimination.

(3) Every public contract shall provide for remedies sufficient to ensure compliance with the provisions of the contract on nondiscrimination and affirmative action.

NEW SECTION. Sec. 3. (1) It shall be the responsibility of each contracting agency to see that its contracting procedure complies with the provisions of this 1970 act and to see that those with whom it contracts comply with the provisions of each contract.

(2) It shall be the responsibility of the Washington state board against discrimination to establish recommended goals of minority employment for different types of contracts and for different trades; to publish recommended bid specifications, contract terms, and bid, contract, and compliance procedures for affirmative action programs; to determine what multi-employer programs for training or employing minority workers qualify as affirmative action which may be substituted for specific contract requirements for purposes of section 2 (1) (b), to approve qualifying programs, and to revoke approval if it finds after hearing that a program no longer qualifies; to determine, after hearing, that a contractor shall be ineligible for further public contracts upon a finding that there has not been a good faith effort to meet affirmative action requirements, and on what conditions the contractor may again become eligible; to investigate the extent of compliance with this 1970 act and the effectiveness of agency programs; and to report on these matters to the legislature and governor at such times as it considers appropriate, but not less frequently than is required by the provisions of RCW 49.60.100.

(3) A contracting agency may use the services of the Washington state board against

discrimination to carry out some or all of its duties under this 1970 act to the extent that the legislature has appropriated funds for that purpose, or to the extent that the agency reimburses the board for the cost of the work.

(4) Contracting agencies shall make such reports relating to compliance with this 1970 act as the Washington state board against discrimination shall provide by regulation, or shall request of particular agencies.

(5) The Washington state board against discrimination shall encourage and assist private persons to use affirmative action provisions comparable to those required by this 1970 act.

NEW SECTION. Sec. 4. Multi-employer programs approved by the Washington state board against discrimination shall not be subject to RCW 39.12.021: PROVIDED, That wages paid to workmen participating in a multi-employer program for work performed on construction projects shall not be less than prevailing apprenticeship wages for workmen in the applicable craft or trade.

NEW SECTION. Sec. 5. There is added to chapter 49.60 RCW a new section to read as follows:

It shall be unfair practice for purposes of this chapter for any person to interfere with compliance by a contractor, subcontractor or other person with the provisions of this 1970 act or with compliance by such persons with contract provisions designed to carry out the purposes of this 1970 act. Contractors, subcontractors, contracting agencies and all persons who may be denied work opportunity by alleged interference with compliance with this 1970 act or contract provisions designed to carry out its purposes shall be included among those who may file complaints with the Washington state board against discrimination under RCW 49.60.230 (1).

NEW SECTION. Sec. 6. Nothing in this 1970 act shall be deemed to exempt or relieve any person from any liability, duty, penalty or punishment provided by any other law of this state or any present or future ordinance of any unit of local government of this state, other than a resolution or ordinance which purports to permit or require action contrary to the provisions of this 1970 act. The mention of specific nondiscrimination and affirmative action clauses or standards in this 1970 act is not intended to preclude use of other additional clauses or standards which are not contrary to the purposes of this 1970 act.

NEW SECTION. Sec. 7. If as a result of action of this 1970 extraordinary session or thereafter the legislature vests the powers and duties of the state board against discrimination in a successor agency the code reviser shall reflect such devolution within the sections of this 1970 act as codified in the Revised Code of Washington.

NEW SECTION. Sec. 8. If any provision of this 1970 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

In line 1 of the title strike the period and insert "; adding a new section to chapter 49.60 RCW; making a direction to the code reviser; and providing penalties."

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Conway, Cunningham, DeJarnatt, Grant, Harris, Marzano, Salng, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 295, pertaining to crimes and criminal procedure, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

Strike all of section 1 and insert:

"NEW SECTION. Section 1. Notwithstanding any other provision of law to the contrary, the board of prison terms and paroles is hereby directed to review the mandatory portion of the minimum sentence of each offender presently incarcerated who was convicted of a crime relating to marijuana under charges brought pursuant to the provisions of chapter 69.33 RCW and who was sentenced under the provisions of RCW 69.33.410; and in its discretion in accordance with the hearing procedure prescribed under the provisions of RCW 9.95.007, the board may as to any such offender set aside the mandatory minimum term and make a new order fixing the minimum term of confinement which shall not be less than any minimum term of confinement applicable had the offender been sentenced under RCW 69.40.070: PROVIDED, That in the event there is not a mandatory minimum term applicable under RCW 69.40.070, then the board may set aside the mandatory portion of the minimum sentence and enter a new order fixing the minimum term of confinement: PROVIDED FURTHER, That in fixing the minimum term of confinement as provided under this section the board shall allow credit for time served by the offender pursuant to his original sentence. The board shall commence to review all such cases within sixty days after the effective date of this act and shall complete such review within one-hundred twenty days after the expiration of this sixty day period.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 1 of the title after "administration" and before the period insert "; authorizing the fixing of minimum terms for certain offenders; and declaring an emergency"

Signed by Representatives Clarke (George W.), Chairman, Chapin, Clark (Newman H.), Marsh, O'Dell, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 316, relating to elections, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendments:

Strike all of section 1 and insert:

"Section 1. Section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010 are each amended to read as follows:

At least ten days prior to any primary or election, the officer having jurisdiction of the election shall appoint one inspector and two judges of election for each precinct (or each combination of precincts temporarily consolidated as a single precinct for an election) from among the names contained on the lists therefor furnished by the chairman of the county central committee of the political parties entitled to representation thereon.

Such precinct election officers, whenever possible, should be residents of the precinct in which they serve, but if extenuating circumstances arise, they may be assigned to serve in a different precinct.

The officer having jurisdiction of the election shall designate the inspector and one judge in each precinct from that political party which polled the highest number of votes in the county for its candidate for president at the last preceding general election at which a president of the United States was voted for, and one judge from that political party polling the next highest number of votes in the county for its candidate for president at the same election.

Whenever a September primary election is being held in an odd-numbered year or a special election is being held on an isolated date and in the judgment of the election officer having jurisdiction of the election the number of votes anticipated to be cast will be so small that a complete set of precinct election officers would not be necessary, either or both of the following options may be exercised by such officer:

(1) *Instruct the judge representing the same political party as the inspector to report for duty at a time after the polls have been opened but in any event no later than 6:00 p.m. on the day of the election.*

(2) *Eliminate the appointment of a clerk to assist in the count of paper ballots as provided by RCW 29.54.043: PROVIDED, That in such event the inspector and two judges may, if only propositions are being voted upon, determine the vote cast by separating the ballots as to those marked in favor of the proposition and as to those marked against the proposition instead of reading aloud and tallying each ballot separately. If such counting procedure is used, then each stack of ballots shall be counted by two different precinct election officers to verify the accuracy of such count.*

The election officer having jurisdiction of such elections shall have a free choice as to which precincts such options shall apply and they may vary among the precincts.

This shall be the exclusive method for the appointment of inspectors and judges to serve as precinct election officers at any primary or election, *regular or special*, and shall supersede the provisions of any and all other statutes, whether general or special in nature, having different requirements.

Sec. 2. Section 12, chapter 101, Laws of 1965 ex. sess. as amended by section 2, chapter 109, Laws of 1967 ex. sess. and RCW 29.54.043 are each amended to read as follows:

The procedure for counting of paper ballots at every [September] primary or [November general] election, *regular or special*, except as provided by RCW 29.45.010, as now or hereafter amended, shall be as follows:

(1) The inspector shall carefully examine each ballot and read aloud the name of each person receiving a vote, the office for which every such person is voted for, and the vote for or against each proposition on the ballot.

(2) The judge, representing the opposite political party of the inspector, shall observe such reading.

(3) The second judge shall tally the votes as read in the tally books to be returned to the election officer having jurisdiction of the election.

(4) The clerk representing the opposite political party of the second judge shall, at the same time, tally the votes as read in the tally book to be retained by the inspector.

(5) The inspector and judge observing the reading aloud of the ballots may rotate their duties from time to time, upon agreement.

(6) The same basic rules in the counting of paper ballots at the polling places as enumerated in the above subsections (1), (2), (3), (4), and (5) of this section shall apply to the counting of paper ballots under the jurisdiction of the county auditor at the courthouse, it being the intention of this subsection that after the county canvassing board has approved as valid the absentee ballots and challenged or questioned ballots, the actual count and tallying of such ballots shall be done by persons selected by the county auditor on a bipartisan basis.

NEW SECTION. Sec. 3. If any provision of this 1970 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. This 1970 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In lines 1 and 2 of the title strike "including primaries and special elections." and

insert “; amending section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010; amending section 12, chapter 101, Laws of 1965 ex. sess. as amended by section 2, chapter 109, Laws of 1967 ex. sess. and RCW 29.54.043; and declaring an emergency.”

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Conway, Cunningham, DeJarnatt, Farr, Harris, Spanton.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 29, 1970.

Mr. Speaker: The Senate has passed:
 ENGROSSED SENATE BILL NO. 1,
 ENGROSSED SENATE BILL NO. 27,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 80,
 ENGROSSED SENATE BILL NO. 95,
 SUBSTITUTE SENATE BILL NO. 99,
 SENATE BILL NO. 101,
 SENATE BILL NO. 103,
 ENGROSSED SENATE BILL NO. 105,
 ENGROSSED SENATE BILL NO. 107,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 139,
 ENGROSSED SENATE BILL NO. 164,
 ENGROSSED SENATE BILL NO. 228,
 ENGROSSED SENATE BILL NO. 261,
 ENGROSSED SENATE BILL NO. 288,
 SENATE BILL NO. 324,
 SENATE JOINT MEMORIAL NO. 4,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 29, 1970.

Mr. Speaker: The Senate has passed SENATE BILL NO. 121, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 29, 1970.

Mr. Speaker: The Senate has passed ENGROSSED SENATE BILL NO. 132, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 1, by Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington:

An Act relating to state government; creating a department of pollution control; amending section 25, chapter 238, Laws of 1967 as amended by section 16, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.141; amending section 34, chapter 238, Laws of 1967 as amended by section 24, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.211; amending section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.221; amending section 36, chapter 238, Laws of 1967 as amended by section 26, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.222; amending section 3, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.030; and providing an effective date.

Referred to Committee on Natural Resources.

ENGROSSED SENATE BILL NO. 27, by Senators Francis, Durkan and Greive:

An Act relating to persons eighteen years of age or older; amending section 1, page 407, Laws of 1854 as last amended by section 2, chapter 72, Laws of 1923, and RCW 26.28.010; amending sections 1 and 5, page 404, Laws of 1854 as last amended by section 1, chapter 230, Laws of 1963, and RCW 26.04.010; amending section 11.12.010, chapter 145, Laws of 1965 and RCW 11.12.010; amending section 3, chapter 57, Laws of 1911 as last amended by section 1, chapter 92, Laws of 1967, and RCW 2.36.060; amending section 1, chapter 57, Laws of 1911 and RCW 2.36.070; amending section .18.02, chapter 79, Laws of 1947 and RCW 48.18.020; and adding a new section to chapter 92, Laws of 1967 and to chapter 2.36 RCW.

Referred to Committee on State Government and Legislative Procedures.

ENGROSSED SUBSTITUTE SENATE BILL NO. 80, by Committee on State Government:

An Act relating to state government; creating a new division; making an appropriation; adding new sections to chapter 18.64 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 95, by Senators Mardesich, Walgren and Andersen:

An Act relating to communications; prohibiting the interception, recording or divulging thereof; permitting certain exceptions for police and fire personnel; and adding a new section to chapter 249, Laws of 1909 and to chapter 9.73 RCW.

Referred to Committee on Judiciary.

SUBSTITUTE SENATE BILL NO. 99, by Committee on Judiciary:

An Act relating to crimes and criminal procedures; amending section 138, chapter 249, Laws of 1909 and RCW 9.48.010; amending section 16, page 78, Laws of 1854 as last amended by section 143, chapter 249, Laws of 1909 and RCW 9.48.060; amending section 74, page 114, Laws of 1854 as last amended by section 43, chapter 28, Laws of 1891 and RCW 10.31.030; amending section 2, chapter 132, Laws of 1945 and RCW 13.04.130; amending section 46.56.040, chapter 12, Laws of 1961 as amended by section 63, chapter 155, Laws of 1965 ex. sess., and RCW 46.61.520; amending section 72.50.040, chapter 28, Laws of 1959 and RCW 72.50.040; adding a new section to chapter 46.61 RCW; adding new sections; and prescribing penalties.

Referred to Committee on Judiciary.

SENATE BILL NO. 101, by Senators Walgren and Andersen:

An Act relating to poisons and dangerous drugs; and adding new sections to chapter 50, Laws of 1905, and to chapter 69.40 RCW.

Referred to Committee on Judiciary.

SENATE BILL NO. 103, by Senators Day and Woodall:

An Act relating to insurance; adding a new section to chapter 48.20 RCW; and adding a new section to chapter 48.21 RCW.

Referred to Committee on Financial Institutions and Insurance.

ENGROSSED SENATE BILL NO. 105, by Senators Odegaard, Newschwander and Foley (by Department of Institutions request):

An Act relating to the treatment and rehabilitation of persons admitted or committed to institutions under the supervision of the department of institutions; and declaring an effective date.

Referred to Committee on Public Institutions and Youth Development.

ENGROSSED SENATE BILL NO. 107, by Senators Lewis (Brian), Andersen and Ridder:

An Act relating to safe walkways; amending section 1, chapter 17, Laws of 1967 ex. sess. and RCW 28.24.150; amending section 28A.24.150, chapter 223, Laws of 1969 ex. sess. and RCW 28A.24.150; and providing an expiration date of a section.

Referred to Committee on Education and Libraries.

SENATE BILL NO. 121, by Senators Stender, Gissberg and Peterson (Ted) (by Department of Labor and Industries request):

An Act relating to boilers and pressure vessels; amending section 28, chapter 32, Laws of 1951 and RCW 70.79.290; amending section 32, chapter 32, Laws of 1951 as amended by section 1, chapter 217, Laws of 1963 and RCW 70.79.330; and repealing section 33, chapter 32, Laws of 1951 and RCW 70.79.340.

Referred to Committee on Labor and Employment Security.

ENGROSSED SENATE BILL NO. 132, by Senators Bailey, Gissberg and Peterson (Ted):

An Act relating to the Washington state teachers' retirement system; amending section 48, chapter 80, Laws of 1947 as last amended by section 14, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.480; amending section 16, chapter 14, Laws of 1963 ex. sess. as amended by section 15, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.497; amending section 55, chapter 80, Laws of 1947 as last amended by section 20, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.550; amending section 4, chapter 76, Laws of 1957 as last amended by section 22, chapter 150, Laws of 1969 ex. sess. and RCW 28.81.170; amending section 28B.10.465, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 150, Laws of 1969 ex. sess. and RCW 28B.10.465; adding a new section to chapter 41.32 RCW; providing an effective date; and providing for the expiration of a section hereof.

Referred to Committee on Labor and Employment Security.

ENGROSSED SUBSTITUTE SENATE BILL NO. 139, by Committee on Natural Resources, Fisheries and Game:

An Act relating to mining; requiring reclamation of surface mining sites; requiring a permit; requiring site inspection; prescribing powers, duties and functions of the department of natural resources in relation thereto; adding a new chapter to Title 76 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Natural Resources.

ENGROSSED SENATE BILL NO. 164, by Senators Day, Lewis (Harry) and Henry:

An Act relating to contracts on public works; providing for investment of the retained percentage; amending section 1, chapter 166, Laws of 1921 as last amended by section 1, chapter 151, Laws of 1969 ex. sess. and RCW 60.28.010; amending section 2, chapter 166, Laws of 1921 as last amended by section 23, chapter 26, Laws of 1967 ex. sess. and RCW 60.28.020; and amending section 5, chapter 236, Laws of 1955 as amended by section 24, chapter 26, Laws of 1967 ex. sess. and RCW 60.28.050.

Referred to Committee on Transportation.

ENGROSSED SENATE BILL NO. 228, by Senator Henry:

An Act relating to the state toxicological laboratory; amending section 13, chapter 188, Laws of 1953 and RCW 68.08.107.

Referred to Committee on Public Health and Welfare.

ENGROSSED SENATE BILL NO. 261, by Senators Woodall, Matson and Canfield:

An Act relating to public assistance; amending section 4, chapter 30, Laws of 1967 1st ex. sess. and RCW 74.09.510; and declaring an emergency.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 288, by Senators Sandison and McCormack:

An Act relating to community colleges; amending section 33, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.851; amending section 33, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.851; amending section 44, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.868; amending section 44, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.868; declaring an emergency; providing an effective date; and providing for the expiration of sections thereof.

Referred to Committee on Higher Education.

SENATE BILL NO. 324, by Senators Sandison, Lewis (Harry), Atwood, Guess and Washington:

An Act relating to retirement plans for state college employees; amending section 28B.10.450, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.450; amending section 28B.10.455, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.455; amending section 28B.10.460, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.460; amending section 28B.10.465, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 150, Laws of 1969 ex. sess. and RCW 28B.10.465; and prescribing an effective date.

Referred to Committee on Higher Education.

SENATE JOINT MEMORIAL NO. 4, by Senators Peterson (Lowell), Talley, Metcalf, Peterson (Ted) and Stortini:

Requesting Congress to oppose changes in fishing practices in water offshore from the United States and Canada.

Referred to Committee on Natural Resources.

SECOND READING

HOUSE BILL NO. 52, by Representatives Julin, King, Kiskaddon, Bluechel, Chapin, Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray, North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request):

Supplementing water pollution control law.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 16, after "therein" insert "*in order to maintain the highest possible standards of all waters of the state in accordance with the public policy as declared in RCW 90.48.010*"

The bill was read the second time.

On motion of Mr. Flanagan, the committee amendment was adopted.

Mr. Julin moved adoption of the following amendment by Representatives Julin and Thompson:

On page 1, section 2, line 19, strike all of section 2 and renumber the remaining sections.

Representative Julin spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Copeland.

Mr. Copeland: "Mr. Julin, by virtue of your amendment you are striking all of section two. If this is to become part of the bill — in other words, section two is eliminated completely — would this then place the pollution control commission back under the provisions of the administrative procedure act?"

Mr. Julin: "It is not my intention so to do. The intention, or the thrust, of the amendment is to strike the language on page two of the bill that deals with the administrative procedure act, and that is the purpose of the amendment."

At the request of Representative Copeland, the Speaker instructed the Clerk to reread the amendment.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Copeland.

Mr. Copeland: "Now, did I misunderstand you, Mr. Julin? Your amendment strikes all of section two, is this correct?"

Mr. Julin: "It strikes all of section two from the bill, but section two would still remain as part of the general water pollution control law. It just simply would not be amended by virtue of this bill."

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Thompson.

Mr. Thompson: "Is it your understanding, Representative Julin, as it is mine in joining with you on this amendment, that this act in no way diminishes or affects by legislative intent the authority the water pollution control commission now has in the issuance or stay of a discharge permit or in the stay of any order or directive?"

Mr. Julin: "That is my understanding very clearly, Representative Thompson. The only purpose of this amendment is to strike the language that appears on lines 2 through 4 on page 2 of the bill and leave the original statute as it now is in full force and effect unamended."

Mr. Thompson: "On that basis I support the amendment."

PARLIAMENTARY INQUIRY

Mr. Leckenby: "Mr. Speaker, in reading the amendment, I thought it said that other sections would be renumbered. Is that not right?"

The Speaker: "That is correct."

Mr. Leckenby: "Well, that would indicate that the intention of the motion was to strike the present language that is shown here in section two if they were going to have to renumber the other sections. I think it is a little confusing."

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Berentson.

Mr. Berentson: "Why wouldn't you accomplish the same thing by just striking the new language, '*Notwithstanding any provision . . .*'? Why strike the whole section? Wouldn't that accomplish what you intended?"

Mr. Julin: "That is the purpose of the amendment and that is what I thought I was doing by this amendment, simply striking the language you just quoted, Representative Berentson. If the language of my proposed amendment requires clarification to do that, that is exactly what it was intended to do, and I would like to amend the language of the amendment so it would accomplish exactly that purpose."

POINT OF INFORMATION

Mr. Clarke (George W.): "I hesitate to rise because I have not analyzed this as to substance. But as to technicalities, I would point out that the only purpose presently of section two, as it appears in the bill, is to accomplish the amendment which is the underlined wording. Now, if you decide you do not so want to amend, then there is utterly no reason for leaving any part of section two in there. By striking section two and renumbering the rest of the sections, you leave the law exactly as it now is in section two. I submit that what Representative Julin has suggested — and his explanation is completely correct — is that the effect is simply to leave the law identically as it is, which is what the intent is here."

The Speaker: "That is correct. It is just a matter of clarification to the members that the intent was just to strike the underlined material. How we get there, we will leave up to the technicians."

The amendment by Mr. Julin was adopted.

On motion of Mr. Julin, the following amendment by Representatives Julin and Thompson to the title was adopted:

In line 3 of the title, after "RCW 90.48.035;" strike everything down through "RCW 90.48.135;" on line 4.

House Bill No. 52 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 87, by Representatives Kopet, DeJarnatt and Goldsworthy:

Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.

The bill was read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Bill No. 87 was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 87, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent or not voting, 11.

Voting yea: Representatives Ackley, Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling,

Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representative Grant—1.

Absent or not voting: Representatives Anderson, Bottiger, Chapin, Hubbard, Kuehnle, Marzano, O'Brien, Perry, Saling, Sawyer, Wojahn—11.

House Bill No. 87, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery the Spokane Indian Tribal Council and asked them to stand and be recognized.

HOUSE BILL NO. 180, by Representatives Kiskaddon, Haussler, McCaffree, Brown, O'Dell, Bozarth, Hurley, Jolly and Curtis:

Reducing property tax millage limitations by one-half.

MOTION

On motion of Mrs. McCaffree, Substitute House Bill No. 180 was substituted for House Bill No. 180, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 180 was read the second time.

MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of Substitute House Bill No. 180 on second reading and the bill was made a special order of business for 1:00 this afternoon.

HOUSE JOINT MEMORIAL NO. 3, by Representatives Charette, Chatalas, Goldsworthy, Anderson, Gallagher, Swayze, King, Conner, Merrill, Kink, Kalich, Hurley, O'Brien, Bozarth, Cunningham, Haussler, Moon, Backstrom, Wojahn, Copeland, Fleming, Newhouse, Martinis, Jastad, Adams, Rosellini, Bottiger, Bagnariol, Marzano, May, Wolf, Brouillet, Richardson, Farr, Ceccarelli, Sawyer, Ackley, McCormick and Randall:

Petitioning the President, Congress, and the Department of State to undertake more determined efforts in support of captured American men and those missing in action.

The memorial was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 3 was placed on final passage.

Representatives Charette and Goldsworthy spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 3, and the memorial passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze,

Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Bottiger, Chapin, Haussler, Hubbard, Kuehnle, Marzano, Perry, Saling, Wojahn—9.

House Joint Memorial No. 3, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2, by Representatives Evans, Cunningham, DeJarnatt and Mentor: Requiring unloaded school buses to stop before crossing railroad tracks.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 2 was placed on final passage.

Representative Evans spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2, and the bill passed the House by the following vote: Yeas, 89; nays, 1; absent or not voting, 9.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representative King—1.

Absent or not voting: Representatives Bottiger, Chapin, Hubbard, Kuehnle, Marzano, Newhouse, Perry, Saling, Wojahn—9.

House Bill No. 2, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 3, by Representatives Copeland and Shera:

Specifying number of directors and officers of professional corporations.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 3 was placed on final passage.

PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, point of parliamentary inquiry. In the past when we have run a consent calendar, we have had a two-minute rule on talks on each side. Is that being applied at this time?"

The Speaker: "We haven't had any problem yet. If we do run into lengthy discussion, I think I would mention it. Thank you for bringing it to the body's attention."

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 3, and the bill passed the House by the following vote: Yeas, 87; nays, 0; absent or not voting, 12.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King,

Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—87.

Absent or not voting: Representatives Berentson, Bledsoe, Bottiger, Chapin, Hubbard, Kuehnle, Marzano, Newhouse, Pardini, Perry, Saling, Wojahn—12.

House Bill No. 3, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 6, by Representative Conner:

Permitting handcrafted articles made in any state institution to be displayed and sold at public gatherings.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, beginning on line 20, after "to be" strike all the matter down to and including "thereto" on line 21, and insert "deposited in a revolving fund to be expended for the purchase of supplies, materials and equipment for the production of handcrafted articles, provided, that any resident of a state correctional institution who produces a handcrafted article with supplies or materials purchased or procured by him, not at state expense, may be permitted by the director, or his designee, to sell such article under the authority of this act, the proceeds to be deposited in his personal account"

The bill was read the second time.

On motion of Mr. Leckenby, the committee amendment was adopted.

House Bill No. 6 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 6 was placed on final passage.

Representative Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 6, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Benitz, Chapin, Hubbard, Kuehnle, Perry, Saling, Wojahn—7.

Engrossed House Bill No. 6, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 17, by Representatives Wolf, Jastad, Curtis and Ceccarelli:

Making the limitation of quantity in retail sales an unfair business practice.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 17 was placed on final passage.

Representative Curtis spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Curtis, in terms of the consumer who wants to save money on his food purchases, do you feel this bill will allow the grocer to advertise and list in his ad, 'limit one to a customer' or 'two to a customer'? Will that be allowed under this particular bill?"

Mr. Curtis: "Yes. In answer to your question, typically now we find a line somewhere in the ad, 'we reserve the right to limit.' This would be struck from the ad under this act; however, there is a similar statute on the books in Oregon. There is a so-called loophole that has been left in our bill, also, that simply says this: If I want to say, or a dealer wants to say, 'First item, sugar, 89 cents; second item, \$1.00; thereafter, regular price' this will still be lawful. But you see what we are doing? We are being honest with the customer. We are telling her in the advertising before she ever gets into the store that this item will be limited in quantity. We are not bringing her in on the assumption that she is going to be able to buy an unlimited quantity when, in effect, she is not going to be able to buy this much when she gets into the store. So this so-called loophole is left in, but it is all right in that we are still being honest with the customer as to that specific individual item."

Representative Zimmerman: "Thank you, we are, of course, in favor of being honest with the customer and, of course, we also want to see that the consumer gets the best advantage in terms of the competitive prices in grocery ads."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 17, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent or not voting, 7.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representative Clark (Newman H.)—1.

Absent or not voting: Representatives Benitz, Chapin, Hubbard, Kuehnle, Perry, Saling, Wojahn—7.

House Bill No. 17, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 19, by Representatives Wolf, Curtis and Ceccarelli:

Permitting licensing of out-of-state beer and wine salesmen and increasing agent's license fee.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 19 was placed on final passage.

Representative Wolf spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 19, and the bill passed the House by the following vote: Yeas, 84; nays, 5; absent or not voting, 10.

Voting yea: Representatives Ackley, Amen, Anderson, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Rosellini, Savage, Sawyer, Schumaker, Scott,

Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—84.

Voting nay: Representatives Backstrom, Farr, Grant, Mentor, Moon—5.

Absent or not voting: Representatives Adams, Benitz, Chapin, Flanagan, Hubbard, Kuehne, Perry, Richardson, Saling, Wojahn—10.

House Bill No. 19, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 23, by Representatives Marsh, Kirk, Leckenby, Bagnariol, Ceccarelli and Merrill:

Requiring the disclosure of birth defects by adoption agencies.

Committee recommendation: Majority, do pass with the following amendments:

In section 1, line 8, after "adopting parent" strike "upon application to adopt" and insert "prior to placement"

In section 1, line 11, before "available information" strike "reasonable" and insert "reasonably"

The bill was read the second time.

On motion of Mr. Farr, the committee amendments were adopted.

House Bill No. 23 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 23 was placed on final passage.

Representative Marsh spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 23, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Chapin, DeJarnatt, Hubbard, Kuehne, McCaffree, North, Perry, Saling, Wojahn—9.

Engrossed House Bill No. 23, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 59, by Representatives Clarke (George W.), Charette and Clark (Newman H.):

Relating to judicial conferences.

The bill was read the second time.

The Clerk read the following amendment by Representative Amen:

On page 1, section 1, line 14, before the period insert " PROVIDED, HOWEVER, That if such annual conference is held outside of this state, no judge shall be reimbursed for travel expenses"

RULING BY THE SPEAKER

The Speaker: "It has been our policy on consent calendars that if there are floor amendments, the bill automatically goes back to Rules."

House Bill No. 59 was passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 63, by Representatives Richardson, Charette and Clarke (George W.):

Requiring associations of municipal corporations to submit recommendations for improvements.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 63 was placed on final passage.

Representative Richardson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 63, and the bill passed the House by the following vote: Yeas, 87; nays, 0; absent or not voting, 12.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—87.

Absent or not voting: Representatives Ackley, Adams, Chapin, DeJarnatt, Hubbard, Kalich, Kuehnle, McCaffree, Perry, Saling, Whetzel, Wojahn—12.

House Bill No. 63, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 66, by Representatives Flanagan, Jolly, Benitz, Haussler and Evans: Implementing law relating to irrigation district local improvement districts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 66 was placed on final passage.

Representatives Flanagan and Jolly spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 66, and the bill passed the House by the following vote: Yeas, 84; nays, 1; absent or not voting, 14.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Thompson, Veroske, Williams, Wolf, Zimmerman, Mr. Speaker—84.

Voting nay: Representative Conner—1.

Absent or not voting: Representatives Adams, Bledsoe, Chapin, DeJarnatt, Hubbard, Kuehnle, McCormick, Perry, Rosellini, Saling, Sprague, Wanamaker, Whetzel, Wojahn—14.

House Bill No. 66, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 69, by Representatives Leckenby, DeJarnatt and Mentor: Prohibiting the use of prisoner's earnings to defray expenses.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 69 was placed on final passage.

Representative Leckenby spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 69, and the bill passed the House by the following vote: Yeas, 83; nays, 5; absent or not voting, 11.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Zimmerman, Mr. Speaker—83.

Voting nay: Representatives Bledsoe, Clark (Newman H.), Goldsworthy, Mahaffey, Wolf—5.

Absent or not voting: Representatives Adams, Chapin, DeJarnatt, Hubbard, Hurley, Kuehnle, Leland, Newhouse, Perry, Saling, Wojahn—11.

House Bill No. 69, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 72, by Representatives Schumaker, Beck and Clarke (George W.): Authorizing interstate purchase of shotguns and rifles.

The bill was read the second time.

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

Representative Schumaker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 72, and the bill passed the House by the following vote: Yeas, 80; nays, 9; absent or not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Mahaffey, Marsh, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, Pardini, Richardson, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—80.

Voting nay: Representatives Ackley, Bluechel, Brown, Fleming, Grant, Martinis, Randall, Sprague, Williams—9.

Absent or not voting: Representatives Chapin, DeJarnatt, Hubbard, Kuehnle, Lynch, O'Dell, Perry, Rosellini, Saling, Wojahn—10.

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

HOUSE BILL NO. 103, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

Increasing jurisdiction of small claims department of justice courts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 103 was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 103, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, O'Brien, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Chapin, Hubbard, Hurley, Kuehnle, North, O'Dell, Perry, Saling, Wojahn—9.

House Bill No. 103, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 118, by Representatives Bottiger, Whetzel and Harris (by Legislative Council request):

Granting superintendents authority to make payment from patients' accounts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 118 was placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 118, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Bledsoe, Chapin, Hubbard, Hurley, Kuehnle, Perry, Saling, Wojahn—9.

House Bill No. 118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 126, by Representatives Amen, Jolly and Flanagan:

Relating to irrigation and reclamation districts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 126 was placed on final passage.

Representative Amen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 126, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Mr. Speaker—90.

Absent or not voting: Representatives Bledsoe, Chapin, Hubbard, Hurley, Kuehnle, Perry, Saling, Wojahn, Zimmerman—9.

House Bill No. 126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 129, by Representatives Brown, Haussler and Copeland:

Reimbursing counties for salaries paid county intermediate district and intermediate school district superintendents.

MOTION

On motion of Mr. Hoggins, Substitute House Bill No. 129 was substituted for House Bill No. 129, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 129 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 129 was placed on final passage.

Representative Brown spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Do you feel that passage of this bill will provide some means of preventing a county superintendent who is absent from the county and absent from the country from being able to draw his salary and that the commissioners will be able not to pay that person?"

Mr. Brown: "Yes, Mr. Zimmerman. This bill would require that the intermediate district pay that holdover county superintendent's salary and that the board could hold up her check and force the issue in the case to which you are referring."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 129, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent or not voting, 11.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representative Hatfield—1.

Absent or not voting: Representatives Bagnariol, Bledsoe, Chapin, Farr, Hubbard, Kalich, Kuehnle, Perry, Rosellini, Saling, Wojahn—11.

Substitute House Bill No. 129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Bledsoe, the special order of business for 1:00 this afternoon, SUBSTITUTE HOUSE BILL NO. 180 on second reading, was made a special order of business for 1:30 this afternoon.

On motion of Mr. Newhouse, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Ackley, Hubbard, Kuehnle, Perry, Saling and Sawyer. Representatives Ackley, Hubbard, Kuehnle, Perry and Saling were excused.

SECOND READING

SPECIAL ORDER OF BUSINESS

The hour of 1:30 having arrived, the Speaker declared the question before the House to be the special order of business, Substitute House Bill No. 180 on second reading.

SUBSTITUTE HOUSE BILL NO. 180, by Representatives Kiskaddon, Hausler, McCaffree, Brown, O'Dell, Bozarth, Hurley, Jolly and Curtis:

Reducing property tax millage limitations by one-half.

Mr. Pardini moved adoption of the following amendment by Representatives Pardini, Kopet, Kuehnle and Richardson:

On page 4, strike all of section 4 and insert the following sections:

"Sec. 4. Section 1, chapter 165, Laws of 1953 as last amended by section 4, chapter 243, Laws of 1969 ex. sess. and RCW 45.12.100 are each amended to read as follows:

The electors of each town shall have power, at their annual town meeting:

- (1) To determine the number of poundmasters, and location of pounds.
- (2) To select such town officers as are required to be chosen.
- (3) To direct the institution or defense of actions in all controversies where the town is interested.
- (4) To direct such sums to be raised in the town for prosecuting or defending such actions as they may deem necessary.
- (5) To make all rules and regulations for ascertaining the sufficiency of fences in the town and for impounding animals.
- (6) To determine the time and manner in which certain domestic animals, including dogs, may be permitted to go at large.
- (7) To impose such penalties on persons offending against any rules and regulations established by the town, except such as relate to the keeping and maintaining of fences, as they think proper not exceeding ten dollars for each offense, unless herein otherwise provided.
- (8) To apply such penalties, when collected, in such manner as they may deem conducive to the interests of the town.
- (9) To vote to raise such sums of money as they deem necessary for the purchase, repair, maintenance, and operation of snow plows or snow removing equipment, appliances for the prevention of highway dust or debris, and highway lighting, all in cooperation with the state and county authorities [: PROVIDED, The board of county commissioners of any county wherein township taxing power is abolished under the provisions of this chapter shall annually budget and levy under chapter 36.82 RCW such additional amounts as necessary to maintain street lighting facilities now provided by townships if no other sufficient financial provision has been made for that purpose at the conclusion of the final hearing on the county's annual road fund budget. Such amount shall be limited to the dollar amount budgeted by the townships in the year 1967 for such street lighting and shall be subject to the same limitations applicable to township levies prior to August 11, 1969. The county shall thereafter maintain such street lighting facilities either as a part of its road fund program or by contract, during the next ensuing year].

(10) To instruct by vote the board to purchase grounds for a town cemetery; to limit the price to be paid therefor, to raise a [special assessment] tax for payment thereon and to establish rules for the care and management thereof.

(11) To make such bylaws and regulations as may be deemed conducive to the peace, good order and welfare of the town; to license, tax, regulate and control dogs, hawkers, peddlers, auctioneers, shows, theatricals, circuses, lawful games, merry-go-rounds, ferris wheels, or other amusement devices or places of amusement.

(12) To create a river improvement fund from revenues available for that purpose other than ad valorem taxes."

Debate ensued, Representative Pardini speaking in favor of adoption of the amendment, and Representative McCaffree speaking against it.

The amendment by Representatives Pardini, Kopet, Kuehnle and Richardson to Substitute House Bill No. 180 was lost.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 180 was placed on final passage.

Representatives Haussler and Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 180, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Bagnariol, Bledsoe, Hubbard, Kuehnle, Perry, Saling, Sawyer, Sprague—9.

Substitute House Bill No. 180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 135, by Representatives Richardson, Kuehnle, Kopet and Pardini: Authorizing excess levies by townships.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 135 was placed on final passage.

Representative Richardson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 135, and the bill passed the House by the following vote: Yeas, 86; nays, 2; absent or not voting, 11.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, Pardini, Randall, Richardson, Rosellini, Savage, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Newhouse, Whetzel—2.

Absent or not voting: Representatives Ackley, Bagnariol, Hubbard, Kiskaddon, Kuehnle, Martinis, O'Dell, Perry, Saling, Sawyer, Sprague—11.

House Bill No. 135, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 145, by Representatives Clarke (George W.), Swayze and Clark (Newman H.):

Relating to lawyers' code of ethics.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 145 was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 145, and the bill passed the House by the following vote: Yeas, 89; nays, 0; absent or not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, Pardini, Randall, Richardson, Rosellini, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—89.

Absent or not voting: Representatives Ackley, Hatfield, Hubbard, Kiskaddon, Kuehnle, O'Dell, Perry, Saling, Sawyer, Sprague—10.

House Bill No. 145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 158, by Representatives Wojahn, Shera and Bottiger:

Including certain nonprofit organizations in definition of "debt adjuster."

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 158 was placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 158, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Absent or not voting: Representatives Ackley, Hubbard, Kuehnle, Lynch, Perry, Saling, Sawyer, Sprague—8.

House Bill No. 158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 176, by Representatives Harris, May, O'Dell and Pardini:
Providing Spokane county with an eighth justice of the peace.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 176 was placed on final passage.

Representatives Harris and May spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 176, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent or not voting, 11.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representative Conner—1.

Absent or not voting: Representatives Ackley, Anderson, Curtis, Flanagan, Hubbard, Kuehnle, Lynch, Perry, Rosellini, Saling, Sawyer—11.

House Bill No. 176, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I voted "yes" on House Bill No. 176 and then left the floor temporarily. When the Speaker called for a second vote because of a malfunction of the electric roll call, I was unable to return in time to cast my vote the second time. ROBERT "BOB" CURTIS, 12th District.

The Speaker called on Mr. Newhouse to preside.

HOUSE BILL NO. 201, by Representatives Leland, Veroske and Gallagher:

Authorizing establishment of speed limits for auto stages.

Committee recommendation: Majority, do pass with the following amendments:

(For Committee Amendments see Journal of January 22, 1970, Eleventh Day.)

The bill was read the second time.

Mr. Berentson moved the adoption of the committee amendment with the exception of the following proviso:

"PROVIDED, FURTHER, That this requirement shall not apply to any person transporting agricultural workers from one farm to another during the course and within the scope of the workers employment"

Representative Berentson spoke in favor of adoption of the amendment.

The committee amendment, without the proviso, was adopted.

On motion of Mr. Leland, the committee amendment to the title was adopted.

House Bill No. 201 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 201 was placed on final passage.

Representative Leland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 201, and the bill passed the House by the following vote: Yeas, 90; nays, 2; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, Pardini, Randall, Richardson, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Berentson, O'Dell—2.

Absent or not voting: Representatives Ackley, Hubbard, Kuehnle, Perry, Rosellini, Saling, Sawyer—7.

Engrossed House Bill No. 201, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 202, by Representatives Kuehnle, Hatfield, Richardson and Pardini: Increasing interest rate on assessments of county road improvement districts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 202 was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 202, and the bill passed the House by the following vote: Yeas, 89; nays, 1; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representative Gallagher—1.

Absent or not voting: Representatives Ackley, DeJarnatt, Hubbard, Kuehnle, Perry, Rosellini, Saling, Sawyer, Veroske—9.

House Bill No. 202, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 203, by Representatives Wolf, Bottiger, McCaffree, Kirk, Cunningham, Williams, Smythe and Mahaffey:

Establishing health care programs for state employees.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 2, line 13, after "house," insert "The senate and house members of the board shall serve in an ex officio capacity only."

On page 4, section 5, line 18, after "limited to" strike "fifteen" and insert "ten"

The bill was read the second time.

Mr. Swayze moved adoption of the committee amendment to page 2, line 13.

Representative Swayze spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Copeland.

Mr. Copeland: "How does this constitutionally allow members to serve when you say they are going to serve ex officio only? Ex officio, I understand, is by virtue of their office and yet they now, by virtue of their office, are going to be able to serve by virtue of their office only."

Mr. Swayze: "Ex officio is generally regarded as serving without a vote and not having any administrative duties with regard to the function of the board. This board has a number of administrative duties: (1) to formulate insurance plans; (2) to put them out to bids; (3) to take bids and accept those bids as well as formulating the amount of state participation as far as the state's contribution in the plan. Therefore, legislators cannot serve and participate in these particular administrative functions during their term of office if such a board is created during their term of office. This is meant to imply that they shall serve in an advisory capacity only on that board as members of the legislature and not in the administrative functions. This language was taken from the bill which created the World's Fair Commission a number of years ago to correct the same problem."

Mr. Copeland: "Mr. Swayze, are you implying that in all the statutes we have where people serve ex officio that they are serving in an advisory capacity only and not voting?"

Mr. Swayze: "Mr. Copeland, most of those boards deal with study functions or legislative functions and that sort of thing. They don't deal with administrative functions and executive functions of state government. Legislators can serve on those administrative boards as long as they don't serve during their term of office if the board was created during that term. That is all this is meant to imply."

Mr. Copeland: "I recognize that but this does not say that they shall not have voting authority, and I think this is what you are trying to get at. Ex officio is only interpreted on the basis of meaning because of the position they hold. If you want to have it on the basis of nonvoting, I would suggest you do it nonvoting, but I really and truly don't see where this has any validity in establishing any type of constitutional clearance."

The committee amendment was adopted.

On motion of Mr. Swayze, the committee amendment to page 4, line 18, was adopted. House Bill No. 203 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 203 was placed on final passage.

Representative Swayze spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "What effect will this have, Representative Swayze, in terms of the Blue Cross or the Washington State Medical, as far as their future opportunities in bringing in what you would call group health or the Kaiser program? Is this what it makes open—the possibility of these other two?"

Mr. Swayze: "Yes, Representative Zimmerman. The bill provides that three basic types of plans must remain available to state employees. One must have as its main purpose major medical coverage. The other must have as its main coverage first-dollar coverage. The third type of plan that must remain available to state employees within their service area is a panel medicine plan. This is specifically in there to include plans like Group Health, Co-op, Kaiser, etc. Those plans must remain available for state employees."

Mr. Zimmerman: "What does this part mean on page 3, line 8, where it says, 'Except for panel medicine plans, no more than one insurance carrier or health care service contractor shall be contracted with to provide the same plan of benefits. . . .' What is the exception in there for? Does that have any bearing on the competitive situation that would arise?"

Mr. Swayze: "That means that more than one company shall not be contracted and approved to provide the same type of coverage or identical type of plan. In other words, two private carriers would not be authorized to provide the same type of plan. Now, obviously, the panel type of program provides a full range of services. For instance, if a Blue Cross coverage is approved in one area, this is to make it specific that the panel type of coverage shall also be available even though its coverage might be the same as that provided by Blue Cross."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 203, and the bill passed the House by the following vote: Yeas, 90; nays, 1; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden,

Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Richardson, Rosellini, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman-90.

Voting nay: Representative Randall-1.

Absent or not voting: Representatives Ackley, Hubbard, Julin, Kuehnle, Perry, Saling, Sawyer, Mr. Speaker-8.

Engrossed House Bill No. 203, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

When House Bill No. 203 was on second reading I inquired of the Chairman of the Committee, Mr. Swayze, the legislative intent of the words "ex officio" when it appeared in an amendment to this measure. It is clear that the intention was that this should be nonvoting and advisory only. The reason for my questioning of Mr. Swayze was to have it clearly stated what the intention of this amendment was, THOMAS L. COPELAND, District 11-B.

HOUSE BILL NO. 210, by Representatives Harris, Chatalas and Julin:
Creating a state board of examiners for licensing of nursing home administrators.

MOTION

On motion of Mr. Murray, Substitute House Bill No. 210 was substituted for House Bill No. 210 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 210 was read the second time and passed to Committee on Rules and Administration for third reading.

POINT OF ORDER

Mr. May: "Mr. Speaker, I have an amendment on the desk."

MOTION

Mr. Bledsoe moved that the House defer further consideration of Substitute House Bill No. 210 and the bill be placed at the bottom of the consent calendar immediately following House Concurrent Resolution No. 6.

POINT OF ORDER

Mr. May: "The ruling of the previous Speaker was that they would go back to Rules Committee. I believe we have already done that on one bill today."

POINT OF ORDER

Mr. Bledsoe: "Mr. Speaker, in the interest of fairness, this plan, if pursued this late in this day of this session, would give one member a one-man veto over any bill by merely introducing a floor amendment. If you will note, the Speaker's ruling previous to this was before a Rules Committee meeting at which time there was an opportunity to replace the bill on the calendar. It is my hope that by concurring with my motion that House Bill No. 210 would be available to us in the amendatory position that you can accept or dispose of it as you choose then. But it certainly does not give one member a one-man veto."

RULING BY THE SPEAKER (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "The Speaker is going to recognize Mr. Bledsoe's motion as in order because this is the next to last day on which House bills may be considered."

The motion by Mr. Bledsoe to defer consideration of Substitute House Bill No. 210 and place it at the bottom of the consent calendar immediately following House Concurrent Resolution No. 6 was carried.

HOUSE BILL NO. 215, by Representatives Kopet and Haussler (by State Auditor request):

Establishing salary funds and claims funds for counties.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 215 was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 215, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman—90.

Absent or not voting: Representatives Ackley, Berentson, Flanagan, Harris, Hubbard, Kuehne, Perry, Saling, Mr. Speaker—9.

House Bill No. 215, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 220, by Representative Grant:
Pertaining to public hospital districts.

MOTION

On motion of Mr. Farr, Substitute House Bill No. 220 was substituted for House Bill No. 220 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 220 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 220 was placed on final passage.

Representatives Grant and Farr spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 220, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly,

Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Ackley, Berentson, Hubbard, Kuehnle, Perry, Saling, Sprague—7.

Substitute House Bill No. 220, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 237, by Representatives Adams and Swayze:

Pertaining to the organization and operation of miscellaneous and mutual corporations.

Committee recommendation: Majority, do pass with the following amendments:

(For Committee Amendments see Journal of January 28, 1970, Seventeenth Day.)

The bill was read the second time.

On motion of Mr. Murray, the committee amendments were adopted.

House Bill No. 237 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 237 was placed on final passage.

Representative Adams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 237, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Berentson, Farr, Hubbard, Kuehnle, McCaffree, Perry, Saling, Sprague—9.

Engrossed House Bill No. 237, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 251, by Representatives King, Smythe and Kiskaddon:

Providing for deferred retirement allowances.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 19, after "education" and before "(b) at" insert "or"

On page 3, section 2, line 5, after "education or" and before "at such" insert "(b)"

The bill was read the second time.

On motion of Mr. King, the committee amendments were adopted.

House Bill No. 251 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 251 was placed on final passage.

Representative King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 251, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Ackley, Berentson, Farr, Hubbard, Kuehnle, Perry, Saling—7.

Engrossed House Bill No. 251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 258, by Representatives Smythe, Fleming and Sprague:
Relating to discrimination.

MOTION

On motion of Mr. Clarke (George W.), Substitute House Bill No. 258 was substituted for House Bill No. 258 and the substitute bill was placed on the calendar for second reading. Substitute House Bill No. 258 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 258 was placed on final passage.

Representative Fleming spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 258, and the bill passed the House by the following vote: Yeas, 88; nays, 0; absent or not voting, 11.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Barden, Beck, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—88.

Absent or not voting: Representatives Ackley, Bagnariol, Benitz, Bledsoe, Farr, Hubbard, Kuehnle, Murray, Newhouse, Perry, Saling—11.

Substitute House Bill No. 258, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, all bills passed today were ordered transmitted immediately to the Senate.

HOUSE BILL NO. 278, by Representatives Thompson, Flanagan and Zimmerman:
Defining "water" to include salt and saline waters.

The bill was read the second time and referred to Committee on Rules and Administration for third reading.

POINT OF ORDER

Mr. Thompson: "Mr. Speaker, I am going to appeal your last action on the basis of your ruling on Substitute House Bill No. 210 in which you upheld the request of Representative Bledsoe that no single member of the House has the authority, at this stage of the game, to send a bill back to Rules Committee from today's calendar."

The Speaker (Mr. Newhouse presiding): "Mr. Thompson, the ruling is somewhat different in this case. The effect of Mr. May's amendment would have been to kill the bill for this session. The effect of this is that the bill now goes back to Rules Committee for third reading. There will be a Rules Committee meeting, and it will have an opportunity to come out again for final passage in this case."

POINT OF INQUIRY

Mr. Thompson: "May I be recognized for the purpose of a motion?"

The Speaker (Mr. Newhouse presiding): "You may, Mr. Thompson."

MOTION

Mr. Thompson moved that the House defer further consideration of House Bill No. 278 and the bill take its place at the bottom of today's second reading calendar.

Representative Thompson spoke in favor of the motion.

POINT OF ORDER

Mr. Bledsoe: "Point of order, Mr. Speaker. Your ruling that the bill was sent to Rules Committee no longer makes the bill before us. For that reason I am afraid that Representative Thompson's motion would indeed be out of order."

POINT OF ORDER

Mr. Bottiger: "Mr. Speaker, paying very close attention to the Chair and noticing the past custom of the House, you had not rapped your gavel at the time you recognized Mr. Thompson."

The Speaker (Mr. Newhouse presiding): "Your point of order is well taken, Mr. Bottiger. I shall rap it more consistently."

RULING BY THE SPEAKER (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "Mr. Thompson, I believe the bill is now in Rules Committee on third reading, and I will so rule."

HOUSE BILL NO. 292, by Representative Williams:
Pertaining to communications.

Committee recommendation: Majority, do pass with the following amendments:
(For Committee Amendments see Journal of January 28, 1970, Seventeenth Day.)

The bill was read the second time.

On motion of Mr. Kopet, the committee amendments were adopted.

House Bill No. 292 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 292 was placed on final passage.

Representative Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 292, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Ackley, Hubbard, Kuehnl, Perry, Saling, Sprague, Swayze—7.

Engrossed House Bill No. 292, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 326, by Representatives Bledsoe, Chatalas, Shera, Leckenby, Charette and Pardini:

Permitting state agencies, municipalities and fiduciaries to invest in "A" rated bonds of specified institutions.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 326 was placed on final passage.

Representative Pardini spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 326, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Haussler, Hubbard, Julin, Kuehnl, McCaffree, Perry, Saling, Sprague—9.

House Bill No. 326, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 2, by Representatives Kink, Veroske and Farr:

Requesting Blaine Peach Arch commemorative stamp and inviting President Richard M. Nixon to attend 50th anniversary celebration.

The memorial was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 2 was placed on final passage.

Representative Kink spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 2, and the memorial passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Ackley, Haussler, Hubbard, Julin, Kuehnle, Perry, Saling—7.

House Joint Memorial No. 2, having received the constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 5, by Representatives Sprague, Lynch, Zimmerman, Brouillet, Fleming, King and Litchman (by Urban Affairs Council request):

Directing a review of teacher preparation program of public and private institutions of higher education.

The resolution was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 5 was placed on final passage.

Representative Sprague spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 5, and the resolution passed the House by the following vote: Yeas, 86; nays, 3; absent or not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Randall, Richardson, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Gladder, Hatfield, Spanton—3.

Absent or not voting: Representatives Ackley, Hubbard, Kink, Kuehnle, Litchman, McCaffree, O'Brien, Perry, Rosellini, Saling—10.

House Concurrent Resolution No. 5, having received the constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 6, by Representative Conway:

Providing for study on price structure of gasoline and petroleum throughout areas of state.

The resolution was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 6 was placed on final passage.

Representative Conway spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 6, and the resolution passed the House by the following vote: Yeas, 86; nays, 1; absent or not voting, 12.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—86.

Voting nay: Representative Clark (Newman H.)—1.

Absent or not voting: Representatives Ackley, Bledsoe, Flanagan, Hubbard, Julin, Kuehnle, Litchman, McCaffree, Newhouse, Perry, Rosellini, Saling—12.

House Concurrent Resolution No. 6, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 210, by Representatives Harris, Chatalas and Julin: Creating a state board of examiners for licensing of nursing home administrators.

The House resumed consideration of Substitute House Bill No. 210 on second reading.

MOTION

Mr. Bledsoe moved that Substitute House Bill No. 210 be rereferred to the Committee on Appropriations.

Representative Bledsoe spoke in favor of the motion, and Representative Harris spoke against it.

POINT OF ORDER

Mr. Grant: "Point of order, Mr. Speaker. I would refer the Speaker to Rule 81, ' . . . All bills including a direct appropriation must be referred to the Appropriations Committee before appearing on the second reading calendar. . . .' I don't even think it should be on the calendar."

The Speaker (Mr. Newhouse presiding): "That was not decided earlier. I would like to recognize the gentleman from Whitman, Mr. Goldsworthy, on this."

POINT OF INFORMATION

Mr. Goldsworthy: "Mr. Speaker, I think this will have to go to the Appropriations Committee. I don't particularly want it in there. Mr. Harris' remarks are taken by me in good faith, too. But I just made a fast check with the Budget Committee and also the Central Budget Agency, and as far as I can tell right now this \$45,000 comes from fees that are not available right now. The bill has nothing in here on how these fees are to be deposited or anything else. There was some question by the staff, our analysts on the Budget Committee, and I think we should get this in Appropriations. It is not to delay this any because I can see the importance of getting it out, but I think we are going to have to take a look at it."

The Speaker (Mr. Newhouse presiding) declared the question before the House to be the motion by Mr. Bledsoe to rerefer Substitute House Bill No. 210 to the Committee on Appropriations.

The motion was carried.

HOUSE BILL NO. 21, by Representatives Whetzel and Clark (Newman H.):

Authorizing cities and counties to impose a sales and use tax.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 11, after "cities" and before the period insert "which they may or may not implement"

On page 1, section 1, line 14, after "served" and before the period insert "should they choose to employ them"

On page 2, section 3, line 18, after "city" and before "may" insert "while not required by legislative mandate to do so,"

On page 4, section 11, line 31, after "immediately" and before the period insert the following ": PROVIDED HOWEVER, That each of the provisions set forth in this act shall be operative and in effect only until and including December 31, 1972, at which time this act, in its entirety, shall expire without any further action by the legislature"

The bill was read the second time.

On motion of Mrs. McCaffree, the committee amendments to pages 1 and 2 were adopted.

Mrs. McCaffree moved adoption of the committee amendment to page 4.

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

Amend the amendment by the Committee on Revenue and Taxation to page 4, line 31, as follows: On line 5 of the printed amendment strike "1972" and insert "1973"

Representatives Haussler and Brown spoke in favor of adoption of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Barden.

Mr. Barden: "Representative Haussler, if the intent of this act is to make the cities and counties more responsible for their own expenditures and to grant them the authority to fund their own programs, what is the purpose of this artificial cut-off date which in effect is going to bring the legislature and the cities back into a bargaining position?"

Mr. Haussler: "Mr. Barden, personally I would rather have no termination, but I think in deference to the passage of the bill it is necessary that there be a termination date. Also, by that time we will know what happened to the income tax, and we will be able to take a new look at the entire problem of local government."

The amendment by Mr. Haussler to the committee amendment to House Bill No. 21 was adopted.

Representative McCaffree spoke in favor of adoption of the committee amendment as amended.

The committee amendment as amended by Mr. Haussler was adopted.

The Speaker resumed the Chair.

Mr. Chapin moved adoption of the following amendment by Representatives Chapin, Clarke (George W.), Julin, Leland, Kiskaddon and Hoggins:

On page 1, after line 14, insert the following:

"NEW SECTION. Sec. 2. Notwithstanding the provisions of section 11 of this 1970 amendatory act, this 1970 act shall not take effect until the effective date of the law enacted by this 1970 extraordinary session which in effect appropriates for distribution to cities and towns which impose a local sales and use tax, an amount of money which is sufficient to supply the difference between the amount received by cities or towns imposing taxes to the full extent authorized by this 1970 amendatory act in each calendar quarter of fiscal year 1970-1971, and the amount which such cities or towns would have received in each such quarter pursuant to section 3, chapter 282, Laws of 1969 ex. sess., if this 1970 amendatory act had not been enacted. In the event such a law is not enacted by the 1970 extraordinary session, this 1970 amendatory act shall not become effective, and shall be null and void."

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Chapin, Bottiger and McCaffree spoke in favor of adoption of the amendment.

The amendment by Representative Chapin and others was adopted.

Mr. Marsh moved adoption of the following amendment by Representatives Marsh, Zimmerman, O'Dell and Smythe:

On page 2, section 3, before the period after "percent" on line 32 add the following: "PROVIDED, FURTHER, HOWEVER, That any city of this state, located in any border county of the second class or smaller, which county borders a neighboring state or province, which state or province does not impose a sales and use tax, and which city does not levy a sales and use tax under the provisions of this act, then such city shall receive its pro rata share of the ten million dollars from the general fund appropriation appropriated by the legislature in section 3, chapter 282, Laws of 1969 in the same manner it would have received distribution if this act had not been enacted"

Representative Marsh spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Marsh yielded to question by Mr. Farr.

Mr. Farr: "Mr. Marsh, would you say in fairness this could be called the 'Vancouver City Save?'"

Mr. Marsh: "Yes."

Representatives Farr and McCaffree spoke against adoption of the amendment.

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

POINT OF INQUIRY

Mr. Marsh yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative Marsh, if this amendment carries, will you vote for the bill on final passage?"

Mr. Marsh: "Representative Hoggins, I am afraid I would be unable to vote for any sales tax."

POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative Smythe, if this amendment carries, will you vote for the bill on final passage?"

Mr. Smythe: "In response to the question, I'll pick up the challenge. If you support this amendment, I will be very happy to vote for this bill because I think that is the responsible thing to do."

Further debate ensued, Representatives Smythe, Zimmerman and Copeland speaking in favor of adoption of the amendment, and Representatives Whetzel and Bledsoe speaking against it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Marsh, Zimmerman, O'Dell and Smythe to House Bill No. 21, and the amendment was lost by the following vote: Yeas, 41; nays, 50; absent or not voting, 8.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bozarth, Brouillet, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Copeland, DeJarnatt, Fleming, Gallagher, Grant, Hurley; Jastad, Jolly, Jueling, Julin, Kalich, King, Marsh, Martinis, May, McCormick, Merrill, Moon, O'Brien, O'Dell, Rosellini, Savage, Sawyer, Shinpoch, Smythe, Sprague, Thompson, Williams, Wojahn, Zimmerman—41.

Voting nay: Representatives Amen, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Brown, Clark (Newman H.), Conway, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, Pardini, Randall, Richardson, Schumaker, Scott, Shera, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Mr. Speaker—50.

Absent or not voting: Representatives Ackley, Backstrom, Hubbard, Kuehnle, Litchman, Marzano, Perry, Saling—8.

The Clerk read the following amendment by Representative Clarke (George W.):

On page 2, section 3, beginning with "four hundred" in line 31 strike all of the matter down to and including "sandths" in line 32 and insert "five-twentieths"

With the consent of the House, Mr. Clarke (George W.) withdrew the amendment.

Mr. Moon moved adoption of the following amendment:

On page 4, section 7, beginning with "Except only" in line 1 strike all of the matter down to and including the period after "that nature" in line 6 and insert "Except [only as expressly provided in RCW 67.28.180 and 67.28.190] as to counties and cities and towns, the state preempts the field of imposing taxes upon retail sales of tangible personal property, the use of tangible personal property, conveyances, and cigarettes, [and] but no [county, town or] other municipal subdivision shall have the right to impose taxes of that nature.

NEW SECTION. Sec. 8. There is added to chapter 15, Laws of 1961 and to chapter 82.02 RCW a new section to read as follows:

(1) Counties and cities and towns are authorized to impose taxes upon retail sales of tangible personal property and the use of tangible personal property but only in accordance with and subject to the limitations contained in this 1970 amendatory act and in accordance with and subject to the limitations expressly provided in RCW 67.28.180 and 67.28.190.

(2) Counties, cities and towns are authorized to impose taxes to the extent not prohibited by the Constitution of this state and the laws and Constitution of the United States, upon any other subject, privilege or other taxable event upon which the state imposes a tax, at a rate or rates of tax not to exceed that imposed by the state upon the same subject, privilege, or other taxable event.

(3) In the event that a county, city, or town imposes a tax pursuant to the authority granted in subsection (2), such county, city, or town shall, prior to the effective date of any ordinance enacted pursuant to such authority, contract with the appropriate state agency, for the administration of such tax.

(4) In the event that a county imposes a tax pursuant to the authority granted in subsection (2) of this section, the county ordinance shall provide for a full credit against any city tax, enacted pursuant to subsection (2) of this section, imposed upon the same subject, privilege, or other taxable event.

(5) In the event that a city or town elects to impose a tax pursuant to the authority granted in subsection (2) of this section, said tax shall be uniform with all other like taxes imposed upon the same subject, privilege or other taxable event by other cities and towns within the same county.

(6) The authority granted in subsection (2) shall be additional to any other taxing authority granted pursuant to state law.

Sec. 9. Section 29, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.120 are each amended to read as follows:

No [municipality] *municipal corporation other than a city, town or county* shall have power to license the sale of, or impose an excise tax upon, liquor as defined in this title, or to license the sale or distribution thereof in any manner; and any power now conferred by law on any [municipality] *municipal corporation other than a city, town or county* to license premises which may be licensed under this section, or to impose an excise tax upon liquor, or to license the sale and distribution thereof, as defined in this title, shall be suspended and shall be of no further effect: PROVIDED, That municipalities and counties shall have power to adopt police ordinances and regulations not in conflict with this title or with the regulations made by the board.

Sec. 10. Section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440 are each amended to read as follows:

The tax herein levied is in lieu of any excise, privilege, or occupational tax upon the business of manufacturing, selling, or distributing motor vehicle fuel, and no [city, town, county,] township or other subdivision or municipal corporation of the state *other than a city, town or county* shall levy or collect any excise tax upon or measured by the sale, receipt, distribution, or use of motor vehicle fuel."

Renumber remaining sections consecutively and change internal references accordingly.

Debate ensued, Representative Moon speaking in favor of adoption of the amendment, and Representative Berentson speaking against it.

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

Further debate ensued, Representative Whetzel speaking against adoption of the amendment, and Representative Moon speaking again in favor of its adoption.

POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Leland.

Mr. Leland: "Representative Moon, is it your intention or your interpretation or understanding that if this amendment was enacted that local entities could levy a local tax on gasoline?"

Mr. Moon: "Subsection (2) of section 8 says:

"(2) Counties, cities and towns are authorized to impose taxes to the extent not

prohibited by the Constitution of this state and the laws and Constitution of the United States, upon any other subject, privilege or other taxable event upon which the state imposes a tax, at a rate or rates of tax not to exceed that imposed by the state upon the same subject, privilege, or other taxable event."

"It would be my interpretation that they could levy a gasoline tax in the amount of the state tax. This would be at local option and would be done only if all other sources of taxation were examined and the local governing bodies felt that this was the most equitable way to levy a tax to meet the needs of that particular local government."

Further debate ensued, Representative Leland speaking against the amendment, and Representative Moon again speaking in favor of adoption of the amendment.

Representative Leland again spoke against the amendment by Representative Moon to House Bill No. 21, and Representative Moon spoke in favor of it.

Mr. Bledsoe demanded the previous question and the demand was not sustained.

Further debate ensued, Representatives Sawyer and Bottiger speaking in favor of adoption of the amendment by Mr. Moon, and Representatives Brown and Bledsoe speaking against the amendment.

RULING BY THE SPEAKER

The Speaker: "I think we have all had an opportunity to speak. Is there anyone who hasn't spoken on this subject before who wants to speak now? You had your run at it, Mr. Sawyer."

POINT OF ORDER

Mr. Grant: "Mr. Speaker, I think every member is entitled to speak twice without leave of the House according to the rules."

The Speaker: "Fine, Mr. Grant."

Mr. Grant: "Mr. Sawyer has only spoken once."

The Speaker: "Mr. Grant, when you are the Speaker, you can rule that way. I'd like to keep this debate down. You people have asked for a caucus. You have asked us to recognize the Mayor of Seattle. We have people who want to get out of here this afternoon. I am perfectly willing to stay until midnight. If you want to prolong these proceedings, just go right to it. I think the debate has been good. We've heard both sides of the problem. I'd like to put the question."

POINT OF ORDER

Mr. O'Brien: "I don't like to see you get mad at Mr. Grant. He's really a nice guy. He's just trying to do a good job here, that's all."

The Speaker: "Mr. O'Brien, whatever gave you the idea that I didn't like Mr. Grant?"

POINT OF ORDER

Mr. Grant: "Mr. Speaker, Rule 51 says, 'No member shall speak more than twice on the same question without leave of the house. . . .' Mr. Sawyer has only spoken once, and I think he is entitled to speak."

The Speaker: "Well, maybe the Speaker bent the rule a little bit, but I'd still like to proceed and get this matter out of the way. If we haven't had enough debate on this, fine. I would like to put the question."

POINT OF ORDER

Mr. Sawyer: "I'd still like to speak one more time."

Representative Sawyer spoke in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Moon to House Bill No. 21, and the amendment was lost by the following vote: Yeas, 41; nays, 52; absent or not voting, 6.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Gallagher, Grant, Hatfield, Haussler, Jastad, Jolly, Kalich, King, Kink, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Rosellini, Savage, Sawyer, Shipoch, Spanton, Sprague, Thompson, Veroske, Williams, Wojahn—41.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Harris, Hawley, Hoggins, Hurley, Jueling, Julin, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Randall, Schumaker, Scott, Shera, Smythe, Swayze, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—52.

Absent or not voting: Representatives Ackley, Hubbard, Kuehnlé, Perry, Richardson, Saling—6.

Mrs. Hurley moved adoption of the following amendment:

On page 4 strike all of section 11 and insert the following:

"NEW SECTION. Sec. 11. This 1970 act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1970, in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof."

Mrs. Hurley spoke in favor of adoption of the amendment.

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

Representative Chapin spoke against adoption of the amendment.

POINT OF INQUIRY

Mrs. McCaffree yielded to question by Mr. Mentor.

Mr. Mentor: "If this is enacted without this referendum, won't the county commissioners have to hold a public hearing before they can enact the sales tax in any case?"

Mrs. McCaffree: "Representative Mentor, this is true. This enactment would be an ordinance like any other ordinance that is adopted by a city or a county. It would have to go through the procedure of public hearing to be able to adopt this ordinance."

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mrs. Hurley to House Bill No. 21, and the amendment was lost by the following vote: Yeas, 32; nays, 57; absent or not voting, 10.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Beck, Bozarth, Ceccarelli, Chatalas, Conner, Conway, Curtis, Grant, Hurley, Jastad, Jueling, Kalich, King, Kink, Marsh, Martinis, Marzano, May, McCormick, Merrill, O'Brien, Rosellini, Savage, Shipoch, Smythe, Williams, Wojahn, Zimmerman—32.

Voting nay: Representatives Amen, Backstrom, Benitz, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Copeland, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Hawley, Hoggins, Jolly, Julin, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Randall, Sawyer, Schumaker, Scott, Shera, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Wolf, Mr. Speaker—57.

Absent or not voting: Representatives Ackley, Berentson, Haussler, Hubbard, Kuehnlé, Litchman, Perry, Richardson, Saling, Spanton—10.

Mr. Fleming moved adoption of the following amendment:

On page 1, after line 5, strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. For purposes of this act:

(1) 'City' means a city or town;

(2) 'Motor vehicle' shall have the meaning defined in RCW 82.44.010, as now or hereafter amended;

(3) 'Residence' or 'place of residence' except as used in subsection (4) means the place where the owner has his legal residence at the time the license for the motor vehicle, the use of which is subject to tax under this act, was issued or renewed pursuant to chapter 46.16 RCW.

(4) In the event the motor vehicle is owned by a corporation, partnership, trust or estate or is a commercial vehicle, the 'place of residence' shall be deemed to be the place of principal use of such motor vehicle.

(5) 'Place of principal use' means the county or city within which the commercial enterprise in which such vehicle is used has a place of business therein, and, where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled in or from such place of business, and, the vehicle has been assigned to such place of business.

In case of doubt or dispute as to the proper 'place of principal use' of a vehicle, the department of motor vehicles shall make the final determination, but in making such determination, may confer with the cities or counties affected.

(6) 'Owner' means a person who holds the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee, or in the event a vehicle is subject to a lease, contract or other legal arrangement vesting right of possession or control, for security or otherwise, or in the event a mortgagor of a vehicle is entitled to possession, then the owner shall be deemed to be such person in whom is vested right of possession or control.

(7) 'Commercial vehicle' means any vehicle which is used for the transportation of persons for hire, compensation or profit, or designed or used primarily for the transportation of property.

NEW SECTION. Sec. 2. The governing body of any county or city may, by ordinance or resolution fix and impose a tax upon the privilege of using a motor vehicle within its boundaries in accordance with the terms of this act. Such tax shall be collected from each person who owns a motor vehicle so used and has a place of residence in the county or city imposing the tax. The rate of such tax imposed by a county shall not exceed one percent of the fair market value of each motor vehicle. The rate of such tax imposed by a city shall not exceed one percent of the fair market value of each motor vehicle: PROVIDED, HOWEVER, That in the event a county shall impose a tax under this act at the maximum rate of one percent, the rate of such tax imposed by any city therein shall not exceed eighty-five one-hundredths of one percent. In no case shall the tax imposed by a city or county be less than one dollar.

The maximum amount of tax which may be collected for the privilege of using for-hire vehicles, auto stages, trucks, or truck-tractors used for commercial purposes shall be one hundred dollars.

NEW SECTION. Sec. 3. Any motor vehicle use tax ordinance or resolution shall include the following:

(1) A provision that the tax will be imposed only upon the privilege of using a motor vehicle, the owner of which has his place of residence in said county or city.

(2) A provision that the tax shall not apply in respect to motor vehicles owned by the United States, the state, any municipal corporation, or county, or in respect to any motor vehicle operating under dealer's license plates, or which is used primarily in interstate commerce.

(3) A provision that the tax shall be collected for each calendar year and no additional tax shall be imposed upon any vehicle upon the transfer of ownership thereof if the tax imposed with respect to such vehicle has already been paid for the year in which the transfer of ownership occurs.

(4) A provision adopting the schedule, and methods of determination and appraisal of the fair market value of motor vehicles in accordance with RCW 82.44.040 and 82.44.050.

NEW SECTION. Sec. 4. Any county motor vehicle use tax ordinance adopted pursuant to this act shall contain, in addition to all other provisions required by this act, a provision allowing a credit against the county tax for the full amount of any city tax imposed upon the use of the same motor vehicle.

NEW SECTION. Sec. 5. A city shall contract prior to the effective date of a resolution or ordinance imposing a tax upon the privilege of using a motor vehicle within the city, the administration and collection to the county auditor of the county wherein such city is located. The county auditor shall deduct an amount, not to exceed two percent of the taxes collected for administration and collection expenses incurred by the county auditor. Said amount in addition to any taxes collected for the county pursuant to this act shall revert to the county treasury. All amounts collected for cities pursuant to this act less the amount deducted for administration and collection expenses shall be deposited in a special fund under the custody of the county treasurer to be known as the municipal motor vehicle tax revolving fund.

NEW SECTION. Sec. 6. Quarterly the county treasurer shall distribute from the municipal motor vehicle tax revolving fund to each city the amount of tax collected on behalf of such city, less the deduction provided for in section 5 of this act.

NEW SECTION. Sec. 7. Any ordinance or resolution adopted or amended pursuant to this act shall not take effect prior to January 1 of the year following adoption or amendment of said ordinance or resolution: PROVIDED, That no county may adopt or

amend an ordinance or resolution after October 1 for imposition the following January 1, and no city may adopt or amend a resolution or ordinance after November 1 for imposition the following January 1: PROVIDED, FURTHER, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax imposed pursuant to this act by a county or city for the first time upon the privilege of using a motor vehicle shall only be levied for the remaining months of the calendar year, including the month in which the use of the motor vehicle is being so taxed.

NEW SECTION. Sec. 8. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Debate ensued, Representative Fleming speaking in favor of adoption of the amendment, and Representative Whetzel speaking against it.

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

Representative Leland spoke against adoption of the amendment.

POINT OF INQUIRY

Mr. Leland yielded to question by Mr. Fleming.

Mr. Fleming: "I couldn't quite hear you or understand you. Would one of those programs you mentioned that would be in danger include I-90?"

Mr. Leland: "Yes, I'd be happy to answer that because if I-90 goes down the tube, mass transit and the Forward Thrust program go down the tube as far as mass transit is concerned."

Representative McCaffree spoke against adoption of the amendment.

Representative Fleming closed debate speaking in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Fleming to House Bill No. 21, and the amendment was lost by the following vote: Yeas, 9; nays, 81; absent or not voting, 9.

Voting yea: Representatives Clarke (George W.), DeJarnatt, Fleming, Gallagher, May, Savage, Shinpoch, Sprague, Williams-9.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, Pardini, Randall, Richardson, Rosellini, Sawyer, Schumaker, Scott, Shera, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Wojahn, Wolf, Zimmerman, Mr. Speaker-81.

Absent or not voting: Representatives Ackley, Bottiger, Chatalas, Grant, Hubbard, Kuehle, Litchman, Perry, Saling-9.

House Bill No. 21 was ordered engrossed.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 21 be placed on final passage.

Mr. O'Brien demanded an electric roll call and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed House Bill No. 21 to third reading and final passage, and the motion was lost by the following vote: Yeas, 49; nays, 42; absent or not voting, 8.

Voting yea: Representatives Amen, Backstrom, Benitz, Bledsoe, Bluechel, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Jolly, Julin, Kalich, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Schumaker, Scott, SHERA, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Mr. Speaker—49.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Beck, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Flanagan, Fleming, Gallagher, Hurley, Jastad, Jueling, King, Kink, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Randall, Rosellini, Savage, Sawyer, Shinpoch, Smythe, Spanton, Sprague, Thompson, Williams, Wojahn, Zimmerman—42.

Absent or not voting: Representatives Ackley, Berentson, Grant, Hubbard, Kuehnle, Litchman, Perry, Saling—8.

Engrossed House Bill No. 21 was passed to Committee on Rules and Administration for third reading.

SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House former State Representative, and now Mayor of Seattle, Wes C. Uhlman, and requested that Representatives Chatalas and Cunningham conduct him to a place on the rostrum.

The Speaker: "Mayor, we will have a roll call transcript for you in a minute or two, and you can see who your friends are.

"It is my pleasure at this time to introduce the Mayor of Seattle, the Honorable Wesley Uhlman. Mayor, it is a pleasure to have you here."

Mayor Uhlman: "Thank you very much. I always did want to stand up here. Now I'm here as a lobbyist. I would like to invite everyone here to opening day of the Pilots next spring. I hope you won't still be in session when that occurs.

"It's obvious we need one more friend when the vote comes back out of Rules tomorrow, Mr. Speaker. There were only forty-nine up there. Hopefully, if you will give us enough of those transcripts that we can pass around Seattle, we might be able to persuade some of our Seattleites about our need. If the fire that had occurred at the Tyee had occurred in the City of Seattle we would have, of course, stopped it long before it went as far as it did down here because we have an excellent fire department. We are a Class 2 city. However, we are about to lose our Class 2 rating because of the inadequate funds for the city. The decision will be made tomorrow by the ladies and gentlemen here in the House.

"Thank you very much for the opportunity of being with you, and I am sure that right will prevail tomorrow."

The Speaker: "Mr. O'Brien, did you have something you wanted to say?"

Mr. O'Brien: "Mr. Speaker, Honorable Mayor of the City of Seattle, I don't want you to get the wrong impression about the sales tax vote here this afternoon. I think we were sort of betrayed, you know, like Judas. We understood it would come out for second reading today and come out later for third reading. Some of our people wanted to caucus and firm their position. I don't know how the result will be when it does come out for final passage, but I can tell you that we are sincerely interested in, and fully aware of, the tremendous financial problems facing the City of Seattle, the county, and the other cities of the State of Washington. This side of the aisle certainly wants to do its part."

The Speaker: "Thank you, Mr. O'Brien. I'm sure after those stirring remarks it will be safe for you to go back to Seattle tonight."

The committee escorted Mayor Uhlman from the rostrum.

HOUSE BILL NO. 46, by Representatives Wolf, Bottiger, Conway and Conner:

Providing post retirement adjustments in retirement allowances for public employees' retirement system.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, beginning on line 16 strike all of subsection (3) and renumber the remaining subsections consecutively.

Beginning on page 1, section 1, line 27, following "paid" strike the remainder of the bill and insert a period.

The bill was read the second time.

On motion of Mr. Morrison, the committee amendments were adopted.

House Bill No. 46 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 46 was placed on final passage.

Representative Morrison spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 46, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Ackley, Hubbard, Kuehnle, Newhouse, Saling—5.

Engrossed House Bill No. 46, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 56, by Representatives Leckenby, Sprague, Mentor, Benitz, Chapin, Murray, Pardini, Williams and Zimmerman (by Executive request):

Providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe.

MOTION

On motion of Mr. Kopet, Substitute House Bill No. 56 was substituted for House Bill No. 56, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 56 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 56 was placed on final passage.

Representative Leckenby spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Leckenby yielded to question by Mr. Moon.

Mr. Moon: "Is there anyone representing fire safety in this group that will set up the standards under which these homes will be built?"

Mr. Leckenby: "There is."

Mr. Moon: "Is it specified in there?"

Mr. Leckenby: "I don't think it is specified that there will be anyone from a fire department but building code enforcement agencies, architectural and engineering association representation will be provided, as well as building construction, the contracting and manufacturing industries, legislative bodies of local government and the general public. It also provided for — well, I think I mentioned it — construction trades to be represented. I am advised by counsel that it is inherent in the uniform building code."

POINT OF INQUIRY

Mr. Mentor yielded to question by Mr. Moon.

Mr. Moon: "Mr. Mentor, can you answer the question?"

Mr. Mentor: "It is in here. It is covered under the building enforcement agencies. There will be more than one person, and this will include the building enforcement agencies which will include fire inspectors."

Mr. Moon: "Everything I could see on it had to do with the structure rather than the safety of the building."

Mr. Mentor: "In the code it speaks of the safety of the occupants of the building and, certainly, they would be included on this factory built housing board."

POINT OF INFORMATION

Mr. Bluechel: "Mr. Speaker, to answer that question, the basic uniform building codes and the various electrical codes and other codes referred to are built and based upon fire safety, as well as structural safety and other types of safety, for the occupants of whatever type of building is being constructed. This refers to those codes and is basically designed around it. It speaks to the uniform safety code and a sizeable section of that code — if you read it — refers back to the fire requirements such as one-hour, two-hour, three-hour, four-hour, in whatever structure you are designing and building."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 56, and the bill passed the House by the following vote: Yeas, 92; nays, 1; absent or not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representative Mentor—1.

Absent or not voting: Representatives Ackley, Hubbard, Kuehnlé, McCaffree, Saling, Sprague—6.

Substitute House Bill No. 56, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I voted no on the final passage of Substitute House Bill No. 56 for the purpose of obtaining a position on a conference committee. JOE MENTOR, 10th District.

HOUSE BILL NO. 169, by Representative Amen:
Relating to agriculture.

MOTION

On motion of Mr. Amen, Substitute House Bill No. 169 was substituted for House Bill No. 169, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 169 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 169 was placed on final passage.

Representative Amen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 169, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kopet, Leckenby, Leland, Litchman, Lynch,

Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Absent or not voting: Representatives Ackley, Hubbard, Jastad, Kiskaddon, Kuehnle, McCaffree, Saling, Sprague—8.

Substitute House Bill No. 169, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 239, by Representatives Smythe, Fleming and Sprague:
Relating to public contracts.
The bill was read the second time.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 239 on second reading, and the bill was placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 242, by Representatives Lynch, Brouillet, Smythe, King and Litchman (by Council on Higher Education request):
Relating to the commission on higher education.
The bill was read the second time.
On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 242 was placed on final passage.
Representative Lynch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 242, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent or not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Absent or not voting: Representatives Ackley, Hubbard, Kuehnle, Leckenby, McCaffree, Saling—6.

House Bill No. 242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 226, by Representative Beck:
Relating to motor vehicle speed.
The bill was read the second time.
On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 226 was placed on final passage.
Representative Beck spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 226, and the bill passed the House by the following vote: Yeas, 84; nays, 5; absent or not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leland, Litchman, Lynch, Mahaffey, Marsh, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—84.

Voting nay: Representatives Chapin, Juelling, Martinis, Savage, Whetzel—5.

Absent or not voting: Representatives Ackley, Chatalas, Grant, Hubbard, Kuehnle, Leckenby, McCaffree, O'Brien, Rosellini, Saling—10.

House Bill No. 226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I was temporarily called off the floor when the vote was taken on House Bill No. 226. I would like to be recorded as favoring this bill. WILLIAM S. LECKENBY, 31st District.

HOUSE BILL NO. 204, by Representatives King, Lynch and Smythe:

Clarifying the position covered by the definition of faculty appointment as applies to community colleges.

MOTION

On motion of Mr. King, Substitute House Bill No. 204 was substituted for House Bill No. 204, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 204 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 204 was placed on final passage.

Representative King spoke in favor of passage of the bill.

At the request of Representative Clark (Newman H.), the Speaker instructed the Clerk to read the substitute bill in its entirety.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 204, and the bill passed the House by the following vote: Yeas, 82; nays, 1; absent or not voting, 16.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Jastad, Jolly, Juelling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—82.

Voting nay: Representative Hatfield—1.

Absent or not voting: Representatives Ackley, Berentson, Bledsoe, Bottiger, Chapin, Conway, Farr, Flanagan, Hubbard, Hurley, Julin, Kuehnle, Morrison, Newhouse, Saling, Spanton—16.

Substitute House Bill No. 204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 293, by Representatives Schumaker, Morrison, Jueling, Benitz, Anderson, Barden, Conway, Kuehnle, Wanamaker, Mentor, Haussler, Gladder, Jolly, Gallagher and Smythe:

Establishing new definitions within the explosive law.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 1, on line 14, after "That" insert "for the purposes of this act"

On page 5, section 1, line 22, after "percussion" strike "cups" and insert "caps"

On page 8, section 6, line 12, after "pounds" insert "of smokeless propellant or twenty-five pounds of black powder as used in muzzle loading firearms"

The bill was read the second time.

On motion of Mr. Wolf, the committee amendment to page 2 was adopted.

On motion of Mr. Morrison, the committee amendments to pages 5 and 8 were adopted.

House Bill No. 293 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 293 was placed on final passage.

Representative Schumaker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 293, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Bottiger, Bozarth, Chapin, Farr, Hubbard, Hurley, Kuehnle, Saling—9.

Engrossed House Bill No. 293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 164, by Representatives Sprague, Chatalas, Fleming and Litchman: Authorizing first class cities to contract with U. S. under Demonstration Cities and Metropolitan Development Act of 1966.

Committee recommendation: Majority, do pass with the following amendments:

Section 1, line 5, after "of law," strike "first class" and insert "all"

In line 1 of the title after "authorizing" strike "first class" and insert "all"

The bill was read the second time.

On motion of Mr. Kopet, the committee amendments were adopted.

House Bill No. 164 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 164 was placed on final passage.

Representative Sprague spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 164, and the bill passed the House by the following vote: Yeas, 88; nays, 2; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Charette,

Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—88.

Voting nay: Representatives Hatfield, Spanton—2.

Absent or not voting: Representatives Ackley, Anderson, Bozarth, Chapin, Farr, Hubbard, Hurley, Kuehnle, Saling—9.

Engrossed House Bill No. 164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 97, by Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request):

Adding two judges of the court of appeals to the judicial council.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 97 was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 97, and the bill passed the House by the following vote: Yeas, 87; nays, 0; absent or not voting, 12.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Absent or not voting: Representatives Ackley, Anderson, Bozarth, Chapin, Farr, Fleming, Hubbard, Hurley, Kuehnle, Randall, Richardson, Saling—12.

House Bill No. 97, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

HOUSE BILL NO. 239, by Representatives Smythe, Fleming and Sprague:
Relating to public contracts.

Committee recommendation: Majority, do pass with the following amendments:

(For Committee Amendments see Reports of Standing Committees at beginning of today's Journal.)

The House resumed consideration of House Bill No. 239 on second reading.

Mr. Swayze moved adoption of the committee amendments.

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

Amend the amendment by the Committee on State Government and Legislative Procedures as follows: On page 1, section 2, line 17, after "by the" strike "Washington state board against discrimination" and insert "department of labor and industries"

Debate ensued, Representatives Bottiger and Clark (Newman H.) speaking in favor of adoption of the amendment to the committee amendment, and Representatives Smythe and Fleming speaking against it.

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

PERSONAL PRIVILEGE

Mr. Fleming: "Mr. Speaker, point of personal privilege. I just wanted to rise to correct Mr. Clark. We are not talking about injured workmen, etc. All this state board against discrimination is going to do is see that an affirmative action program is developed with each of these contractors before the bid is let out. It has nothing to do with injured workmen or anything of this nature. I wouldn't want you to confuse the matter."

Further debate ensued, Representatives Sprague and Swayze speaking against adoption of the amendment by Mr. Bottiger to the committee amendment to House Bill No. 239.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Bottiger to the committee amendment to House Bill No. 239, and the amendment was lost by the following vote: Yeas, 29; nays, 60; absent or not voting, 10.

Voting yea: Representatives Adams, Backstrom, Bagnariol, Beck, Bottiger, Brouillet, Ceccarelli, Chatalas, Clark (Newman H.), Gallagher, Gladder, Grant, Haussler, Jastad, Jolly, Kalich, King, Kink, Litchman, Marsh, Martinis, Marzano, May, Merrill, Moon, O'Brien, Perry, Rosellini, Sawyer—29.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Charette, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Goldsworthy, Harris, Hawley, Hoggins, Juelling, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Randall, Richardson, Savage, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—60.

Absent or not voting: Representatives Ackley, Anderson, Bozarth, Hatfield, Hubbard, Hurley, Julin, Kuehnle, McCormick, Saling—10.

The Speaker declared the question before the House to be the committee amendment to House Bill No. 239.

Representative Smythe spoke in favor of adoption of the committee amendment.

The amendment was adopted.

On motion of Mr. Swayze, the committee amendment to the title was adopted.

House Bill No. 239 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 239 was placed on final passage.

Representative Fleming spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 239, and the bill passed the House by the following vote: Yeas, 66; nays, 21; absent or not voting, 12.

Voting yea: Representatives Adams, Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Fleming, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Juelling, King, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Marzano, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Savage, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—66.

Voting nay: Representatives Backstrom, Bagnariol, Beck, Bottiger, Brouillet, Ceccarelli, Clark (Newman H.), Farr, Gallagher, Gladder, Hatfield, Jastad, Kalich, Kink, Martinis, May, Merrill, Moon, Perry, Rosellini, Sawyer—21.

Absent or not voting: Representatives Ackley, Anderson, Bozarth, Flanagan, Hubbard, Hurley, Jolly, Julin, Kuehnle, Litchman, McCormick, Saling—12.

Engrossed House Bill No. 239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 30, 1970.

HOUSE BILL NO. 48, authorizing inventory of certain rivers and adjacent lands and certain marine shorelands and providing for conservation and management thereof, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16, strike "a program for their preservation, beginning with"

On page 2, section 3, line 23, after "system" strike "to consist of" and insert "study directed to"

On page 3, section 4, line 2, after "areas," strike "shall" and insert "may"

On page 4, section 5, line 19, beginning with "In general," strike all matter down through "thereto." on line 24

On page 5, section 9, line 33, following "Sec. 9." strike "Not" and insert "During the course of study and not"

On page 6, section 9, line 2, following "city" strike "or" and insert a comma and following "county" insert "or other political subdivision"

Beginning on page 7, line 16, strike sections 13, 14, 15, 16, and 17.

Remember the remaining sections consecutively.

Signed by Representatives Flanagan, Chairman, Veroske, Vice Chairman, Anderson, Beck, Benitz, Gallagher, Hawley, Jolly, Julin, Leland, Martinis, Moon, Newhouse, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 29, 1970.

HOUSE BILL NO. 54, creating a Department of Transportation, reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Barden, Cunningham, Hawley, Kuehnle, Leckenby, Martinis, McCaffree, Newhouse, O'Dell, Perry, Shipoch, Thompson, Veroske, Wanamaker, Whetzel, Wolf.

MINORITY recommendation: Do not pass. Signed by Representatives Anderson, Beck, Bozarth, Conner, Gallagher, Jastad, Jolly, May, McCormick, Sawyer, Schumaker.

Passed to Committee on Rules and Administration for second reading.

January 30, 1970.

HOUSE BILL NO. 127, providing minimum pension for certain pensioners under supreme court judges' retirement act, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6, strike all of section 1 and insert the following:

"NEW SECTION. Section 1. There is added to chapter 2.12 RCW a new section to read as follows:

(1) 'Index' for the purposes of this section, shall mean, for any calendar year, that year's annual average consumer price index for urban wage earners and clerical workers, all items (1957-1959 equal one hundred) compiled by the Bureau of Labor Statistics, United States Department of Labor;

(2) Effective July 1, 1970, every pension computed and payable under the provisions of RCW 2.12.030 to any retired judge or to his widow which does not exceed four hundred fifty dollars per month shall be adjusted to that dollar amount which bears the ratio of its original dollar amount which is found to exist between the index for 1969 and the index for the calendar year prior to the effective retirement date of the person to whom, or on behalf of whom, such retirement allowance is being paid."

On page 1, line 2 of the title after "courts;" strike the matter down to and including "RCW 2.12.030;" on line 4 and insert "adding a new section to chapter 2.12 RCW;"

Signed by Representatives Goldsworthy, Chairman, Backstrom, Clark (Newman H.),

Conway, Curtis, Farr, Hoggins, Kalich, Kink, Kirk, Kopet, Lynch, Mahaffey, Marsh, Merrill, Moon, Morrison, Shera, Shinpoch, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 30, 1970.

HOUSE BILL NO. 140, establishing a system of state recreational trails, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Beck, Benitz, Gallagher, Jolly, Julin, Kalich, Leland, Martinis, Newhouse, Smythe, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

January 30, 1970.

HOUSE BILL NO. 178, implementing law relating to school pupil conduct, discipline and rights, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Bottiger, Charette, Conner, Fleming, Kalich, May, North, Randall, Scott, Shinpoch, Sprague, Wanamaker, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representatives Evans, Gladder, Hatfield.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 14, 1970.

Mr. Speaker: The Senate has passed ENGROSSED SENATE BILL NO. 8, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 8, by Senators Greive, Bailey, Ridder, Durkan, Stortini, Talley and Dore:

An Act relating to unemployment compensation; amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320; amending section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010; amending section 3, chapter 286, Laws of 1955 and RCW 50.20.030; amending section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; amending section 83, chapter 35, Laws of 1945 as amended by section 5, chapter 215, Laws of 1951 and RCW 50.20.150; amending section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010; adding new sections to chapter 35, Laws of 1945, and to Title 50 RCW, as a new chapter therein; repealing sections 10, 11, 12, 15, and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050, and 50.28.060; repealing section 3, chapter 235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040; and declaring an emergency.

Referred to Committee on Rules and Administration.

PERSONAL PRIVILEGE

Mr. Grant: "Point of personal privilege, Mr. Speaker. I notice that you have read in Senate Bill No. 8, and I just wanted to compliment you on that. I assume you found the key to the cabinet. I also wanted to tell you that we don't all think you are a bad guy."

The Speaker: "Thank you, Mr. Grant. Because you've been such a good boy the last few days, that's why we read it in."

MOTIONS

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

On motion of Mr. Newhouse, the House adjourned until 10:00 a.m., Saturday, January 31, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWENTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, January 31, 1970.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Representative Curtis.

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

REPORTS OF STANDING COMMITTEES

January 30, 1970.

HOUSE BILL NO. 216, changing provisions of excise tax statutes, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kiskaddon, Vice Chairman, Ackley, Benitz, Bledsoe, Bluechel, Brown, Ceccarelli, Chapin, Clarke (George W.), Evans, Hatfield, Haussler, Moon, Murray, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

January 30, 1970.

HOUSE BILL NO. 249, providing of grants to certain school districts after reorganization, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 2, line 6, beginning "In all cases" strike the rest of the section through line 11.

Signed by Representatives Hoggins, Chairman, Brown, Conner, Conway, Evans, Kalich, May, McCormick, Randall, Saling, Scott, Shinpoch, Sprague.

MOTION

On motion of Mr. Newhouse, House Bill No. 249 was rereferred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

January 30, 1970.

Mr. Speaker: The Senate has passed:
 ENGROSSED SENATE BILL NO. 52,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 55,
 SENATE BILL NO. 58,
 SENATE BILL NO. 60,
 ENGROSSED SENATE BILL NO. 68,
 SENATE BILL NO. 81,
 SENATE BILL NO. 83,
 ENGROSSED SENATE BILL NO. 85,
 ENGROSSED SENATE BILL NO. 87,
 SENATE BILL NO. 126,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 146,
 SUBSTITUTE SENATE BILL NO. 161,
 SENATE BILL NO. 191,
 SUBSTITUTE SENATE BILL NO. 226,
 ENGROSSED SENATE BILL NO. 234,
 ENGROSSED SENATE BILL NO. 236,
 ENGROSSED SENATE BILL NO. 266,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 294,
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 52, by Senators Faulk, Elicker, Andersen, Peterson (Ted), Day and McCormack (by Executive request):

An Act relating to state government; creating a department of social and health services; prescribing its composition, powers, duties and functions; transferring certain powers, duties and functions thereto from the department of health, the department of public assistance, the department of institutions, the veterans' rehabilitation council, and the division of vocational rehabilitation of the coordinating council for occupational education; abolishing the departments of health, institutions, and public assistance; abolishing the division of vocational rehabilitation of the coordinating council for occupational education; amending section 2, chapter 176, Laws of 1933 as last amended by section 41, chapter 8, Laws of 1967 ex. sess. and RCW 28.10.010; amending section 31, chapter 157, Laws of 1955 as last amended by section 2, chapter 105, Laws of 1969 and RCW 28.10.080; amending section 16, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.160; amending section 22, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.220; amending section 28A.10.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.10.010; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter --, Laws of 1970 ex. sess. (HB --) and RCW 28A.10.080; amending section 28B.50.160, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.160; amending section 28B.50.220, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.220; amending section 1, chapter 32, Laws of 1969 and RCW 43.17.010; amending section 2, chapter 32, Laws of 1969 and RCW 43.17.020; amending section 43.20.030, chapter 8, Laws of 1965 and RCW 43.20.030; amending section 5, chapter 242, Laws of 1967 and RCW 43.27A.050; amending section 43.61.010, chapter 8, Laws of 1965 and RCW 43.61.010; amending section 43.61.020, chapter 8, Laws of 1965 and RCW 43.61.020; amending section 43.61.030, chapter 8, Laws of 1965 and RCW 43.61.030; amending section 43.61.040, chapter 8, Laws of 1965 and RCW 43.61.040; amending section 43.61.050, chapter 8, Laws of 1965 and RCW 43.61.050; amending section 43.61.070, chapter 8, Laws of 1965 and RCW 43.61.070; amending section 72.01.010, chapter 28, Laws of 1959 and RCW 72.01.010; amending section 72.02.040, chapter 28, Laws of 1959 and RCW 72.02.040; amending sections 1 and 2, chapter 169, Laws of 1953 and RCW 72.01.042 and 72.01.043; amending section 72.05.020, chapter 28, Laws of 1959 and RCW 72.05.020; amending section 72.06.010, chapter 28, Laws of 1959 and RCW 72.06.010; amending section 5, chapter 207, Laws of 1961 as amended by section 3, chapter 88, Laws of 1965 and RCW 70.98.050; amending section 6, chapter 207, Laws of 1961 and RCW 70.98.060; amending section 7, chapter 207, Laws of 1961 as last amended by section 1, chapter 44, Laws of 1969 and RCW 70.98.070; amending section 6, chapter 172, Laws of 1967 and RCW

74.15.060; amending section 18, chapter 172, Laws of 1967 as amended by section 3, chapter 172, Laws of 1969 ex. sess. and RCW 74.32.051; amending section 19, chapter 172, Laws of 1967 and RCW 74.32.053; amending section 2, chapter 39, Laws of 1965 and RCW 74.36.010; amending section 3, chapter 39, Laws of 1965 and RCW 74.36.020; amending section 4, chapter 39, Laws of 1965 and RCW 74.36.030; amending section 5, chapter 39, Laws of 1965 and RCW 74.36.040; amending section 1, chapter 33, Laws of 1967 ex. sess. and RCW 74.36.100; adding a new section to chapter 1, Laws of 1961, and to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; repealing section 19, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.190; repealing section 28B.50.190, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.190; repealing section 21, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.210; repealing section 28B.50.210, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.210; repealing section 26, chapter 8, Laws of 1967 ex. sess. and RCW 28.85.260; repealing section 28B.50.260, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.260; repealing section 43.20.020, chapter 8, Laws of 1965 and RCW 43.20.020; repealing section 72.01.020, chapter 28, Laws of 1959 and RCW 72.01.020; repealing section 72.01.030, chapter 28, Laws of 1959 as amended by section 1, chapter 134, Laws of 1967 and RCW 72.01.030; repealing section 72.01.040, chapter 28, Laws of 1959 and RCW 72.01.040; repealing section 1, chapter 293, Laws of 1959 and RCW 72.01.061; repealing section 2, chapter 293, Laws of 1959 and RCW 72.01.062; repealing section 4, chapter 293, Laws of 1959 and RCW 72.01.064; repealing section 5, chapter 293, Laws of 1959 and RCW 72.01.065; repealing section 6, chapter 293, Laws of 1959 and RCW 72.01.066; repealing section 7, chapter 293, Laws of 1959 and RCW 72.01.067; repealing section 72.01.070, chapter 28, Laws of 1959 and RCW 72.01.070; repealing section 72.01.080, chapter 28, Laws of 1959 and RCW 72.01.080; repealing section 72.01.330, chapter 28, Laws of 1959 and RCW 72.01.330; repealing section 72.01.340, chapter 28, Laws of 1959 and RCW 72.01.340; repealing section 72.01.350, chapter 28, Laws of 1959 and RCW 72.01.350; repealing section 72.01.360, chapter 28, Laws of 1959 and RCW 72.01.360; repealing section 72.02.010, chapter 28, Laws of 1959 and RCW 72.02.010; repealing section 72.02.020, chapter 28, Laws of 1959 and RCW 72.02.020; repealing section 72.02.030, chapter 28, Laws of 1959 and RCW 72.02.030; repealing section 3, chapter 134, Laws of 1967 and RCW 72.04A.010; repealing section 4, chapter 134, Laws of 1967 and RCW 72.04A.020; repealing section 5, chapter 134, Laws of 1967 and RCW 72.04A.030; repealing section 6, chapter 134, Laws of 1967 and RCW 72.04A.040; repealing section 72.05.030, chapter 28, Laws of 1959 and RCW 72.05.030; repealing section 72.05.040, chapter 28, Laws of 1959 and RCW 72.05.040; repealing section 72.06.020, chapter 28, Laws of 1959 and RCW 72.06.020; repealing section 72.06.030, chapter 28, Laws of 1959 and RCW 72.06.030; repealing section 72.06.040, chapter 28, Laws of 1959 and RCW 72.06.040; repealing sections 72.50.010 through 72.50.110, chapter 28, Laws of 1959 and RCW 72.50.010 through 72.50.110; repealing section 6, chapter 39, Laws of 1965 and RCW 74.36.050; providing for the expiration of certain sections and for certain effective dates.

Referred to Committee on Public Health and Welfare.

ENGROSSED SUBSTITUTE SENATE BILL NO. 55, by Committee on Labor and Social Security:

An Act relating to factory built housing; providing for promulgation of rules and regulations governing the structural soundness thereof and the safety of components therein; adding new sections to chapter 8, Laws of 1965 and to chapter 43.22 RCW; and prescribing penalties.

Referred to Committee on Local Government.

SENATE BILL NO. 58, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

An Act relating to waterfront lands; and providing for restrictions on its use and the acquisition of scenic easements.

Referred to Committee on Natural Resources.

SENATE BILL NO. 60, by Senators Guess, Washington and Atwood:

An Act relating to public lands; and amending section 24, chapter 255, Laws of 1927

as last amended by section 1, chapter 78, Laws of 1967 ex. sess. and RCW 79.01.096.

Referred to Committee on Education and Libraries.

ENGROSSED SENATE BILL NO. 68, by Senators Pritchard, Bailey and Holman:

An Act relating to abortion; adding three new sections to chapter 249, Laws of 1909 and to chapter 9.02 RCW; and providing for submission of this act to a vote of the people.

Referred to Committee on Public Health and Welfare.

SENATE BILL NO. 81, by Senators Twigg and Bailey:

An Act relating to the fees of county officers; and amending section 36.18.020, chapter 4, Laws of 1963 as amended by section 9, chapter 26, Laws of 1967 and RCW 36.18.020.

Referred to Committee on Local Government.

SENATE BILL NO. 83, by Senators Gissberg and Williams:

An Act relating to the annual conference of judges; and amending section 6, chapter 259, Laws of 1957 and RCW 2.56.060.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 85, by Senators Atwood, Foley and Mardesich:

An Act relating to county property tax millages; amending section 36.32.350, chapter 4, Laws of 1963 and RCW 36.32.350; amending section 36.47.040, chapter 4, Laws of 1963 as amended by section 3, chapter 5, Laws of 1969 ex. sess. and RCW 36.47.040; amending section 4, chapter 31, Laws of 1961 and RCW 53.06.040; amending section 1, chapter 267, Laws of 1961 and RCW 56.08.110; amending section 1, chapter 242, Laws of 1961 and RCW 57.08.110; amending section 1, chapter 191, Laws of 1939 as amended by section 1, chapter 163, Laws of 1943 and RCW 70.12.010; amending section 1, chapter 162, Laws of 1943 as last amended by section 11, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.010; amending section 16, chapter 110, Laws of 1967 ex. sess. and RCW 71.20.110; and amending section 7, page 210, Laws of 1888 as last amended by section 1, chapter 57, Laws of 1969 and RCW 73.08.080.

Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE BILL NO. 87, by Senators Lewis (Brian), Andersen and Knoblauch:

An Act relating to state parks and recreation; establishing the Lake Washington State Park and Nature Conservation Area; and providing for the acquisition of certain lands for parks and conservation purposes.

Referred to Committee on Natural Resources.

SENATE BILL NO. 126, by Senators Peterson (Ted), Talley, Stender and Francis:

An Act relating to elevators, other lifting devices and moving walks; amending section 3, chapter 26, Laws of 1963 and RCW 70.87.030; amending section 12, chapter 26, Laws of 1963 and RCW 70.87.120; and repealing section 13, chapter 26, Laws of 1963 as amended by section 3, chapter 108, Laws of 1969 ex. sess. and RCW 70.87.130.

Referred to Committee on Labor and Employment Security.

ENGROSSED SUBSTITUTE SENATE BILL NO. 146, by Committee on State Government:

An Act relating to interest rates on obligations of the state and various political subdivisions thereof; amending section 1, chapter 232, Laws of 1969 ex. sess. (uncodified); amending section 11, chapter 154, Laws of 1915 as last amended by section 64, chapter 232, Laws of 1969 ex. sess. and RCW 8.12.400; amending section 1, chapter 53, Laws of 1957 as amended by section 2, chapter 232, Laws of 1969 ex. sess. and RCW 14.08.112; amending section 2, chapter 53, Laws of 1957 as amended by section 3, chapter 232, Laws of 1969 ex. sess. and RCW 14.08.114; amending section 26, chapter 153, Laws of 1957 as amended by section 65, chapter 232, Laws of 1969 ex. sess. and RCW 17.28.260; amending section 2, chapter 59, Laws of 1955 as amended by section 4, chapter 232, Laws of 1969

ex. sess. and RCW 27.12.223; amending section 12, page 329, chapter 97, Laws of 1909 as last amended by section 66, chapter 232, Laws of 1969 ex. sess. and RCW 28.51.180; amending section 5, page 333, chapter 97, Laws of 1909 as amended by section 67, chapter 232, Laws of 1969 ex. sess. and RCW 28.52.050; amending section 6, page 334, chapter 97, Laws of 1909 as amended by section 68, chapter 232, Laws of 1969 ex. sess. and RCW 28.52.055; amending section 7, chapter 229, Laws of 1961 as amended by section 6, chapter 232, Laws of 1969 ex. sess. and RCW 28.76.192; amending section 8, chapter 229, Laws of 1961 as amended by section 7, chapter 232, Laws of 1969 ex. sess. and RCW 28.76.194; amending section 4, chapter 229, Laws of 1961 as amended by section 8, chapter 232, Laws of 1969 ex. sess. and RCW 28.76.200; amending section 3, chapter 284, Laws of 1947 as amended by section 9, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.370; amending section 4, chapter 254, Laws of 1957 as last amended by section 10, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.530; amending section 8, chapter 193, Laws of 1959 as amended by section 11, chapter 232, Laws of 1969 ex. sess. and RCW 28.77.547; amending section 4, chapter 12, Laws of 1961 ex. sess. as amended by section 12, chapter 232, Laws of 1969 ex. sess. and RCW 28.80.530; amending section 7, chapter 12, Laws of 1961 ex. sess. as amended by section 13, chapter 232, Laws of 1969 ex. sess. and RCW 28.80.560; amending section 4, chapter 14, Laws of 1961 ex. sess. as amended by section 69, chapter 232, Laws of 1969 ex. sess. and RCW 28.81.530; amending section 8, chapter 14, Laws of 1961 ex. sess. as amended by section 70, chapter 232, Laws of 1969 ex. sess. and RCW 28.81.570; amending section 7, chapter -- (HB 41), Laws of 1970 1st ex. sess. and RCW 28.85.350; amending section 39, chapter 8, Laws of 1967 ex. sess. as amended by section 36, chapter 232, Laws of 1969 ex. sess. and RCW 28.85.390; amending section 28B.10.310, chapter 223, Laws of 1969 ex. sess. as amended by section 96, chapter 232, Laws of 1969 ex. sess. and RCW 28B.10.310; amending section 28B.10.315, chapter 223, Laws of 1969 ex. sess. as amended by section 97, chapter 232, Laws of 1969 ex. sess. and RCW 28B.10.315; amending section 28B.10.325, chapter 223, Laws of 1969 ex. sess. as amended by section 98, chapter 232, Laws of 1969 ex. sess. and RCW 28B.10.325; amending section 28B.20.396, chapter 223, Laws of 1969 ex. sess. as amended by section 99, chapter 232, Laws of 1969 ex. sess. and RCW 28B.20.396; amending section 28B.20.715, chapter 223, Laws of 1969 ex. sess. as amended by section 100, chapter 232, Laws of 1969 ex. sess. and RCW 28B.20.715; amending section 28B.20.730, chapter 223, Laws of 1969 ex. sess. as amended by section 101, chapter 232, Laws of 1969 ex. sess. and RCW 28B.20.730; amending section 28B.30.730, chapter 223, Laws of 1969 ex. sess. as amended by section 102, chapter 232, Laws of 1969 ex. sess. and RCW 28B.30.730; amending section 28B.30.760, chapter 223, Laws of 1969 ex. sess. as amended by section 103, chapter 232, Laws of 1969 ex. sess. and RCW 28B.30.760; amending section 28B.40.730, chapter 223, Laws of 1969 ex. sess. as amended by section 104, chapter 232, Laws of 1969 ex. sess. and RCW 28B.40.730; amending section 28B.40.770, chapter 223, Laws of 1969 ex. sess. as amended by section 105, chapter 232, Laws of 1969 ex. sess. and RCW 28B.40.770; amending section 19, chapter -- (HB 41), Laws of 1970 1st ex. sess. and RCW 28B.50.350; amending section 28B.50.390, chapter 223, Laws of 1969 ex. sess. as amended by section 107, chapter 232, Laws of 1969 ex. sess. and RCW 28B.50.390; amending section 35.41.030, chapter 7, Laws of 1965 as amended by section 15, chapter 232, Laws of 1969 ex. sess. and RCW 35.41.030; amending section 35.45.020, chapter 7, Laws of 1965 as amended by section 11, chapter 258, Laws of 1969 ex. sess. and RCW 35.45.020; amending section 35.45.130, chapter 7, Laws of 1965 and RCW 35.45.130; amending section 35.45.150, chapter 7, Laws of 1965 and RCW 35.45.150; amending section 1, chapter -- (HB 37), Laws of 1970 1st ex. sess. and RCW 35.58.450; amending section 2, chapter -- (HB 37), Laws of 1970 1st ex. sess. and RCW 35.58.460; amending section 35.58.470, chapter 7, Laws of 1965 as amended by section 18, chapter 232, Laws of 1969 ex. sess. and RCW 35.58.470; amending section 35.61.170, chapter 7, Laws of 1965 as amended by section 19, chapter 232, Laws of 1969 ex. sess. and RCW 35.61.170; amending section 35.67.080, chapter 7, Laws of 1965 as amended by section 20, chapter 232, Laws of 1969 ex. sess. and RCW 35.67.080; amending section 35.67.140, chapter 7, Laws of 1965 as amended by section 71, chapter 232, Laws of 1969 ex. sess. and RCW 35.67.140; amending section 35.81.100, chapter 7, Laws of 1965 as amended by section 21, chapter 232, Laws of 1969 ex. sess. and RCW 35.81.100; amending section 35.82.140, chapter 7, Laws of 1965 as

amended by section 22, chapter 232, Laws of 1969 ex. sess. and RCW 35.82.140; amending section 35.89.020, chapter 7, Laws of 1965 as amended by section 23, chapter 232, Laws of 1969 ex. sess. and RCW 35.89.020; amending section 35.92.080, chapter 7, Laws of 1965 as last amended by section 24, chapter 232, Laws of 1969 ex. sess. and RCW 35.92.080; amending section 35.92.100, chapter 7, Laws of 1965 as amended by section 25, chapter 232, Laws of 1969 ex. sess. and RCW 35.92.100; amending section 36.62.070, chapter 4, Laws of 1963 as amended by section 26, chapter 232, Laws of 1969 ex. sess. and RCW 36.62.070; amending section 3, chapter 142, Laws of 1965 as amended by section 27, chapter 232, Laws of 1969 ex. sess. and RCW 36.67.530; amending section 6, chapter 142, Laws of 1965 as amended by section 28, chapter 232, Laws of 1969 ex. sess. and RCW 36.67.560; amending section 36.76.010, chapter 4, Laws of 1963 as amended by section 72, chapter 232, Laws of 1969 ex. sess. and RCW 36.76.010; amending section 36.76.090, chapter 4, Laws of 1963 as amended by section 29, chapter 232, Laws of 1969 ex. sess. and RCW 36.76.090; amending section 36.76.140, chapter 4, Laws of 1963 as amended by section 30, chapter 232, Laws of 1969 ex. sess. and RCW 36.76.140; amending section 36.88.200, chapter 4, Laws of 1963 as amended by section 73, chapter 232, Laws of 1969 ex. sess. and RCW 36.88.200; amending section 3, chapter 4, Laws of 1917 as amended by section 74, chapter 232, Laws of 1969 ex. sess. and RCW 37.16.020; amending section 4, chapter 4, Laws of 1917 as amended by section 75, chapter 232, Laws of 1969 ex. sess. and RCW 37.16.030; amending section 3, chapter 151, Laws of 1923 as last amended by section 93, chapter 232, Laws of 1969 ex. sess. and RCW 39.44.030; amending section 1, chapter 30, Laws of 1933 ex. sess. as amended by section 76, chapter 232, Laws of 1969 ex. sess. and RCW 39.48.010; amending section 2, chapter 170, Laws of 1895 as amended by section 31, chapter 232, Laws of 1969 ex. sess. and RCW 39.52.020; amending section 43.21.340, chapter 8, Laws of 1965 as amended by section 32, chapter 232, Laws of 1969 ex. sess. and RCW 43.21.340; amending section 47.56.140, chapter 13, Laws of 1961 as last amended by section 33, chapter 232, Laws of 1969 ex. sess. and RCW 47.56.140; amending section 33, chapter 181, Laws of 1961 as amended by section 77, chapter 232, Laws of 1969 ex. sess. and RCW 47.57.550; amending section 47.58.040, chapter 13, Laws of 1961 as last amended by section 78, chapter 232, Laws of 1969 ex. sess. and RCW 47.58.040; amending section 47.60.060, chapter 13, Laws of 1961 as amended by section 34, chapter 232, Laws of 1969 ex. sess. and RCW 47.60.060; amending section 3, chapter 176, Laws of 1953 as last amended by section 89, chapter 232, Laws of 1969 ex. sess. and RCW 52.16.061; amending section 5, chapter 24, Laws of 1951 2nd ex. sess. as amended by section 40, chapter 232, Laws of 1969 ex. sess. and RCW 52.16.100; amending section 45, chapter 34, Laws of 1939 as amended by section 90, chapter 232, Laws of 1969 ex. sess. and RCW 52.20.060; amending section 3, chapter 236, Laws of 1959 as amended by section 79, chapter 232, Laws of 1969 ex. sess. and RCW 53.34.030; amending section 4, chapter 236, Laws of 1959 as amended by section 80, chapter 232, Laws of 1969 ex. sess. and RCW 53.34.040; amending section 6, chapter 236, Laws of 1959 as amended by section 81, chapter 232, Laws of 1969 ex. sess. and RCW 53.34.060; amending section 3, chapter 218, Laws of 1941 as amended by section 82, chapter 232, Laws of 1969 ex. sess. and RCW 53.39.030; amending section 4, chapter 59, Laws of 1957 as last amended by section 37, chapter 232, Laws of 1969 ex. sess. and RCW 53.40.030; amending section 9, chapter 122, Laws of 1949 as last amended by section 38, chapter 232, Laws of 1969 ex. sess. and RCW 53.40.110; amending section 8, chapter 122, Laws of 1949 as last amended by section 39, chapter 232, Laws of 1969 ex. sess. and RCW 53.40.130; amending section 2, chapter 239, Laws of 1947 as amended by section 91, chapter 232, Laws of 1969 ex. sess. and RCW 53.44.020; amending section 7, chapter 1, Laws of 1931 as amended by section 14, chapter 232, Laws of 1969 ex. sess. and RCW 54.24.018; amending section 4, chapter 182, Laws of 1941 as last amended by section 83, chapter 232, Laws of 1969 ex. sess. and RCW 54.24.060; amending section 8, chapter 182, Laws of 1941 as last amended by section 84, chapter 232, Laws of 1969 ex. sess. and RCW 54.24.090; amending section 18, chapter 210, Laws of 1941 as last amended by section 85, chapter 232, Laws of 1969 ex. sess. and RCW 56.16.040; amending section 19, chapter 210, Laws of 1941 as last amended by section 86, chapter 232, Laws of 1969 ex. sess. and RCW 56.16.060; amending section 21, chapter 210, Laws of 1941 and RCW 56.16.080; amending section 11, chapter 114, Laws of 1929 as last amended by section 87, chapter 232, Laws of 1969 ex. sess. and RCW 57.20.010; amending

section 3, chapter 128, Laws of 1939 as last amended by section 88, chapter 232, Laws of 1969 ex. sess. and RCW 57.20.020; amending section 6, chapter 264, Laws of 1945 as last amended by section 1, chapter 65, Laws of 1969 ex. sess. and RCW 70.44.060; amending section 13, chapter 264, Laws of 1945 as amended by section 3, chapter 65, Laws of 1969 ex. sess. and RCW 70.44.120; amending section 30, chapter 117, Laws of 1895 as amended by section 43, chapter 232, Laws of 1969 ex. sess. and RCW 85.05.300; amending section 1, chapter 156, Laws of 1913 as amended by section 50, chapter 232, Laws of 1969 ex. sess. and RCW 85.05.480; amending section 27, chapter 115, Laws of 1895 as amended by section 51, chapter 232, Laws of 1969 ex. sess. and RCW 85.06.270; amending section 1, part, chapter 174, Laws of 1927 as amended by section 52, chapter 232, Laws of 1969 ex. sess. and RCW 85.06.321; amending section 2, chapter 103, Laws of 1935 as amended by section 53, chapter 232, Laws of 1969 ex. sess. and RCW 85.07.070; amending section 13, chapter 26, Laws of 1949 as amended by section 54, chapter 232, Laws of 1969 ex. sess. and RCW 85.16.180; amending section 194, chapter 72, Laws of 1937 as amended by section 44, chapter 232, Laws of 1969 ex. sess. and RCW 86.09.580; amending section 200, chapter 72, Laws of 1937 as amended by section 45, chapter 232, Laws of 1969 ex. sess. and RCW 86.09.598; amending section 15, page 679, Laws of 1889-90 as last amended by section 46, chapter 232, Laws of 1969 ex. sess. and RCW 87.03.200; amending section 3, chapter 161, Laws of 1923 as amended by section 55, chapter 232, Laws of 1969 ex. sess. and RCW 87.19.030; amending section 20, chapter 120, Laws of 1929 as last amended by section 56, chapter 232, Laws of 1969 ex. sess. and RCW 87.22.150; amending section 21, chapter 120, Laws of 1929 as amended by section 57, chapter 232, Laws of 1969 ex. sess. and RCW 87.22.160; amending section 2, chapter 57, Laws of 1949 as amended by section 58, chapter 232, Laws of 1969 ex. sess. and RCW 87.28.020; amending section 6, chapter 57, Laws of 1949 as amended by section 59, chapter 232, Laws of 1969 ex. sess. and RCW 87.28.070; amending section 10, chapter 236, Laws of 1907 as amended by section 60, chapter 232, Laws of 1969 ex. sess. and RCW 88.32.140; amending section 140, chapter 254, Laws of 1927 as amended by section 61, chapter 232, Laws of 1969 ex. sess. and RCW 89.30.418; amending section 174, chapter 254, Laws of 1927 as amended by section 62, chapter 232, Laws of 1969 ex. sess. and RCW 89.30.520; amending section 35, chapter 8, Laws of 1909 as last amended by section 47, chapter 232, Laws of 1969 ex. sess. and RCW 91.04.490; amending section 46, chapter 23, Laws of 1911 as amended by section 48, chapter 232, Laws of 1969 ex. sess. and RCW 91.08.480; amending section 4, chapter 80, Laws of 1899 and RCW 39.56.020; repealing section 1, chapter 151, Laws of 1965 ex. sess. as amended by section 41, chapter 232, Laws of 1969 ex. sess. and RCW 79.24.610; repealing section 2, chapter 151, Laws of 1965 ex. sess. as amended by section 42, chapter 232, Laws of 1969 ex. sess. and RCW 79.24.612; providing effective dates and for the expiration of sections hereof; and declaring an emergency.

Referred to Committee on State Government and Legislative Procedures.

SUBSTITUTE SENATE BILL NO. 161, by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution:

An Act providing for the licensing of the administrators of nursing homes and similar facilities; creating a board of examiners for licensing of nursing home administrators; establishing standards; prescribing penalties; providing an effective date; making an appropriation; and declaring an emergency.

Referred to Committee on Public Health and Welfare.

SENATE BILL NO. 191, by Senators Elicker and Herr:

An Act relating to counties; and amending section 36.32.020, chapter 4, Laws of 1963 and RCW 36.32.020.

Referred to Committee on Local Government.

SUBSTITUTE SENATE BILL NO. 226, by Committee on Highways:

An Act relating to state highways; amending section 10, chapter 281, Laws of 1969 ex. sess. (unmodified); amending section 47.20.570, chapter 13, Laws of 1961 and RCW 47.20.570; amending section 47.20.580, chapter 13, Laws of 1961 and RCW 47.20.580;

amending section 47.22.010, chapter 13, Laws of 1961 and RCW 47.22.010; amending section 47.22.020, chapter 13, Laws of 1961 as amended by section 13, chapter 145, Laws of 1967 ex. sess. and RCW 47.22.020; amending section 2, chapter 85, Laws of 1967 ex. sess. as amended by section 6, chapter 281, Laws of 1969 ex. sess. and RCW 47.39.020; adding a new chapter to Title 47 RCW; repealing section 47.16.010, chapter 13, Laws of 1961 as last amended by section 5, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.010; repealing section 4, chapter 145, Laws of 1967 ex. sess. and RCW 47.16.013; repealing section 13, chapter 281, Laws of 1969 ex. sess. and RCW 47.16.014; repealing section 47.16.020, chapter 13, Laws of 1961 as amended by section 5, chapter 281, Laws of 1969 ex. sess. and RCW 47.16.020; repealing section 47.16.030, chapter 13, Laws of 1961 as amended by section 7, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.030; repealing section 47.16.040, chapter 13, Laws of 1961 and RCW 47.16.040; repealing section 47.16.050, chapter 13, Laws of 1961 as last amended by section 7, chapter 281, Laws of 1969 ex. sess. and RCW 47.16.050; repealing section 9, chapter 145, Laws of 1967 ex. sess. and RCW 47.16.053; repealing section 47.16.060, chapter 13, Laws of 1961 as amended by section 1, chapter 240, Laws of 1963 and RCW 47.16.060; repealing section 47.16.070, chapter 13, Laws of 1961 and RCW 47.16.070; repealing section 47.16.080, chapter 13, Laws of 1961 as amended by section 8, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.080; repealing section 47.16.090, chapter 13, Laws of 1961 and RCW 47.16.090; repealing section 47.16.100, chapter 13, Laws of 1961 as amended by section 1, chapter 3, Laws of 1963 ex. sess. and RCW 47.16.100; repealing section 47.16.110, chapter 13, Laws of 1961 and RCW 47.16.110; repealing section 47.16.120, chapter 13, Laws of 1961 as last amended by section 9, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.120; repealing section 47.16.130, chapter 13, Laws of 1961 and RCW 47.16.130; repealing section 47.16.140, chapter 13, Laws of 1961 as amended by section 3, chapter 3, Laws of 1963 ex. sess. and RCW 47.16.140; repealing section 47.16.150, chapter 13, Laws of 1961 and RCW 47.16.150; repealing section 47.16.160, chapter 13, Laws of 1961 as amended by section 3, chapter 21, Laws of 1961 ex. sess. and RCW 47.16.160; repealing section 47.16.180, chapter 13, Laws of 1961 and RCW 47.16.180; repealing section 47.16.190, chapter 13, Laws of 1961 as last amended by section 12, chapter 170, Laws of 1965 ex. sess. and RCW 47.16.190; repealing section 47.16.200, chapter 13, Laws of 1961 as amended by section 4, chapter 3, Laws of 1963 ex. sess. and RCW 47.16.200; repealing section 47.20.010, chapter 13, Laws of 1961 as last amended by section 1, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.010; repealing section 47.20.020, chapter 13, Laws of 1961 as amended by section 4, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.020; repealing section 47.20.030, chapter 13, Laws of 1961 as last amended by section 2, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.030; repealing section 47.20.040, chapter 13, Laws of 1961 and RCW 47.20.040; repealing section 47.20.050, chapter 13, Laws of 1961 as amended by section 3, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.050; repealing section 47.20.060, chapter 13, Laws of 1961 and RCW 47.20.060; repealing section 47.20.070, chapter 13, Laws of 1961 and RCW 47.20.070; repealing section 47.20.080, chapter 13, Laws of 1961 as amended by section 6, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.080; repealing section 47.20.090, chapter 13, Laws of 1961 as amended by section 8, chapter 21, Laws of 1961 and RCW 47.20.090; repealing section 47.20.100, chapter 13, Laws of 1961 as amended by section 20, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.100; repealing section 47.20.109, chapter 13, Laws of 1961 and RCW 47.20.109; repealing section 47.20.110, chapter 13, Laws of 1961 and RCW 47.20.110; repealing section 47.20.120, chapter 13, Laws of 1961 as amended by section 7, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.120; repealing section 47.20.130, chapter 13, Laws of 1961 as amended by section 8, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.130; repealing section 47.20.140, chapter 13, Laws of 1961 as last amended by section 12, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.140; repealing section 47.20.160, chapter 13, Laws of 1961 as last amended by section 5, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.160; repealing section 47.20.161, chapter 13, Laws of 1961 and RCW 47.20.161; repealing section 6, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.162; repealing section 47.20.165, chapter 13, Laws of 1961 and RCW 47.20.165; repealing section 47.20.170, chapter 13, Laws of 1961 and RCW 47.20.170; repealing section 47.20.180, chapter 13, Laws of 1961 as amended by section 28, chapter 170, Laws of 1965 ex. sess.

and RCW 47.20.180; repealing section 47.20.190, chapter 13, Laws of 1961 and RCW 47.20.190; repealing section 47.20.200, chapter 13, Laws of 1961 as amended by section 8, chapter 281, Laws of 1969 ex. sess. and RCW 47.20.200; repealing section 47.20.210, chapter 13, Laws of 1961 as last amended by section 11, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.220; repealing section 17, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.221; repealing section 18, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.222; repealing section 19, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.223; repealing section 47.20.230, chapter 13, Laws of 1961 and RCW 47.20.230; repealing section 47.20.240, chapter 13, Laws of 1961 as amended by section 9, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.240; repealing section 47.20.250, chapter 13, Laws of 1961 as amended by section 12, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.250; repealing section 47.20.260, chapter 13, Laws of 1961 and RCW 47.20.260; repealing section 47.20.270, chapter 13, Laws of 1961 and RCW 47.20.270; repealing section 47.20.280, chapter 13, Laws of 1961 as amended by section 15, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.280; repealing section 47.20.290, chapter 13, Laws of 1961 and RCW 47.20.290; repealing section 47.20.300, chapter 13, Laws of 1961 as amended by section 17, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.300; repealing section 47.20.310, chapter 13, Laws of 1961 and RCW 47.20.310; repealing section 47.20.320, chapter 13, Laws of 1961 as amended by section 2, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.320; repealing section 47.20.325, chapter 13, Laws of 1961 and RCW 47.20.325; repealing section 47.20.330, chapter 13, Laws of 1961 as amended by section 10, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.330; repealing section 47.20.340, chapter 13, Laws of 1961 as last amended by section 13, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.340; repealing section 41, chapter 21, Laws of 1961 ex. sess. as amended by section 3, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.351; repealing section 47.20.360, chapter 13, Laws of 1961 as amended by section 16, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.360; repealing section 47.20.379, chapter 13, Laws of 1961 and RCW 47.20.379; repealing section 47.20.380, chapter 13, Laws of 1961 as amended by section 30, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.380; repealing section 47.20.390, chapter 13, Laws of 1961 as amended by section 9, chapter 281, Laws of 1969 ex. sess. and RCW 47.20.390; repealing section 47.20.400, chapter 13, Laws of 1961 and RCW 47.20.400; repealing section 47.20.410, chapter 13, Laws of 1961 as last amended by section 7, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.410; repealing section 47.20.420, chapter 13, Laws of 1961 and RCW 47.20.420; repealing section 47.20.430, chapter 13, Laws of 1961 as amended by section 15, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.430; repealing section 10, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.431; repealing section 47.20.440, chapter 13, Laws of 1961 as last amended by section 4, chapter 170, Laws of 1965 ex. sess. and RCW 47.20.440; repealing section 47.20.450, chapter 13, Laws of 1961 and RCW 47.20.450; repealing section 47.20.460, chapter 13, Laws of 1961 and RCW 47.20.460; repealing section 47.20.461, chapter 13, Laws of 1961 and RCW 47.20.461; repealing section 47.20.462, chapter 13, Laws of 1961 and RCW 47.20.462; repealing section 47.20.470, chapter 13, Laws of 1961 and RCW 47.20.470; repealing section 47.20.480, chapter 13, Laws of 1961 and RCW 47.20.480; repealing section 47.20.490, chapter 13, Laws of 1961 as amended by section 15, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.490; repealing section 47.20.500, chapter 13, Laws of 1961 as amended by section 16, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.500; repealing section 11, chapter 145, Laws of 1967 ex. sess. and RCW 47.20.505; repealing section 47.20.540, chapter 13, Laws of 1961 as amended by section 12, chapter 21, Laws of 1961 ex. sess. and RCW 47.20.540; repealing section 47.20.541, chapter 13, Laws of 1961 and RCW 47.20.541; repealing section 47.20.550, chapter 13, Laws of 1961 and RCW 47.20.550.

Referred to Committee on Transportation.

ENGROSSED SENATE BILL NO. 234, by Senators Cooney, Marquardt and Peterson (Ted):

An Act relating to revenue and tax; amending section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935, as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210; amending section 82.08.150,

chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; adding a new section to chapter 62, Laws of 1933 ex. sess., and to chapter 66.24 RCW; and providing an effective date.

Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE BILL NO. 236, by Senators Greive, Day and Twigg:

An Act relating to business and professions; providing for examinations to practice osteopathy and surgery, medicine and surgery, chiropractic and chiropody; adding a new section to chapter 4, Laws of 1919 and to chapter 18.57 RCW; adding a new section to chapter 192, Laws of 1909 and to chapter 18.71 RCW; adding a new section to chapter 5, Laws of 1919 and to chapter 18.25 RCW; adding a new section to chapter 28, Laws of 1917 and to chapter 18.22 RCW; amending section 14, chapter 5, Laws of 1919 and RCW 18.25.040; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.75 RCW.

Referred to Committee on Public Health and Welfare.

ENGROSSED SENATE BILL NO. 266, by Senator Holman:

An Act relating to garnishments; reenacting section 5, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.050; amending section 8, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.080; amending section 19, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.190; amending section 28, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.280; amending section 34, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.340; and adding new sections to chapter 264, Laws of 1969 ex. sess. and to chapter 7.33 RCW.

Referred to Committee on Judiciary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 294, by Committee on Cities, Towns and Counties:

An Act relating to cities operating under the Optional Municipal Code, and the election of officers of such cities; amending section 35A.02.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.040; amending section 35A.02.050, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.050; amending section 35A.12.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.040; amending section 35A.29.110, chapter 119, Laws of 1967 ex. sess. and RCW 35A.29.110; and amending section 35A.29.150, chapter 119, Laws of 1967 ex. sess. and RCW 35A.29.150; and amending section 35.13.015, chapter 7, Laws of 1965 as last amended by section 7, chapter 73, Laws of 1967 and RCW 35.13.015.

Referred to Committee on Local Government.

The Speaker declared declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Newhouse, the House advanced to the tenth order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 21, by Representatives Whetzel and Clark (Newman H.):

Authorizing cities and counties to impose a sales and use tax.

Engrossed House Bill No. 21 was read the third time and placed on final passage.

Debate ensued, Representatives Whetzel, Gladder, Haussler, Bledsoe and Harris speaking in favor of passage of the bill, and Representatives Marsh and Conner speaking against it.

POINT OF INQUIRY

Mr. Whetzel yielded to question by Mrs. Hurley.

Mrs. Hurley: "Representative Whetzel, today when I buy a dollar item, I pay a five cent sales tax, don't I? And after this local sales tax is enacted, I will pay a half cent for the

local level and four and one-half cents at the state level, which will add up to five cents, won't it?"

Mr. Whetzel: "I believe that is correct."

Mrs. Hurley: "Can you tell me who gets and who loses this half cent?"

Mr. Whetzel: "I am sorry I don't have a tax table in front of me as to the impact of what it would be if a county levied a half cent sales tax. You would find, in that case, the tax wouldn't be any different, but there would be a breaking point a little earlier. I think these revenue projections are reasonably accurate."

Mrs. Hurley: "Wouldn't there be some state impact here?"

Mr. Whetzel: "I don't anticipate any."

Mrs. Hurley: "Just to proceed to one more question: We realize now that the retail store owner is our tax collector for the state, and he has always been able to take a little breakage. What would happen now to the retail store owner when there isn't any breakage?"

Mr. Whetzel: "I don't think it is going to be significantly different. What you are going to do is just have your breakage point at a different point. You happened to pick one dollar. You can find other points above and below one dollar, and there is still going to be the same breakage."

Further debate ensued, Representatives Clark (Newman H.), O'Brien and Brown speaking in favor of passage of the bill, and Representatives Copeland, Moon and King speaking against it.

Mrs. McCaffree demanded an oral roll call and the demand was sustained.

Representative Pardini spoke against passage of the bill.

POINT OF INQUIRY

Mr. Chapin yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Chapin, in order to clarify the impact and distribution of this tax, I'd like to refer back to the amendment that you tried to put on the bill yesterday."

Mr. Chapin: "We did."

Mr. Flanagan: "It was my understanding of what you said that there are actually quite a number of small towns in this state that will receive less, even if they levy this one-half cent sales tax, than they would have received out of the \$10 million appropriation. Is that right?"

Mr. Chapin: "There are cities that will receive less, that is correct."

Representative Flanagan spoke against passage of the bill.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Adams, Kuehnle and Saling.

On motion of Mr. Newhouse, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 21.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 21, and the bill passed the House by the following vote: Yeas, 52; nays, 44; absent or not voting, 3.

Voting yea: Representatives Anderson, Backstrom, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Cunningham, Evans, Farr, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Jolly, Julin, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marzano, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Brien, Richardson, Scott, Shera, Spanton, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Mr. Speaker—52.

Voting nay: Representatives Ackley, Amen, Bagnariol, Barden, Bottiger, Brouillet, Conner, Conway, Copeland, Curtis, DeJarnatt, Flanagan, Fleming, Gallagher, Hoggins, Hubbard, Hurley, Jastad, Jueling, Kalich, King, Kink, Litchman, Marsh, Martinis, May, McCormick, Merrill, Moon, O'Dell, Pardini, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shinpoch, Smythe, Thompson, Williams, Wojahn, Wolf, Zimmerman—44.

Absent or not voting: Representatives Adams, Kuehnle, Saling—3.

Engrossed House Bill No. 21, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, Engrossed House Bill No. 21 was ordered transmitted immediately to the Senate.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 50, by Committee on Business and Professions:

Enacting a comprehensive gambling law.

Engrossed Substitute House Bill No. 50 was read the third time and placed on final passage.

Debate ensued, Representatives Murray and Litchman speaking in favor of passage of the bill, and Representatives Kalich and Moon speaking against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 50, and the bill passed the House by the following vote: Yeas, 87; nays, 9; absent or not voting, 3.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representatives Ackley, Bluechel, Gallagher, Haussler, Julin, Kink, Litchman, Moon, Newhouse—9.

Absent or not voting: Representatives Adams, Kuehnle, Saling—3.

Engrossed Substitute House Bill No. 50, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I favored the bill but voted "no" in order to qualify myself as a conference committee member. MARK LITCHMAN, 45th District.

ENGROSSED HOUSE BILL NO. 52, by Representatives Julin, King, Kiskaddon, Bluechel, Chapin, Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray, North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request):

Supplementing water pollution control law.

Engrossed House Bill No. 52 was read the third time and placed on final passage.

Representatives Julin, King and Copeland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 52, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Adams, Kuehnle, Saling—3.

Engrossed House Bill No. 52, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

HOUSE BILL NO. 278, by Representatives Thompson, Flanagan and Zimmerman:

Defining "water" to include salt and saline waters.

House Bill No. 278 was read the third time and placed on final passage.

Debate ensued, Representative Thompson speaking in favor of passage of the bill, and Representatives Bledsoe, Newhouse and Jolly speaking against it.

Representative Thompson spoke again in favor of passage of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Bluechel.

Mr. Bluechel: "Representative Thompson, I don't quite understand this bill, and I wonder if you could give an example of just how this amendment to the existing law would apply in a specific case."

Mr. Thompson: "Representative Bluechel, should someone desire to withdraw water under the revised authority of this act in an estuarial area or in Puget Sound, he would be required to go through the same procedure that irrigationists now employ in eastern Washington. This involves public notice so that other persons concerned with the use of waters might be notified of his intent to withdraw. There would be an opportunity for interested state departments, those particularly concerned with conservation, to review its impact on other beneficial uses. All these things will be subject to review prior to the issuance of a permit. I must say that everyone, in his dealings with the state, is protected by our Administrative Procedure Act from arbitrary and capricious actions. I wouldn't anticipate that the state would be unreasonable in the application of this review process concerning other beneficial interests, both public and private."

Representatives Chapin, Bottiger and Flanagan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 278, and the bill passed the House by the following vote: Yeas, 79; nays, 16; absent or not voting, 4.

Voting yea: Representatives Ackley, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Farr, Flanagan, Fleming, Gallagher, Gladder, Grant, Harris, Hatfield, Hawley, Hoggins, Hurley, Jastad, Juelling, Julin, Kalich, King, Kink, Kirk,

Kiskaddon, Leckenby, Leland, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, North, O'Brien, O'Dell, Pardini, Randall, Rosellini, Savage, Sawyer, Scott, Shera, Shinpoch, Smythe, Sprague, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—79.

Voting nay: Representatives Amen, Benitz, Bledsoe, Evans, Goldsworthy, Haussler, Hubbard, Jolly, Kopet, Lynch, Morrison, Newhouse, Perry, Richardson, Schumaker, Spanton—16.

Absent or not voting: Representatives Adams, Kuehnle, Saling, Swayze—4.

House Bill No. 278, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Adams, Kuehnle and Saling who were excused.

MOTIONS

On motion of Mr. Newhouse, the House reverted to the ninth order of business.

On motion of Mr. Newhouse, the House recessed until 3:00 p.m.

SECOND AFTERNOON SESSION

The Speaker called the House to order at 3:00 p.m.

The Clerk called the roll and all members were present except Representatives Kuehnle, Saling and Swayze who were excused.

SECOND READING

HOUSE BILL NO. 51, by Representatives Zimmerman, Hoggins, Murray, Amen, Bluechel, Brown, Chapin, Clarke (George W.), Conway, Curtis, Evans, Farr, Hawley, Hubbard, Kirk, Leckenby, Lynch, McCaffree, Mentor, North, Pardini, Schumaker, Scott, Shera, Veroske and Whetzel (by Executive request):

Implementing law relating to pollution of waters by oil.

MOTION

On motion of Mr. Flanagan, Substitute House Bill No. 51 was substituted for House Bill No. 51 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 51 was read the second time.

Mr. Berentson moved adoption of the following amendment:

On page 2, section 2, after line 29 add the following: "*(d) an act of a third party.*"

Representative Berentson spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Sprague.

Mr. Sprague: "I think the question I am about to ask may display some ignorance about the law. I am sure there are enough lawyers here to correct me. You say that if liability is done by a third party, then you are going to limit the liability to \$125 per ton. Mr. Berentson, isn't it now true that in an automobile action — if this is analogous at all — if there are three cars and I am in the first car and you are hit by a third car (you are in the second car), and you are pushed into me, that the third car pays, but I can sue you and you will go ahead and subrogate against the third car? Now this is a common fact of law as far as I know. It happens all the time. Is this true?"

Mr. Berentson: "Mr. Sprague, I think you are the man that's been in the insurance business, not I, but I don't think the thinking necessarily follows. What we are attempting to get at here is probably an act by a third party, and maybe an attorney could better explain what third party liability is than I. But without this, again, the oil company in this case remains fully liable regardless of cause, other than the other things you see enumerated here in this section. What we are attempting to get at is that if under legal terms a third party truly is responsible then they do have this protection at least. I don't think it is unreasonable. I think this is the case in most any legal action."

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

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

Representative Chapin spoke against adoption of the amendment.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Thompson.

Mr. Thompson: "I don't know if we are indulging in 'overkill' on this amendment, but I think section 6 has a bearing on this issue. I think your interpretation of that would be illuminating to the House."

Mr. Julin: "Thank you, Representative Thompson. Section 6, referred to by Representative Thompson, is a section that the committee added to this bill as we considered it. It clearly and unequivocally gives the owner or controller of the oil who is not at fault an action against the party who is legally liable or responsible for the loss that he might sustain. It also gives the state a direction action against that wrongdoer. The language of section 6 is such that, in my opinion, it would be very clear that if a nonnegligent party incurred liability and an action was brought against him by the state, they would in that very same lawsuit be able to bring in the negligent third party and have the liability determined as between those two parties."

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Kink.

Mr. Kink: "Mr. Julin, we are on the water and I am a commercial fisherman. I am proceeding and I am abiding by the maritime rules of the road. Another boat is in the wrong and he hits me, causing my tanks to burst, and I spill 3,000 gallons of diesel oil. Am I liable to clean that up?"

Mr. Julin: "Representative Kink, under the language of the bill as proposed, the answer is 'yes.' You would be liable to clean up the oil that was spilled, but you would also have, under section 6, a clear right to recover against the guy that busted your barrel."

Representatives Kink, Newhouse and Berentson spoke in favor of adoption of the amendment by Mr. Berentson to Substitute House Bill No. 51, and Representatives Zimmerman and Flanagan spoke against it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Berentson to Substitute House Bill No. 51, and the amendment was lost by the following vote: Yeas, 36; nays, 57; absent or not voting, 6.

Voting yea: Representatives Bagnariol, Beck, Benitz, Berentson, Bledsoe, Bozarth, Ceccarelli, Conner, Copeland, Cunningham, Curtis, Evans, Goldsworthy, Harris, Hatfield, Jueling, Kalich, King, Kink, Kirk, Leland, Lynch, McCaffree, McCormick, Merrill, Newhouse, O'Brien, O'Dell, Richardson, Rosellini, Sawyer, Schumaker, Shera, Spanton, Wolf, Mr. Speaker—36.

Voting nay: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Barden, Bluechel, Bottiger, Brouillet, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, DeJarnatt, Farr, Flanagan, Fleming, Gallagher, Gladder, Grant, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Julin, Kiskaddon, Kopet, Leckenby, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, Mentor, Moon, Murray, North, Pardini, Randall, Savage, Scott, Shinpoch, Smythe, Sprague, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Zimmerman—57.

Absent or not voting: Representatives Chatalas, Kuehnle, Morrison, Perry, Saling, Swayze-6.

Mr. Newhouse moved adoption of the following amendment:

On page 2, section 3, line 33, strike "owning or"

Debate ensued, Representative Newhouse speaking in favor of adoption of the amendment, and Representatives Julin, Ackley and Clarke (George W.) speaking against it. Representative Newhouse again spoke in favor of adoption of the amendment.

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

Representative Moon spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Newhouse to Substitute House Bill No. 51, and the amendment was lost by the following vote: Yeas, 19; nays, 74; absent or not voting, 6.

Voting yea: Representatives Benitz, Berentson, Bozarth, Copeland, Curtis, Evans, Goldsworthy, Harris, Kink, Leckenby, McCaffree, McCormick, Newhouse, O'Dell, Perry, Schumaker, Spanton, Wolf, Mr. Speaker-19.

Voting nay: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Cunningham, DeJarnatt, Farr, Flanagan, Fleming, Gallagher, Gladder, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Leland, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, Mentor, Merrill, Moon, Murray, North, O'Brien, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Scott, Shera, Shipoch, Smythe, Sprague, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Zimmerman-74.

Absent or not voting: Representatives Chatalas, Kuehnle, Lynch, Morrison, Saling, Swayze-6.

Mr. Leland moved adoption of the following amendment:

On page 3, section 4, line 22, before the period insert the following proviso: "*PROVIDED, That the total liability that may be assessed under the provisions of this act arising out of any single oil spillage occurrence shall not exceed five million dollars.*"

Debate ensued, Representatives Leland and Perry speaking in favor of adoption of the amendment, and Representatives Zimmerman, Julin and Clarke (George W.) speaking against it.

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

Further debate ensued, Representatives Leland and Leckenby speaking in favor of adoption of the amendment, and Representatives Moon, Sprague, Chapin and Murray speaking against its adoption.

Mr. Bledsoe demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Leland to Substitute House Bill No. 51, and the amendment was lost by the following vote: Yeas, 27; nays, 65; absent or not voting, 7.

Voting yea: Representatives Anderson, Bagnariol, Beck, Benitz, Bottiger, Ceccarelli, Charette, Clark (Newman H.), Conner, Copeland, Hubbard, Jastad, Kalich, Kink, Leckenby, Leland, May, McCormick, Mentor, Merrill, O'Brien, O'Dell, Perry, Savage, Schumaker, Spanton, Wanamaker-27.

Voting nay: Representatives Ackley, Adams, Amen, Backstrom, Barden, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Chapin, Clarke (George W.), Conway, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jolly, Juelling, Julin, King, Kirk, Kiskaddon, Kopet, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, Moon, Murray, Newhouse, North, Pardini, Randall, Richardson, Rosellini,

Sawyer, Scott, Shinpoch, Smythe, Sprague, Thompson, Veroske, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—65.

Absent or not voting: Representatives Chatalas, Kuehnle, Litchman, Morrison, Saling, Shera, Swayze—7.

Mr. Julin moved adoption of the following amendment by Representatives Zimmerman and Julin:

On page 3, section 5, line 29, after "RCW 90.48.330" and before the period insert "*PROVIDED, That the responsibility for necessary expenses for cleanup costs may not exceed fifty dollars per ton of oil which such facility is capable of processing, transporting, transferring in any twenty-four hour period, or storing in the largest unit of such facility, or fifty dollars per gross ton of such vessel, whichever is greater; but in no case to exceed five million dollars per occurrence except where the discharge and entry of oil was the result of negligent or intentional conduct*"

Representative Julin spoke in favor of adoption of the amendment.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Zimmerman and Julin to Substitute House Bill No. 51 and the amendment was adopted by the following vote: Yeas, 81; nays, 10; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hubbard, Hurley, Jastad, Jolly, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Marzano, May, McCaffree, Mentor, Merrill, Moon, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Thompson, Veroske, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—81.

Voting nay: Representatives Ackley, Brown, Grant, Hoggins, Kink, Martinis, McCormick, Sprague, Whetzel, Williams—10.

Absent or not voting: Representatives Chatalas, Conner, Jueling, Kuehnle, Litchman, Morrison, Saling, Swayze—8.

Mr. Whetzel moved adoption of the following amendment :

On page 3, section 5, line 29, after line 29 add a new section as follows and renumber the following sections:

"*NEW SECTION. Sec. 6. There is added to chapter 133, Laws of 1969 ex. sess. and to chapter 90.48 RCW a new section to read as follows:*

Any person owning oil or having control over the same which enters the waters of the state in violation of section 2 of this 1970 amendatory act shall be strictly liable, without regard to fault, for the damages to persons or property, public or private, caused by such entry. In any action to recover such damages, said person shall be relieved from strict liability, without regard to fault, if he can prove that the oil to which the damages relate entered the waters of the state by causes set forth in section 2, subsection (3) of this 1970 amendatory act. Damages that may be recovered for strict liability without regard to fault together with the necessary expenses for clean-up costs that may be recovered under section 5 of this 1970 amendatory act shall not exceed the limitation provided in section 5 for necessary clean-up costs. In the event the necessary expenses for clean-up costs and damages for strict liability, without regard to fault, exceed the limitation in section 5 of this 1970 amendatory act, the necessary expenses for clean-up costs shall be paid first."

Representative Whetzel spoke in favor of adoption of the amendment.

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

Representative Julin spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Whetzel to Substitute House Bill No. 51, and the amendment was lost by the following vote: Yeas, 33; nays, 55; absent or not voting, 11.

Voting yea: Representatives Ackley, Amen, Backstrom, Bluechel, Brouillet, Brown, Chapin, Clark (Newman H.), Copeland, Cunningham, DeJarnatt, Farr, Fleming, Hawley, Hoggins, Jastad, Kalich, King, Kink, Kiskaddon, Kopet, Martinis, McCaffree, Moon, North, O'Dell, Richardson, Sprague, Thompson, Whetzel, Williams, Wojahn, Wolf—33.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Ceccarelli, Charette, Clarke (George W.), Conner, Conway, Curtis, Evans, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hubbard, Hurley, Jolly, Julin, Kirk, Leckenby, Leland, Lynch, Mahaffey, Marsh, Marzano, May, Mentor, Merrill, Murray, O'Brien, Pardini, Randall, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Veroske, Wanamaker, Zimmerman, Mr. Speaker—55.

Absent or not voting: Representatives Chatalas, Grant, Jueling, Kuehnle, Litchman, McCormick, Morrison, Newhouse, Perry, Saling, Swayze—11.

On motion of Mr. Julin, the following amendment by Representatives Zimmerman and Julin was adopted:

On page 7, section 9, line 6 after "act." add the following "For purposes of this section 'necessary expenses' shall not include expenses relating to investigation or the performance of surveillance."

Substitute House Bill No. 51 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 51 was placed on final passage.

Representative Zimmerman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 51, and the bill passed the House by the following vote: Yeas, 84; nays, 8; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, Newhouse, North, O'Brien, Pardini, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Veroske, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—84.

Voting nay: Representatives Benitz, Copeland, Kink, O'Dell, Perry, Thompson, Whetzel, Williams—8.

Absent or not voting: Representatives Ackley, Grant, Kuehnle, Litchman, Morrison, Saling, Swayze—7.

Engrossed Substitute House Bill No. 51, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

On final passage I voted against Substitute House Bill No. 51. Although I was a sponsor of the original House Bill No. 51 and favor the extension of strict liability to persons causing accidental oil spills, I cannot support the substitute bill as amended by the House for three reasons:

1. The enormous size of modern oil tankers poses a very great danger to the waters and shorelines of Puget Sound in the event of a major accidental spill. The limit of liability placed by floor amendment in section 5 of \$50 per ton with a maximum \$5,000,000 limit is not going to be a serious deterrent to the oil companies operating tankers of 300,000 tons or larger in Puget Sound.

2. The strict liability under the substitute bill is limited only to recovery by the state for clean-up costs from the discharge of oil into the waters of the state. As defined in RCW 90.48.020 "waters of the state" may be limited to the tidelands and not the upland portion of the beaches. The bill is seriously defective in not clarifying this problem.

3. The bill should extend the right of recovery for clean-up costs and damages to private property owners and to the state as an upland owner within a proper dollar limitation.

Also, it is possible that this bill may be the subject of a conference with the Senate. In this case my "no" vote may place me in a position to serve on the conference committee.
JONATHAN WHETZEL, 43rd District.

MOTION

On motion of Mr. Bledsoe, Engrossed Substitute House Bill No. 51 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 54, by Representatives Berentson, Sprague, Cunningham, Bluechel, Brown, Chapin, Clarke (George W.), McCaffree, Murray, North, Scott, Veroske, Williams and Shera (by Executive request):

Creating a department of transportation.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 54 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

HOUSE BILL NO. 295, by Representative Clarke (George W.):

Pertaining to crimes and criminal procedure.

Committee recommendation: Majority, do pass with the following amendments:
(For Committee Amendments see Journal of January 30, 1970, Nineteenth Day.)

The bill was read the second time.

Mr. Clarke (George W.) moved adoption of the committee amendment.

Representatives Haussler and Clarke (George W.) spoke in favor of adoption of the amendment.

The committee amendment was adopted.

On motion of Mr. Clarke (George W.), the committee amendment to the title was adopted.

House Bill No. 295 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 295 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 295, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Benitz, Bozarth, Farr, Hatfield, Kuehnle, Morrison, Saling, Spanton, Swayze—9.

Engrossed House Bill No. 295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 5, by Representatives Swayze, Ceccarelli, Brown, Bledsoe, Bluechel, Chapin, Clarke (George W.), Curtis, Kiskaddon, Kopet, Leckenby, Mahaffey, Murray, Pardini, Merrill and Litchman (by Executive request):

Amending Constitution to require annual sessions of the legislature.

The resolution was read the second time.

Mr. Copeland moved adoption of the following amendment:

On page 1, line 22, after "year" strike the remainder of the paragraph and insert a period.

Debate ensued, Representatives Copeland and Beck speaking in favor of adoption of the amendment, and Representative Bledsoe speaking against it.

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

Further debate ensued, Representatives Litchman, Moon, Brown, Bottiger and Chatalas speaking in favor of adoption of the amendment by Mr. Copeland to House Joint Resolution No. 5, and Representatives Bluechel, Ackley and Cunningham speaking against it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Copeland to House Joint Resolution No. 5, and the amendment was adopted by the following vote: Yeas, 67; nays, 26; absent or not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Conner, Copeland, Curtis, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Julin, Kalich, King, Kink, Kiskaddon, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Moon, North, O'Brien, Pardini, Perry, Randall, Richardson, Rosellini, Sawyer, Schumaker, Shinpoch, Smythe, Spanton, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf—67.

Voting nay: Representatives Ackley, Benitz, Berentson, Bledsoe, Bluechel, Clarke (George W.), Conway, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Jueling, Kirk, Kopet, Leckenby, Mahaffey, Merrill, Murray, Newhouse, Savage, Scott, Shera, Whetzel, Zimmerman, Mr. Speaker—26.

Absent or not voting: Representatives Kuehnle, Morrison, O'Dell, Saling, Sprague, Swayze—6.

House Joint Resolution No. 5 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 5 was placed on final passage.

Debate ensued, Representatives Copeland and Savage speaking in favor of passage of the resolution, and Representative Hatfield speaking against it.

Mr. Kink demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 5, and the resolution passed the House by the following vote: Yeas, 75; nays, 19; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Copeland, Cunningham, Curtis, DeJarnatt, Flanagan, Fleming, Gallagher, Gladder, Grant, Harris, Haussler, Hoggins, Jastad, Jolly, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey,

Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, Newhouse, North, O'Brien, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Thompson, Veroske, Wanamaker, Williams, Wojahn—75.

Voting nay: Representatives Benitz, Berentson, Bozarth, Clark (Newman H.), Conway, Evans, Farr, Goldsworthy, Hatfield, Hawley, Hubbard, Hurley, Jueling, O'Dell, Spanton, Whetzel, Wolf, Zimmerman, Mr. Speaker—19.

Absent or not voting: Representatives Kuehnle, Morrison, Saling, Sprague, Swayze—5.
Engrossed House Joint Resolution No. 5, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker (Mr. Copeland presiding) called the House to order.

HOUSE BILL NO. 54, by Representatives Berentson, Sprague, Cunningham, Bluechel, Brown, Chapin, Clarke (George W.), McCaffree, Murray, North, Scott, Veroske, Williams and Shera (by Executive request):

Creating a department of transportation.

MOTION

On motion of Mr. Bledsoe, House Bill No. 54 was rereferred to the Committee on Rules and Administration.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Farr, Harris, Kuehnle, Mentor, Morrison, Saling and Swayze.

The Speaker resumed the Chair.

On motion of Mr. Bledsoe, the absent members were excused and the House proceeded with business under the Call of the House.

Representatives Mentor, Harris, Farr, Morrison and Swayze appeared at the bar of the House.

HOUSE BILL NO. 140, by Representatives Zimmerman, Smythe, Marsh and Sprague: Establishing a system of state recreational trails.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 140 was placed on final passage.

Representatives Zimmerman and Marsh spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 140, and the bill passed the House by the following vote: Yeas, 92; nays, 5; absent or not voting, 2.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Rosellini,

Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representatives Bottiger, Clark (Newman H.), Richardson, Spanton, Thompson—5.

Absent or not voting: Representatives Kuehnle, Saling—2.

House Bill No. 140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 162, by Representatives Richardson, Lynch, Chapin, Hurley and Wolf:

Relating to civil disturbance and providing penalties.
The bill was read the second time.

Mr. Sprague moved adoption of the following amendment by Representatives Sprague and Richardson:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. It shall be unlawful for any person, singly or in concert with others, to interfere by force or violence with any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

NEW SECTION. Sec. 2. It shall be unlawful for any person, singly or in concert with others, to intimidate by threat of force or violence any administrator, faculty member of student of any university, college, community college or public school who is in the peaceful discharge of his conduct or studies.

NEW SECTION. Sec. 3. Any person guilty of violating this act shall be deemed guilty of a gross misdemeanor and, upon conviction thereon, shall be fined not more than five hundred dollars, or imprisoned in jail not more than six months, or both such fine and imprisonment."

With the consent of the House, the two amendments by Representatives Ackley and Fleming to the amendment by Representatives Sprague and Richardson were considered as one.

Mr. Ackley moved adoption of the following amendments by Representatives Ackley and Fleming to the amendment:

Amend the amendment by Representatives Sprague and Richardson as follows:

On page 1, section 1, line 2, of the amendment, after "interfere" and before "by force" insert "wilfully"

On page 1, section 2, line 7, of the amendment, after "to" and before "intimidate" insert "wilfully"

Debate ensued, Representatives Ackley and Richardson speaking in favor of adoption of the amendments to the amendment, and Representative Swayze speaking against it.

POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. King.

Mr. King: "Is there a difference between 'wilfully doing something' and 'having an intent to do it' in your legal jargon?"

Mr. Swayze: "Yes, there is, Mr. King."

Mr. King: "Mr. Swayze, what is the difference?"

The Speaker: "Mr. Swayze does not care to yield to another question."

Further debate ensued, Representative Fleming speaking in favor of adoption of the amendment, and Representative Clark (Newman H.) speaking against it.

Mr. Bledsoe demanded the previous question and the demand was sustained.

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

The Speaker declared the question before the House to be the amendment by Representatives Ackley and Fleming to the amendment by Representatives Sprague and Richardson.

The amendment to the amendment was lost.

The Speaker declared the question before the House to be the amendment by Representatives Sprague and Richardson to House Bill No. 162.

Representative Richardson spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Clark (Newman H.) yielded to question by Mr. Fleming.

Mr. Fleming: "Mr. Clark, in your presentation you alluded to the fact that there is a group that is always involved in these demonstrations, and you indicated there is only one group that does this. Could you tell me what group this is?"

Mr. Clark: "The group, or groups, that is causing it has not molested me. I walked down through a crowd of them and they didn't bump me, but they don't identify themselves. Some of them (three or four) may be arrested. I don't know who they are or where they come from. I wasn't there but I read about a recent occurrence out on the campus by one of the men from the trial that has been going on in Chicago—one of the seven from the convention party. I believe it was the Democrat Party Convention. In any event, all of a sudden we had a disturbance."

The Speaker: "Mr. Clark, if you can answer the question, do so. If you want to make a speech, be recognized for that purpose."

Mr. Clark: "I thought the question was facetious so I was giving him a little background that he knows all about."

Mr. Fleming: "Thank you, Mr. Speaker. Since Mr. Clark couldn't answer my question, thank you."

Representatives Swayze and Bottiger spoke against adoption of the amendment.

The amendment by Representatives Sprague and Richardson to House Bill No. 162 was lost.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and House Bill No. 162 be placed on final passage.

The motion was carried on a rising vote.

Representative Sprague spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 162, and the bill passed the House by the following vote: Yeas, 75; nays, 22; absent or not voting, 2.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—75.

Voting nay: Representatives Ackley, Adams, Brouillet, Ceccarelli, Chatalas, Conner, DeJarnatt, Fleming, Gallagher, Grant, Litchman, Marzano, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Sprague, Thompson, Williams, Wojahn—22.

Absent or not voting: Representatives Kuehnle, Saling—2.

House Bill No. 162, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 8, by Senators Greive, Bailey, Ridder, Durkan, Stortini, Talley and Dore:

Defining terms and establishing pay schedules for unemployment compensation.

The bill was read the second time.

Mr. Morrison moved adoption of the following amendment by Representatives Morrison, Charette and O'Brien:

On page 1, line 1 of the title immediately after the semicolon following "compensation" strike the balance of the title and the entire text of the bill substituting in lieu thereof the following: "amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320; amending section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of

1959 and RCW 50.20.010; amending section 73, chapter 35, Laws of 1945 as last amended by section 8, chapter 8, Laws of 1953 1st ex. sess. and RCW 50.20.050; amending section 74, chapter 35, Laws of 1945 as last amended by section 9, chapter 8, Laws of 1953 1st ex. sess. and RCW 50.20.060; amending section 3, chapter 286, Laws of 1955 and RCW 50.20.030; amending section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; amending section 83, chapter 35, Laws of 1945 as amended by section 5, chapter 215, Laws of 1951 and RCW 50.20.150; amending section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010; adding new sections to chapter 35, Laws of 1945, and to Title 50 RCW, as a new chapter therein; repealing sections 10, 11, 12, 15, and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050, and 50.28.060; repealing section 3, chapter 235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 3, chapter 35, Laws of 1945 and RCW 50.04.020 are each amended to read as follows:

'Base year' [means the last calendar year preceding the first day of the benefit year] with respect to each individual, shall mean the first four of the last five completed calendar quarters immediately preceding the first day of the individual's benefit year.

Sec. 2. Section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030 are each amended to read as follows:

'Benefit year' [means the period beginning with the first full calendar week in July and ending the following calendar year with the last calendar week beginning in June] with respect to each individual, means the fifty-two consecutive week period beginning with the first day of the calendar week with respect to which the individual files an application for an initial determination and thereafter the fifty-two consecutive week period beginning with the first day of the calendar week with respect to which the individual next files an application for an initial determination after the termination of his last preceding benefit year: PROVIDED, HOWEVER, That an individual's benefit year is not established unless the determination shows the applicant to have met the wage and employment conditions fixed by law as the minimum for the receipt of benefits: PROVIDED, FURTHER, That an individual's benefit year shall be extended to be fifty-three weeks when at the expiration of fifty-two weeks the establishment of a new benefit year would result in the use of a quarter of wages in the new base year that had been included in the individual's prior base year.

Sec. 3. Section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.320 are each amended to read as follows:

For the purpose of payment of contributions, 'wages' means the [first three thousand dollars of] remuneration paid by one employer during any calendar year to an individual in its employment under this title or the unemployment compensation law of any other state in the amount specified in section 8 of this 1970 amendatory act. [After December 31, 1950.] If an employer (hereinafter referred to as a successor employer) during any calendar year acquires substantially all the operating assets of another employer (hereinafter referred to as a predecessor employer) or assets used in a separate unit of a trade or business of a predecessor employer, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor employer, then, for the purposes of determining [whether the successor employer has paid remuneration equal to three thousand dollars] the amount of remuneration paid by the successor employer to such individual during such calendar year which is subject to contributions, any remuneration paid to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer.

For the purpose of payment of benefits, 'wages' means the remuneration payable by one or more employers to an individual for employment under this title during [one calendar] his base year.

'Remuneration' means all compensation paid for personal services, including commissions and bonuses and the cash value of all compensation paid in any medium other than cash. The reasonable cash value of compensation paid in any medium other than cash and the reasonable value of gratuities shall be estimated and determined in accordance with rules prescribed by the commissioner.

Sec. 4. Section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010 are each amended to read as follows:

An unemployed individual shall be eligible to receive waiting period credits or benefits with respect to any week only if the commissioner finds that

(1) he has registered for work at, and thereafter has continued to report at, an employment office in accordance with such regulation as the commissioner may prescribe, except that the commissioner may by regulation waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that the compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this title;

(2) he has filed an application for an initial determination and made a claim for waiting period credit or for benefits in accordance with the provisions of this title;

(3) he is able to work, and is available for work in any trade, occupation, profession, or business for which he is reasonably fitted. To be available for work an individual must be

ready, able, and willing, immediately to accept any suitable work which may be offered to him and must be actively seeking work pursuant to customary trade practices and through other methods when so directed by the commissioner or his agents;

(4) he has been unemployed for a waiting period of one week; [and]

(5) he has within [the] his base year [been paid wages of not less than the minimum amount now or hereafter fixed by law as the minimum amount to be earned in order to allow the individual to receive unemployment benefits]

(a) had both employment in not less than sixteen weeks, in each of which he earned not less than fifteen percent of the 'average weekly wage' rounded to the next lower multiple of one dollar, and earned total wages of not less than fifteen percent of the 'average annual wage' rounded to the next lower multiple of fifty dollars; or, in the alternative,

(b) had not less than six hundred hours of employment, and earned total wages of not less than fifteen percent of the 'average annual wage' rounded to the next lower multiple of fifty dollars: PROVIDED, HOWEVER, That if the base year wages of the individual's current benefit year, for any benefit year beginning after July 3, 1971, include wages earned prior to the establishment of a prior benefit year, the individual shall not be eligible for benefits, unless, in addition to the other requirements of this section, he has earned wages in the last six months of his base year equal to at least six times the weekly benefit amount to which he would otherwise have been entitled: PROVIDED FURTHER, That for benefit years beginning prior to July 4, 1971, any unemployed individual who earned wages of not less than fifteen percent of the 'average annual wage' for calendar year 1969 in his base year shall be deemed to have met the eligibility requirements of this subsection.

If the wages of an individual are not based upon a fixed duration of time or if the individual's wages are paid at irregular intervals or in such manner as not to extend regularly over the period of employment, the wages for any week shall be determined in such manner as the commissioner may by regulation prescribe. Such regulation shall, so far as possible, secure results reasonably similar to those which would prevail if the individual were paid his wages at regular intervals.

Sec. 5. Section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120 are each amended to read as follows:

(1) Subject to the other provisions of this title benefits shall be payable to any eligible individual during [the] his benefit year in a maximum amount equal to the lesser of thirty times the weekly benefit amount (determined hereinafter) or one-third of the individual's base year wages under this title.

(2) An individual's weekly benefit amount shall be [in a minimum] an amount [of seventeen dollars for the first one hundred twenty-five dollars or portion thereof in excess of seven hundred ninety-nine dollars and ninety-nine cents of base year wages, increasing one dollar for each one hundred twenty-five dollars or portion thereof of said individual's base year wages earned thereafter, with a maximum amount payable weekly of not more than forty-two dollars] equal to one twenty-fifth of his total wages during that quarter of his base year in which such total wages were highest, except that if such computed amount is less than seventeen dollars, the weekly benefit amount shall be deemed to be seventeen dollars. The maximum amount payable weekly shall be determined as of each June 30th to apply to benefit years beginning in the twelve-month period immediately following such June 30th. The maximum amount payable weekly shall be fifty percent of the 'average weekly wage' for the calendar year preceding such June 30th: PROVIDED, That if any [maximum] weekly benefit or maximum benefit amount computed herein is not a multiple of one dollar, it shall be adjusted to the nearest multiple of one dollar, except that if the computed amount ends in fifty cents, it shall be [carried] adjusted to the next higher multiple of one dollar.

NEW SECTION. Sec. 6. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

On or before the fifteenth day of June of each year an 'average annual wage' and an 'average weekly wage' shall be computed for the preceding calendar year from information for the preceding calendar year reported by all employers as defined in RCW 50.04.080 on employers' contribution reports (including corrections thereof) filed within three months after the close of that year. The 'average annual wage' is the quotient derived by dividing total remuneration reported by all employers by the average number of workers reported for all months and rounding to the next lower multiple of one dollar. The average annual wage thus obtained shall be divided by fifty-two and rounded to the next lower multiple of one dollar to determine the 'average weekly wage'.

Sec. 7. Section 83, chapter 35, Laws of 1945, as amended by section 5, chapter 215, Laws of 1951 and RCW 50.20.150 are each amended to read as follows:

The applicant for initial determination, his most recent employing unit as stated by the applicant, and any other interested party which the commissioner by regulation prescribes, shall, if not previously notified within the same continuous period of unemployment, be given notice promptly in writing that an application for initial determination has been filed and such notice shall contain the reasons given by the applicant for his last separation from work. If, during [the] his benefit year, the applicant becomes unemployed after having accepted subsequent work, and [files a claim for waiting period credit or] reports for the purpose of re-establishing his eligibility for benefits, a similar notice shall be given promptly to his then most recent employing unit as stated by him, or to any other interested party which the commissioner by regulation prescribes.

Each base year employer shall be promptly notified of the filing of any application for initial determination which may result in a charge to his account.

Sec. 8. Section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010 are each amended to read as follows:

Contributions shall accrue and become payable by each employer for each calendar year in which he is subject to this title at the rate of two and seven-tenths percent of wages paid [...] each employee, except for such rates as determined for qualified employers according to sections 10 through 18 of this 1970 amendatory act: *PROVIDED, That if, as of any June 30th, the amount in the unemployment compensation fund is less than three and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, contributions for the following calendar year for all employers shall be payable at the rate of three percent of wages subject to tax.*

The amount of wages subject to tax for each individual as of January 1, 1971, shall be four thousand two hundred dollars. If the amount in the unemployment compensation fund on any June 30th, after January 1, 1971, is less than four and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, the amount of wages subject to tax shall increase on the January 1st next following by six hundred dollars: PROVIDED, That the amount of wages subject to tax in any calendar year shall not exceed seventy-five percent of the 'average annual wage' for the second preceding calendar year rounded to the next lower multiple of three hundred dollars.

Contributions shall become due and be paid by each employer to the treasurer for the unemployment compensation fund in accordance with such regulations as the commissioner may prescribe, and shall not be deducted, in whole or in part, from the remuneration of individuals in employment of the employer. Any deduction in violation of the provisions of this section shall be unlawful.

In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

NEW SECTION. Sec. 9. Sections 10 through 18 of this 1970 amendatory act shall be added to chapter 35, Laws of 1945 and to Title 50 RCW, and shall constitute a new chapter in said Title 50 RCW.

NEW SECTION. Sec. 10. As used in this chapter:

'Computation date' means July 1st of any year;

'Cut-off date' means August 31st next following the computation date;

'Rate year' means the calendar year immediately following the computation date;

'Experience rating year' is the twelve-month period beginning with July 1st of one calendar year and ending on June 30th of the following calendar year;

'Payroll' means all wages (as defined for contribution purposes) paid by an employer to individuals in his employment;

'Acquire' means the right to occupy or use the operating assets formerly in the possession of a predecessor employer whether that acquisition be by purchase, lease, gift, or by any legal process;

'Qualified employer' means: (1) Any employer as of the computation date who had some employment in the twelve-month period immediately preceding April 1st of the first of the three consecutive calendar years immediately preceding the computation date and who had no period of four or more consecutive calendar quarters in such three years for which he reported no employment, except that no employer shall be deemed a qualified employer unless all contributions required under this title from him or his predecessors for the thirty-six month period immediately preceding the computation date have been paid prior to the cut-off date; or (2) Any employer as of the computation date who has not been subject to this title for a period of time sufficient to be classified as a qualified employer under the provision of subdivision (1) of this paragraph but who had some employment in the twelve-month period immediately preceding April 1st of the first of the two consecutive calendar years immediately preceding the computation date and who had no period of four or more consecutive calendar quarters in such two years for which he reported no employment, except that no employer shall be deemed a qualified employer unless all contributions required under this title from him or his predecessors for the twenty-four month period immediately preceding the computation date have been paid prior to the cut-off date: *PROVIDED, That when an employer or prospective employer has acquired all or substantially all of the operating assets of an employer, or has acquired an operating department, section, division, or any substantial portion of the business or assets of any employer, which is clearly segregable and identifiable for experience rating purposes, the payroll record and benefit charges of the transferring employer shall be divided between the transferring and acquiring employers in proportion to the payrolls for the four preceding completed calendar quarters attributable to the operating assets retained and conveyed. The successor employer shall be liable for contributions on the acquired business from the date the transfer of the business occurred. The separate account of a predecessor or that part thereof which is transferred shall become the separate account or part of separate account as the case may be of the successor employer.*

'Surplus' is an amount of moneys in the unemployment compensation fund deemed in excess of the amount needed to insure the solvency of the fund. The 'surplus' is determined in the following manner:

(1) For computations prior to January 1, 1974, the total remuneration paid during

the calendar year preceding the computation date shall be multiplied by four percent and the product shall be subtracted from the amount in the fund as of the June 30th immediately preceding the computation date. If that balance is at least one-tenth of one percent of the total remuneration paid during the calendar year, that portion of the balance not exceeding forty one-hundredths of one percent of the total remuneration paid during the preceding calendar year shall be deemed 'surplus'. Total remuneration paid in this computation is limited to remuneration paid during the calendar year preceding the computation date and reported to the department of employment security on or before the March 31st immediately preceding the computation date.

(2) For computations subsequent to January 1, 1974, the allowable 'surplus' shall be computed by use of the following table. Column A represents the ratio of the unemployment compensation fund as of the June 30th preceding the computation date to total remuneration for the preceding calendar year. The percentage figures in Column B represent the maximum percentage of total remuneration during the preceding calendar year which may be deemed as 'surplus' in view of the corresponding figures in Column A. No amount of the fund shall be declared surplus if the balance in the fund as of the June 30th immediately preceding the computation date is not at least one-tenth of one percent of total remuneration paid during the preceding calendar year in excess of four percent of total remuneration paid during the preceding calendar year. The percentage amount of total remuneration during the preceding calendar year, Column B, may be deemed surplus only to the extent that the balance remaining in the unemployment compensation fund exceeds four percent of the total remuneration paid during the preceding calendar year. Total remuneration paid in this computation is limited to remuneration paid during the calendar year preceding the computation date and reported to the department of employment security on or before the March 31st immediately preceding the computation date.

<i>Column A</i>	<i>Column B</i>
4.1% but less than 4.8%	0.40%
4.8% but less than 5.2%	0.55%
5.2% or more	0.70%

NEW SECTION. Sec. 11. An experience rating account shall be established and maintained for each employer based on existing records of the employment security department and shall be effective beginning with July 1, 1967. Benefits paid to any eligible individuals for benefit years beginning subsequent to June 30, 1967, shall be charged to the experience rating accounts of each of his employers during his base year in the same ratio that the wages paid by each employer to the individual during the base year bear to the wages paid by all employers to that individual during that base year; except that benefits paid to an individual under the provisions of RCW 50.12.050 shall not be charged to the account of any employer if the wage credits earned in this state by the individual during his base year are less than the minimum amount necessary to qualify the individual for unemployment benefits.

NEW SECTION. Sec. 12. For the purpose of prorating benefit charges 'wages' shall mean 'wages' as defined for purpose of payment of benefits in section 3 of this 1970 amendatory act.

NEW SECTION. Sec. 13. For the rate year 1971 and each rate year thereafter an annual decrease quotient factor and a benefit charge-back factor shall be computed for each qualified employer, each to be determined as provided in subsections (1) and (2) hereof respectively:

(1) To determine a qualified employer's average annual decrease quotient his payroll for the three experience rating years immediately preceding the computation date shall be listed in chronological order. The first annual decrease quotient shall be obtained by dividing any decrease in his payroll between the first and second of his experience rating years by the payroll for the first of such years, the division being carried to the fourth decimal place, with the remaining fraction, if any, disregarded. The second annual decrease quotient shall be obtained by dividing any decrease in his payroll between the second and third of the listed experience rating years by the payroll for the second listed year, the division being carried to the fourth decimal place, with the remaining fraction, if any, disregarded. The employer's average annual decrease quotient shall be obtained by adding his first and second decrease quotients, if any, and dividing by two. The employer's average annual decrease quotient shall determine the point value to be assigned to such employer as his annual decrease quotient factor in accordance with the following schedule.

The annual decrease quotient of a qualified employer who has payrolls for fewer than three experience rating years shall be obtained by dividing any decrease of the employer's payroll in the experience rating year immediately preceding the computation date from the payroll in the preceding experience rating year by the amount of the payroll in such preceding experience rating year, such division being carried to the fourth decimal place, with the remaining fraction, if any, disregarded. This annual decrease quotient shall be deemed to be his average annual decrease quotient and shall determine the point value to be assigned to such employer as his annual decrease quotient factor in accordance with the following schedule:

<i>Annual Decrease Quotient</i>	<i>Point Value</i>
0.0000-0.0124	10
0.0125-0.0249	9
0.0250-0.0374	8
0.0375-0.0499	7
0.0500-0.0749	6
0.0750-0.0999	5
0.1000-0.1499	4
0.1500-0.1999	3
0.2000-0.2499	2
0.2500 or more	1

(2) The charge-back ratio for a qualified employer shall be the quotient obtained by dividing the total benefits charged to his account during the thirty-six consecutive month period immediately preceding the computation date by his payroll for the same thirty-six month period as reported not later than August 31 immediately following the computation date, except that the charge-back ratio of any qualified employer whose account has been chargeable for a period of fewer than thirty-six months immediately prior to the computation date shall be the quotient obtained by dividing total benefits charged to his account, prior to the computation date, by his payroll set forth as follows: The payroll shall be that reported by August 31 immediately following the computation date, for the period beginning with the first day of the second calendar quarter following the calendar quarter in which he became liable, and through the end of the calendar quarter immediately preceding the computation date. The charge-back ratios shall be extended to four decimal places, with the remaining fraction, if any, disregarded. The charge-back ratios so obtained shall determine the point value to be assigned each employer as his charge-back factor in accordance with the following schedule:

<i>Charge-Back Ratios</i>	<i>Point Value</i>
Less than 0.0010	10
0.0010-0.0039	9
0.0040-0.0079	8
0.0080-0.0119	7
0.0120-0.0159	6
0.0160-0.0199	5
0.0200-0.0219	4
0.0220-0.0239	3
0.0240-0.0269	2
0.0270 and over	1

NEW SECTION. Sec. 14. The annual decrease-quotient point value for each qualified employer shall be added to his charge-back point value and this sum shall designate his rate class. For the rate year 1971 and each rate year thereafter the contribution rate for each qualified employer shall be the 'class rate' determined for that class into which the employer is placed by application of this section.

(1) A 'class weight' shall be assigned to each rate class as follows:

<i>Rate Class</i>	<i>Class Weight</i>
20	9.0
19	8.5
18	8.0
17	7.5
16	7.0
15	6.5
14	6.0
13	5.5
12	5.0
11	4.5
10	4.0
9	3.5
8	3.0
7	2.5
6	2.0
5	1.5
4	1.0
3	0.5
2	0.0

(2) A 'class product' for each rate class shall be obtained by dividing the total of the taxable payrolls for the experience rating year immediately preceding the computation date for all qualified employers in the rate class by the total of the taxable payrolls of all qualified employers for such experience rating year, such division being carried to the sixth decimal place with the remaining fraction, if any, disregarded, and multiplying the quotient by the class weight for that rate class.

(3) The surplus to be credited to each rate class shall be the product obtained by multiplying the surplus to be credited to all employers by the quotient of the class product for the class divided by the sum of the class products for all classes, such division being carried to the sixth decimal place with the remaining fraction, if any, disregarded. No portion of the surplus shall be credited to rate class 2.

(4) A 'class credit factor' shall be obtained for each rate class by dividing the portion of the surplus assigned to the class by the sum of the payrolls of all employers in that class for the experience rating year immediately preceding the computation date, such division being carried out to the fourth decimal place and the remaining fraction, if any, disregarded.

(5) The 'class rate', expressed as a percent, for each rate class shall be derived by subtracting the class credit factor for that rate class from .0270 and multiplying this result by one hundred.

NEW SECTION. Sec. 15. Effective January 1, 1971, predecessor and successor employer contribution rates shall be computed in the following manner:

(1) If the successor is an employer at the time of the transfer, his contribution rate shall remain unchanged for the remainder of the rate year in which the transfer occurs.

(2) The contribution rate on any payroll retained by a predecessor employer shall remain unchanged for the remainder of the rate year in which the transfer occurs.

(3) If the successor is not an employer at the time of the transfer, he shall pay contributions for the remainder of the rate year in which the transfer occurs at the rate assigned to the predecessor employer.

(4) If the successor is not an employer at the time of the transfer and simultaneously acquires the business or a portion of the business of two or more employers, his rate from the date the transfer occurred shall be the same as the highest rate assigned to one of the predecessors.

(5) In all cases, from and after January 1 following the transfer, the successor's contribution rate for each rate year shall be based on his experience with payrolls and benefits combined with the experience of his predecessor or predecessors, as of the regular computation date for that rate year.

(6) In all cases, from and after January 1 following the transfer, the predecessor's contribution rate for each rate year shall be based on his experience with payrolls and benefits, as of the regular computation date for that rate year, excluding therefrom such experience as was credited to the successor or successors under other provisions of this title: PROVIDED, That if all of the predecessor's experience with payrolls and benefits is transferred to a successor or successors the predecessor shall not be a qualified employer within the meaning of section 10 of this act until his account following the date of the transfer has been chargeable with benefits throughout not less than thirty-six consecutive months immediately preceding the computation date.

NEW SECTION. Sec. 16. Within a reasonable time after the computation date, each employer shall be notified of the total amount of benefits charged to his account during the twelve-month period immediately preceding the computation date and, upon request, the amount of such charges with respect to each individual receiving unemployment benefits charged to his account.

Within a reasonable time after the computation date each employer shall be notified of his rate of contribution as determined for the succeeding rate year.

Any employer dissatisfied with the benefit charges made to his account or with his determined rate may file a request for review and redetermination with the commissioner within thirty days of the mailing of the notice to the employer, showing the reason for such request. Should such request for review and redetermination be denied, the employer may, within ten days of the mailing of such notice of denial, file with the appeal tribunal a petition for hearing which shall be heard in the same manner as a petition for denial of refund. The appellate procedure prescribed by this title for further appeal shall apply to all denials of review and redetermination under this section.

NEW SECTION. Sec. 17. The commissioner may redetermine any contribution rate if, within three years of the rate computation date, he finds that the rate as originally computed was erroneous.

In the event that the redetermined rate is lower than that originally computed the difference between the amount paid and the amount which should have been paid on the employer's taxable payroll for the rate year involved shall be established as a credit against his tax liability; however, if the redetermined rate is higher than that originally computed the difference between the amount paid and the amount which should have been paid on the employer's taxable payroll shall be assessed against the employer as contributions owing for the rate year involved.

The redetermination of an employer's contribution rate shall not affect the contribution rates which have been established for any other employer nor shall such redetermination affect any other computation made pursuant to this title.

The employer shall have the same rights to request review and redetermination as he had from his original rate determination.

NEW SECTION. Sec. 18. One-half the amount of experience rating credit to which an employer is determined to be entitled for the credit year beginning July 1, 1970, may be applied against contributions payable by him on wages paid in that credit year prior to January 1, 1971. The remaining half of the experience rating credit to which he is determined to be entitled for the credit year beginning July 1, 1970, and any credits not usable because they are in excess of the contributions due on wages paid during the period beginning July 1, 1970, and ending December 31, 1970, shall be canceled.

NEW SECTION. Sec. 19. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

(1) Any payments which an individual has claimed, is receiving or has received under a government and/or a private retirement pension plan, to which a base year employer has contributed on behalf of such individual, shall be deemed remuneration under this title for the purpose of determining eligibility and the amount of weekly benefits to which such an individual is entitled: **PROVIDED**, That in no event will Old Age and Survivors Insurance Benefits, under the provisions of Title II of the federal social security act, as amended, serve to reduce an individual's weekly benefit amount.

(2) Payments claimed or received under a government and/or a private pension plan shall not be considered wages subject to contributions under this title nor shall such payments be considered in determining base year earnings of the individual.

(3) In the event a retroactive retirement or pension payment covers a period in which an individual received benefits under the provisions of this title, the excess paid over the amount to which he would have been entitled had such retirement or pension payment been considered, as provided in subsection (1) above, shall be recoverable under RCW 50.20.190: **PROVIDED, HOWEVER**, That any amounts which have been deducted from the weekly benefit amount by reason of the provisions of this section shall not be available for future benefits: **PROVIDED, FURTHER**, That no payments received on account of temporary or permanent disability rather than on account of age or length of service shall be considered compensation paid for personal services.

Sec. 20. Section 3, chapter 286, Laws of 1955 and RCW 50.20.030 are each amended to read as follows:

A [pregnant] woman [shall be presumed to be unable to work and unavailable for work if she left her most recent work voluntarily] *who voluntarily quits work because of pregnancy shall be disqualified from benefits for the week in which she quits and thereafter through the terminal week of her pregnancy*: **PROVIDED, HOWEVER**, That in any event a pregnant woman shall be [ineligible to receive] *disqualified from receiving benefits for any calendar week during the period beginning with the [tenth] seventeenth calendar week [before] immediately preceding the expected date of confinement, as determined by a doctor, and extending through the [fourth] sixth calendar week immediately following the week in which childbirth occurs.*

Sec. 21. Section 73, chapter 35, Laws of 1945 as last amended by section 8, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.050 are each amended to read as follows:

An individual shall be disqualified [for] *from benefits beginning with the first day of [for] the calendar week in which he has left work voluntarily without good cause and [for the five calendar weeks which immediately follow such week] thereafter until he has obtained work and earned wages of not less than his suspended weekly benefit amount in each of five calendar weeks*: **PROVIDED**, *That disqualification under this section shall not extend beyond the tenth calendar week following the week in which such individual left work.*

Sec. 22. Section 74, chapter 35, Laws of 1945, as last amended by section 9, chapter 8, Laws of 1953 first extraordinary session and RCW 50.20.060 are each amended to read as follows:

An individual shall be disqualified [for] *from benefits [for] beginning with the first day of the calendar week in which he has been discharged or suspended for misconduct connected with his work and [for the five calendar weeks which immediately follow such week] thereafter until he has obtained work and earned wages of not less than his suspended weekly benefit amount in each of five calendar weeks*: **PROVIDED**, *That disqualification under this section shall not extend beyond the tenth calendar week following the week in which such individual was discharged or suspended.*

NEW SECTION. Sec. 23. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

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

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

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

(2) An 'extended benefit period' means a period commencing with the third calendar week immediately following any thirteen-week period (known for purposes of this section as the thirteen-week computation period) during which the average rate of insured unemployment is equal to or greater than one hundred twenty percent of the average of the

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

(3) 'Insured unemployment' for any week as used for this computation means the number of weeks of unemployment claimed in Washington for that week, excluding weeks of unemployment claimed in connection with unemployment compensation programs which are exclusively federal and excluding any weeks claimed by an individual following the week in which benefits based on his original entitlement were exhausted.

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

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

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

NEW SECTION. Sec. 24. Sections 10, 11, 12, 15 and 16, chapter 286, Laws of 1955 and RCW 50.28.010 through 50.28.030, 50.28.050 and 50.28.060, and section 3, chapter 235, Laws of 1949 as last amended by section 13, chapter 286, Laws of 1955 and RCW 50.28.040 are each hereby repealed. Such repeals shall not be construed as affecting any existing right to any redetermination, correction, or pending appeal involving any experience rating credit determination or redetermination.

NEW SECTION. Sec. 25. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect April 5, 1970: PROVIDED, That sections 3 and 8 of this 1970 amendatory act shall not take effect until January 1, 1971."

Debate ensued, Representatives Morrison and Charette speaking in favor of adoption of the amendment, and Representatives Grant and Jueling speaking against it.

The amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 8 as amended by the House was placed on final passage.

Representative O'Brien spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 8 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 23; absent or not voting, 2.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Fleming, Gallagher, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Leland, Lynch, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Randall, Rosellini, Savage, Sawyer, Schumaker, Scott, Shinpoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Zimmerman, Mr. Speaker—74.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Clarke (George W.), Curtis, Flanagan, Gladder, Goldsworthy, Grant, Harris, Hubbard, Jueling, Kopet, Litchman, Mahaffey, Pardini, Perry, Richardson, Shera, Spanton, Wojahn, Wolf—23.

Absent or not voting: Representatives Kuehnle, Saling—2.

Engrossed Senate Bill No. 8 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

Senate Bill No. 8, as amended, presents an extremely complex formula on unemployment insurance. This is a subject with thousands of unemployed workers involved as well as millions of dollars.

My exposure to the ramifications of the measure has amounted to two briefings of an hour each at the most. Because of the importance to the people of the state on this matter I am unwilling to endorse the proposal at this time.

I, therefore, have voted "no" on Senate Bill No. 8 as amended by the House of Representatives. ROBERT A. PERRY, 45th District.

MOTIONS

On motion of Mr. Bledsoe, all bills passed this evening were ordered transmitted immediately to the Senate.

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

On motion of Mr. Newhouse, SUBSTITUTE SENATE BILL NO. 161 was rereferred from the Committee on Public Health and Welfare to the Committee on Appropriations.

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

PERSONAL PRIVILEGE

Mr. Copeland: "Point of personal privilege. On behalf of the House, I want to congratulate the four major persons who helped put this unemployment compensation bill together. The time they devoted to it was far more than we have ever asked a group of legislators to do. They have done this at the sacrifice of their own legislative duties. I think Mr. O'Brien, Mr. Charette, Mr. Morrison and the Speaker deserve our real thanks."

(Applause)

The Speaker: "Thank you, Mr. Copeland."

MOTIONS

On motion of Mr. Newhouse, the House dispensed with further business under the Call of the House.

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Monday, February 2, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWENTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 2, 1970.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Copeland presiding). The Clerk called the roll and all members were present except Representatives Benitz, Bottiger, Chapin, Marzano and Saling who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

REPORTS OF STANDING COMMITTEES

February 2, 1970.

ENGROSSED SENATE BILL NO. 52, creating a department of social and health services, reported by Committee on Public Health and Welfare.

MAJORITY recommendation: Do pass. Signed by Representatives Farr, Chairman, Zimmerman, Vice Chairman, Adams, Ceccarelli, Chatalas, Gladder, Hatfield, Kirk, Kopet, Pardini, Rosellini, Sprague, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

ENGROSSED SENATE BILL NO. 68, relating to abortion and providing for a referendum, reported by Committee on Public Health and Welfare.

MAJORITY recommendation: Do pass. Signed by Representatives Farr, Chairman, Zimmerman, Vice Chairman, Adams, Chatalas, Hatfield, Jastad, Kirk, Sprague, Whetzel.

MINORITY recommendation: Do not pass. Signed by Representatives Ceccarelli, Marzano.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

SENATE BILL NO. 275, relating to unfair business practices, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 7, section 7, line 1, after "violation" and before the period, insert the following: "*PROVIDED, That nothing in this paragraph shall apply to any radio or television broadcasting station which broadcasts, or to any publisher, printer or distributor of any newspaper, magazine, billboard or other advertising medium who publishes, prints or distributes, advertising in good faith without knowledge of its false, deceptive or misleading character*"

Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Julin, Marsh, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the north gallery a group from Upper Columbia Basin Academy in Spokane and asked them to stand and be recognized.

The Speaker observed in the north gallery students from the sixth grade at Lincoln Grade School in Olympia and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Rainier High School and asked them to stand and be recognized.

MESSAGES FROM THE SENATE

January 31, 1970.

Mr. Speaker: The Senate has passed:
ENGROSSED SENATE BILL NO. 7,

ENGROSSED SENATE BILL NO. 49,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 133,
 ENGROSSED SENATE BILL NO. 144,
 SENATE BILL NO. 267,
 ENGROSSED SENATE BILL NO. 277,
 ENGROSSED SENATE BILL NO. 323,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 31, 1970.

Mr. Speaker: The Senate has passed:

ENGROSSED SENATE BILL NO. 40,
 ENGROSSED SENATE BILL NO. 155,
 ENGROSSED SENATE BILL NO. 179,
 ENGROSSED SENATE BILL NO. 190,
 SUBSTITUTE SENATE BILL NO. 208,
 ENGROSSED SENATE BILL NO. 216,
 SENATE BILL NO. 311,
 SENATE BILL NO. 315,
 ENGROSSED SENATE BILL NO. 317,
 ENGROSSED SENATE BILL NO. 318,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 31, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 8 and has passed the bill as amended by the House. SIDNEY R. SNYDER, Secretary.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery a group of eighty-five students from Meridian High School in Bellingham and asked them to stand and be recognized.

The Speaker observed in the south gallery officials of the Future Farmers of America and asked them to stand and be recognized.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 7, by Senators McCormack and Washington:

An Act relating to tax deferral; deferring retired persons' property taxes and creating a lien; adding a new chapter to Title 84 RCW; and providing an effective date.

Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE BILL NO. 40, by Senators Mardesich, Foley, Atwood and Newschwander (by Legislative Budget Committee request):

An Act relating to taxing districts; amending section 7, chapter 59, Laws of 1955 and RCW 27.12.070; amending section 1, chapter 59, Laws of 1955 and RCW 27.12.222; amending section 2, chapter 244, Laws of 1969 ex. sess. and RCW 28.47.801; amending section 2, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.801; amending section 1, page 324, Laws of 1909 as last amended by section 1, chapter 142, Laws of 1969 and RCW 28.51.010; amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 142, Laws of 1969 and RCW 28A.51.010; amending section 2, page 324, Laws of 1909 and RCW 28.51.020; amending section 28A.51.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.020; amending section 1, chapter 62, Laws of 1965 and RCW 28.58.550; amending section 28A.58.550, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.550; amending section 35.37.040, chapter 7, Laws of 1965 and RCW 35.37.040; amending section 35.58.450, chapter 7, Laws of 1965 as last amended by section --, chapter -- (HB --), Laws of 1970 1st ex. sess. and RCW 35.58.450; amending section 35.61.100, chapter 7, Laws of 1965 and RCW 35.61.100; amending section 35.61.110, chapter 7, Laws of 1965 and RCW 35.61.110; amending section 35A.40.090, chapter 119, Laws of 1967 ex. sess. and RCW 35A.40.090; amending section 36.67.010, chapter 4, Laws of 1963 and RCW 36.67.010; amending section 36.67.020,

chapter 4, Laws of 1963 as amended by section 2, chapter 107, Laws of 1967 and RCW 36.67.020; amending section 13, chapter 218, Laws of 1963 and RCW 36.68.520; amending section 36.69.140, chapter 4, Laws of 1963 as last amended by section 5, chapter 26, Laws of 1969 and RCW 36.69.140; amending section 36.76.010, chapter 4, Laws of 1963 as amended by section 72, chapter 232, Laws of 1969 ex. sess. and RCW 36.76.010; amending section 36.76.080, chapter 4, Laws of 1963 and RCW 36.76.080; amending section 2, chapter 4, Laws of 1917 and RCW 37.16.010; amending section 3, chapter 4, Laws of 1917 as amended by section 74, chapter 232, Laws of 1969 ex. sess. and RCW 37.16.020; amending section 4, chapter 107, Laws of 1937 and RCW 39.28.030; amending section 1, chapter 158, Laws of 1961 as amended by section 1, chapter 92, Laws of 1963 and RCW 39.30.010; amending section 1, chapter 143, Laws of 1917 as last amended by section 3, chapter 142, Laws of 1969 and RCW 39.36.020; amending section 31, chapter 181, Laws of 1961 and RCW 47.57.530; amending section 1, chapter 21, Laws of 1965 and RCW 52.08.080; amending section 3, chapter 24, Laws of 1951 2nd ex. sess. as amended by section 4, chapter 176, Laws of 1953 and RCW 52.16.080; amending section 4, chapter 65, Laws of 1955 and RCW 53.08.030; amending section 12, chapter 65, Laws of 1955 as last amended by section 1, chapter 54, Laws of 1965 ex. sess. and RCW 53.36.030; amending section 7, chapter 1, Laws of 1931 as amended by section 14, chapter 232, Laws of 1969 ex. sess. and RCW 54.24.018; amending section 42, chapter 210, Laws of 1941 as amended by section 15, chapter 140, Laws of 1945 and RCW 56.16.050; amending section 19, chapter 114, Laws of 1929 and RCW 57.20.110; amending section 20, chapter 114, Laws of 1929 and RCW 57.20.120; amending section 1, chapter 3, Laws of 1911 and RCW 88.32.230; amending section 134, chapter 254, Laws of 1927 and RCW 89.30.400; amending section 135, chapter 254, Laws of 1927 and RCW 89.30.403; amending section 16, chapter 26, Laws of 1965 as amended by section 8, chapter 164, Laws of 1967 and RCW 86.05.920; adding a new section to chapter 39.36 RCW; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE BILL NO. 49, by Senators Canfield, Sandison, Pritchard, Andersen, Holman, McCormack, Peterson (Ted), Talley, Ridder, Peterson (Lowell) and Greive (by Executive request):

An Act relating to the location of thermal power plants; providing for the certification of siting and association transmission line routing; establishing a thermal power plant site evaluation council; adding a new chapter to Title 80 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government and Legislative Procedures.

ENGROSSED SUBSTITUTE SENATE BILL NO. 133, by Committee on Commerce and Regulatory Agencies:

An Act creating the Washington Life Insurance Guaranty Association; providing for a board of directors thereof, and setting out powers, duties and functions; providing for the disposition of association funds upon termination of the association; exempting the association from certain taxes; adding a new chapter to Title 48 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

ENGROSSED SENATE BILL NO. 144, by Senators Durkan, Donohue and Stender:

An Act relating to property taxes; amending section 84.36.050, chapter 15, Laws of 1961 and RCW 84.36.050; and declaring an effective date.

Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE BILL NO. 155, by Senators Greive, Faulk and Herr:

An Act relating to education; amending section 1, chapter 187, Laws of 1959 as last amended by section 2, chapter 237, Laws of 1969 ex. sess. and RCW 28.76.410; amending section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 237, Laws of 1969 ex. sess. and RCW 28A.58.420; amending section 28B.10.660, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 237, Laws of 1969 ex. sess.

and RCW 28B.10.660; making effective dates and providing for the expiration of a section hereof.

Referred to Committee on Education and Libraries.

ENGROSSED SENATE BILL NO. 179, by Senators Odegaard, Lewis (Harry) and Atwood:

An Act relating to insurance and health care programs for state employees and officials; amending section 1, chapter 75, Laws of 1963 as last amended by section 1, chapter 237, Laws of 1969, 1st ex. sess. and RCW 41.04.180; amending section 5, chapter 59, Laws of 1969 and RCW 41.04.230; repealing section 5, chapter 237, Laws of 1969, 1st ex. sess. and RCW 41.04.200; repealing section 6, chapter 237, Laws of 1969, 1st ex. sess. and RCW 41.04.210; repealing section 8, chapter 237, Laws of 1969, 1st ex. sess.; adding new sections to Title 41 RCW as a new chapter thereof; adding a new section to chapter 1, Laws of 1961 and chapter 41.06 RCW; making an appropriation and declaring an emergency.

Referred to Committee on Labor and Employment Security.

ENGROSSED SENATE BILL NO. 190, by Senators Wilson, Donohue, McDougall and Huntley:

An Act relating to livestock and providing penalties.

Referred to Committee on Agriculture.

SUBSTITUTE SENATE BILL NO. 208, by Committee on Cities, Towns and Counties:

An Act relating to the sale of bonds by the state, its political and civil subdivisions, and municipal bodies; amending section 3, chapter 151, Laws of 1923 as last amended by section 93, chapter 232, Laws of 1969 ex. sess. and RCW 39.44.030; and adding new sections to chapter 39.44 RCW.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 216, by Senator Durkan:

An Act relating to property taxes; and amending section 1, chapter 132, Laws of 1967 ex. sess., as amended by section 62, chapter 262, Laws of 1969 ex. sess., and RCW 84.36.128.

Referred to Committee on Revenue and Taxation.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding): "The Speaker would like to interrupt in order to inform our visitors this morning, and especially the high school students, that the series of bills we are going through at the present time are the bills that the Senate passed on the closing day, Saturday, which was the last day for the Senate to consider Senate bills. Consequently, this is quite a group of bills that the House is reading in and assigning to committees this morning. I thought it might be worthwhile to have this explanation."

SENATE BILL NO. 267, by Senators Guess and Cooney:

An Act relating to motor vehicle wreckers; amending section 46.80.010, chapter 12, Laws of 1961 and RCW 46.80.010; and amending section 46.80.080, chapter 12, Laws of 1961 as amended by section 99, chapter 32, Laws of 1967 and RCW 46.80.080.

Referred to Committee on Transportation.

ENGROSSED SENATE BILL NO. 277, by Senators Walgren and Twigg:

An Act relating to mobile homes, commercial coaches and/or recreational vehicles; amending section 1, chapter 157, Laws of 1967 as amended by section 1, chapter 229, Laws of 1969 ex. sess. and RCW 43.22.340; amending section 2, chapter 157, Laws of 1967 and RCW 43.22.350; amending section 3, chapter 157, Laws of 1967 and RCW 43.22.360; amending section 4, chapter 157, Laws of 1967 as amended by section 2, chapter 229, Laws of 1969 ex. sess. and RCW 43.22.370; amending section 5, chapter 157, Laws of 1967 and RCW 43.22.380; amending section 6, chapter 157, Laws of 1967 and RCW 43.22.390; amending section 7, chapter 157, Laws of 1967 and RCW 43.22.400; amending section 8,

chapter 157, Laws of 1967 and RCW 43.22.410; and amending section 3, chapter 229, Laws of 1969 ex. sess. and RCW 43.22.420.

Referred to Committee on Transportation.

SENATE BILL NO. 311, by Senators Ryder and Durkan (by State Finance Committee request):

An Act relating to state government and the support thereof; amending section 2, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.020; amending section 3, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.030; and providing for submission of this act to a vote of the people.

Referred to Committee on State Government and Legislative Procedures.

SENATE BILL NO. 315, by Senators Ryder and Durkan (by State Finance Committee request):

An Act relating to public debt; permitting interest coupons as an instrument of payment; amending section 1, chapter 86, Laws of 1969 and RCW 39.62.010.

Referred to Committee on State Government and Legislative Procedures.

ENGROSSED SENATE BILL NO. 317, by Senators Ryder and Durkan (by State Finance Committee request):

An Act relating to state government and the support thereof; amending section 1, chapter 148, Laws of 1967 ex. sess., and RCW 43.83.090; and providing for submission of this act to a vote of the people.

Referred to Committee on State Government and Legislative Procedures.

ENGROSSED SENATE BILL NO. 318, by Senators Ryder and Durkan (by State Finance Committee request):

An Act relating to state government and the support thereof, amending section 1, chapter 106, Laws of 1967 and RCW 90.50.010; and providing for submission of this act to a vote of the people.

Referred to Committee on State Government and Legislative Procedures.

ENGROSSED SENATE BILL NO. 323, by Senators Greive and Woodall (by Joint Committee on Governmental Cooperation request):

An Act relating to the deposit and investment of public funds; describing crimes; and amending section 1, chapter 156, Laws of 1915 and RCW 9.54.050.

Referred to Committee on State Government and Legislative Procedures.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-22, by Representatives Hoggins, Kuehnle, Kopet, Cunningham and Wolf:

WHEREAS, The need for accurate information is of paramount importance and growing year by year; and

WHEREAS, Top level government decision makers, legislators, legislative committees, educators, and boards of education want to improve education, but they do not always have the accurate facts, trends, and projections with which to make proper decisions; and

WHEREAS, Much valuable information is being collected, recorded, and reported but is often not available in useful form to the appropriate people at the right time; and

WHEREAS, Local school districts are making individual efforts in the development of data systems; and

WHEREAS, Implementation of a statewide educational information system will require the establishment of an information network leading from the data sources to the larger organizational levels; and

WHEREAS, This information network should be designed so that information may flow freely in any volume, form, sequence, or combination required for each user of the system; and

WHEREAS, Several states have recognized the need for providing funds for the development and implementation of comprehensive educational information systems; and

WHEREAS, Progress must be made in developing standard procedures of reporting methods in order to determine adequate levels of information support; and

WHEREAS, The cost of the development of such a coordinated information system must be considered in addition to the cost of operation of the present information system; NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Temporary Special Levy Study Commission in coordination with the State Superintendent of Public Instruction be instructed to develop for presentation to the 1971 Session of the Legislature the anticipated costs of: (1) The detailed assessment and determination of information needs at the state level and intermediate and local school district levels; (2) The specific design of a coordinated system for collection and transmitting the needed information, with special attention to (a) the automation of the process, and (b) the potential role of the state-wide system of intermediate school districts (in the operating system); and (3) A pilot test of the system in one or more selected local and intermediate school districts.

BE IT FURTHER RESOLVED, That recognition is hereby given that planning, development, and design activities of this magnitude cannot be expected to proceed effectively unless resources are made available over and above those needed for present operations.

AND, BE IT FURTHER RESOLVED, That the Clerk of the House transmit a copy of this House Resolution to the State Superintendent of Public Instruction.

Mr. Hoggins moved adoption of the resolution.

Mr. Brown moved adoption of the following amendment to the resolution:

In line 2 of the paragraph beginning "NOW THEREFORE" after "that" and before "the State Superintendent" delete "Temporary Special Levy Study Commission" and insert "Joint Committee on Education"

Debate ensued, Representative Brown speaking in favor of adoption of the amendment, and Representative Hoggins speaking against it.

POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Hoggins, if this resolution is passed, with or without the amendment, it would be specifically instructing these committees and the state superintendent to come back with this information. Is that not right?"

Mr. Hoggins: "This is correct, except that if you delete the temporary special levy study commission, we will, in a sense, be getting two reports, and we will be trying to put two sources of information together to come up with some kind of design."

Mr. Leckenby: "Do you think Items (1) and (2) that have been set out here sufficiently define what it is that we the legislature want in this report? And do you think that it is possible for the study, in the short time that is left, to include all these things that you covered here?"

Mr. Hoggins: "Yes, and I think it is because there has been some work done by one of the intermediate school districts — I think it is intermediate school district No. 109 on a special grant — that has preliminarily started this work and made its report to the state superintendent. I think, while the task may be large, we have a responsibility to see that this informational design system is developed so we don't get ourselves in the same spot we are in right now as we try to make school appropriations for the coming biennium, particularly after we have earmarked large amounts of increased revenue for school support in 1971."

Representative Leckenby spoke against adoption of the amendment to the resolution.

MOTION

On motion of Mr. Newhouse, the House deferred further consideration of House Resolution No. 70-22, and the resolution was held for tomorrow's eighth order of business.

HOUSE RESOLUTION NO. 70-23, by Representatives Conway, Cunningham, Wolf, Mentor, Randall, Curtis, Pardini, Lynch, Goldsworthy and Savage:

WHEREAS, The service clubs and organizations of Thurston County have, on so many occasions, provided services and activities to the benefit of all the community; and

WHEREAS, These service organizations have been particularly mindful of the problems related to the legislative sessions and especially those problems of the legislators and the many other persons who come to the area for the legislative sessions; and

WHEREAS, The recent activities of the Olympia Chamber of Commerce to aid those residents of the Tyee Motor Inn who found themselves without lodging after the fire of January 27, 1970, exemplifies this special thoughtfulness and hospitality; and

WHEREAS, Such expressions of concern and fraternity must be encouraged;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives expresses its sincere appreciation to the service clubs and organizations of Thurston County for their generosity and hospitality.

BE IT FURTHER RESOLVED, That the House of Representatives encourages the service clubs and organizations to continue their dedicated efforts undertaken for the betterment of our communities.

AND BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this Resolution to each service club or organization in Thurston County.

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

HOUSE RESOLUTION NO. 70-24, by Representatives Berentson and Kink:

WHEREAS, Rigors of the Second Extraordinary Session having whipped the members of the Forty-first Legislature into a fine condition; and

WHEREAS, Among talents of the various members lies a storehouse of athletic excellence and ability; and

WHEREAS, There is no better and/or fitting way to bring out these rusty, but virile, talents than the invigoration of a challenging contest of America's premier winter indoor sport, basketball:

NOW, THEREFORE, BE IT RESOLVED, That the members of the Capitol Press Corps, attendant upon the Second Extraordinary Session of the Forty-first Legislature, hereby issue the following challenge:

THAT, The members of the Legislature appear at the Chick Rockey Gymnasium, William Winlock Miller High School, Olympia, on Wednesday, February 4, beginning at 8:00 p.m.; and

AT THAT TIME, Be prepared for a contest of basketball with the sterling Knights of the Capitol Press Corps; and

THAT, All proceeds therefrom, in the amount of one dollar per admission, be donated to the March of Dimes (the Legislators will need it!).

BE IT FURTHER RESOLVED, That all others attending upon the Second Extraordinary Session of the Forty-first Legislature are hereby requested and encouraged to attend the BATTLE OF THE CENTURY.

Representative Berentson moved adoption of the resolution and spoke in favor of its adoption.

Mr. Chatalas moved adoption of the following amendment to the resolution:

On line 14, change the date of the game from "February 4" to "May 4"

The amendment was lost.

The Speaker (Mr. Copeland presiding) declared the question before the House to be the adoption of House Resolution No. 70-24.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-25, by Representatives Smythe, Thompson and Zimmerman:

WHEREAS, Many persons are establishing domiciles in the State of Washington; and

WHEREAS, The newly domiciliating persons must pay sales tax on all purchases which they make in their new home from the first day of arrival; and

WHEREAS, The newly domiciliating persons must secure a Washington driver's license shortly after moving to the State; and

WHEREAS, The newly domiciliating person must pay property tax upon any new home purchased; and

WHEREAS, Newly domiciliating persons are eligible to receive welfare without regard to length of stay in the State; and

WHEREAS, The newly domiciliating person cannot, by reason of RCW 28B.15.010, attend any of the state institutions of higher education within the State of Washington without paying a nonresident tuition fee until such person has domiciled within the State for a period of at least one year prior to the time that they enroll;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Joint Committee on Higher Education be directed to make a study of the statutes, policies and procedures of the state's institutions of higher education with relationship to nonresident fees for such institutions.

AND BE IT FURTHER RESOLVED, That the Joint Committee on Higher Education report the result of such study, including any recommendations if any, to the members of the Forty-second Legislature prior to January 11, 1971.

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

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery fifteen students from St. Anne's Grade School in Seattle and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Grays Harbor Community College and asked them to stand and be recognized.

The Speaker observed in the north gallery a group of students from Bellevue and asked them to stand and be recognized.

MOTIONS

On motion of Mr. Bledsoe, ENGROSSED SENATE BILL NO. 40 was rereferred from the Committee on Revenue and Taxation to the Committee on Local Government.

On motion of Mr. Bledsoe, ENGROSSED SENATE BILL NO. 277 was rereferred from the Committee on Transportation to the Committee on Labor and Employment Security.

On motion of Mr. Newhouse, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Benitz, Chapin, Conner and Saling. Representatives Benitz, Chapin and Saling were excused.

MOTION

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

MESSAGES FROM THE SENATE

February 2, 1970.

Mr. Speaker: The President has signed ENGROSSED SENATE BILL NO. 8, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:
ENGROSSED SENATE BILL NO. 8.

MOTION

On motion of Mr. Newhouse, the House advanced to the ninth order of business.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Meadowdale Junior High School in Lynnwood and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Sedro Woolley High School and asked them to stand and be recognized.

The Speaker: "For the benefit of our visitors, I think it is appropriate to indicate to you that this is the first day that each House considers the other's bills. We have spent the first three weeks of the session considering those measures introduced in the House and those that have passed are now in the Senate. Much committee action now has to be taken on Senate bills here in the House, and House bills in the Senate, so really we don't have too much to consider on the floor until those committees have a chance to review the bills. For that reason our sessions for the first two or three days this week will be rather short and will cover routine matters. We are sorry we don't have more activity on the floor for you today. I did want to explain that most of the work being done the first part of the week will be done in committee."

MOTIONS

On motion of Mr. Newhouse, the House deferred consideration of the second reading calendar and the bills were ordered placed on tomorrow's second reading calendar.

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

On motion of Mr. Bledsoe, the House adjourned until 11:00 a.m., Tuesday, February 3, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWENTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 3, 1970.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Copeland presiding). The Clerk called the roll and all members were present except Representatives Bottiger, Shera, Thompson and Veroske. Representatives Bottiger and Veroske were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

REPORTS OF STANDING COMMITTEES

February 2, 1970.

HOUSE BILL NO. 60, relating to revenue and taxation, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives McCaffree, Chairman, Ackley, Brown, Charette, Evans, Grant, Hatfield, Haussler, Hurley, Marzano, Murray, North, Pardini, Randall, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

SENATE BILL NO. 15, shortening from one year to six months residency requirement to file divorce complaint, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Chapin, Clark (Newman H.), Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

ENGROSSED SENATE BILL NO. 18, providing minor students with capacity to borrow, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Smythe, Vice Chairman, Adams, Amen, Bluechel, Goldsworthy, King, Kirk, Kiskaddon, Mentor, Murray.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

SENATE BILL NO. 60, allowing seventy-five year leases for school purposes, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16, after "district" and before "for" insert "*or institutions of higher education*"

On page 1, section 1, line 19, after "district" and before "to" insert "*or institutions of higher education*"

On page 2, section 1, line 2, after "school" and before "purposes" insert "*college or university*"

Signed by Representatives Hoggins, Chairman, Richardson, Vice Chairman, Brown, Conway, Evans, Fleming, Gladder, Hatfield, Julin, North, Scott, Shinpoch, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

SENATE BILL NO. 67, providing for the election of the court of appeals judge by position number, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Chapin, Clark (Newman H.), Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

SENATE BILL NO. 83, relating to judicial conference, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Chapin, Clark (Newman H.), Julin, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 107, revising criteria for reimbursement to school districts for safe walk-ways for pupils, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 22, after "for" and before "costs" strike "*their*" and insert "*its*"

On page 2, section 2, line 15, after "for" and before "costs" strike "*their*" and insert "*its*"

Signed by Representatives Hoggins, Chairman, Richardson, Vice Chairman, Brown, Conway, Evans, Fleming, Gladder, Hatfield, Julin, North, Randall, Scott, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

SENATE BILL NO. 121, revising inspection fees relating to boilers and pressure vessels, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass. Signed by Representatives Morrison, Chairman, Spanton, Vice Chairman, Curtis, Grant, King, Kuehne, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

SENATE BILL NO. 126, relating to regulation of elevators, other lifting devices and moving walks, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass. Signed by Representatives Morrison, Chairman, Spanton, Vice Chairman, Curtis, Grant, King, Kuehne, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

SENATE BILL NO. 204, relating to Spokane judges, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Chapin, Clark (Newman H.), Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SENATE BILL NO. 277, regulating mobile homes, commercial coaches and/or recreational units, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass. Signed by Representatives Morrison, Chairman, Curtis, Grant, King, Kuehnle, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

ENGROSSED SENATE BILL NO. 288, clarifying the position covered by the definition of faculty appointment as applies to community colleges, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Smythe, Vice Chairman, Adams, Amen, Bluechel, Brouillet, Goldsworthy, King, Kirk, Kiskaddon, Marsh, Mentor, Murray.

Passed to Committee on Rules and Administration for second reading.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery a group of sixth grade students from Nisqually Junior High School in Lacey and asked them to stand and be recognized.

MESSAGES FROM THE SENATE

February 2, 1970.

Mr. Speaker: The Senate has passed SENATE BILL NO. 243, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 243, by Senators Elicker, Wilson and Faulk (by Department of Health request):

An Act relating to vital statistics, increasing the fee for certified copies of records; and amending section 43.20.090, chapter 8, Laws of 1965 as amended by section 3, chapter 26, Laws of 1967 and RCW 43.20.090.

Referred to Committee on Public Health and Welfare.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-22, by Representatives Hoggins, Kuehnle, Kopet, Cunningham and Wolf:

WHEREAS, The need for accurate information is of paramount importance and growing year by year; and

WHEREAS, Top level government decision makers, legislators, legislative committees, educators, and boards of education want to improve education, but they do not always have the accurate facts, trends, and projections with which to make proper decisions; and

WHEREAS, Much valuable information is being collected, recorded, and reported but is often not available in useful form to the appropriate people at the right time; and

WHEREAS, Local school districts are making individual efforts in the development of data systems; and

WHEREAS, Implementation of a statewide educational information system will require the establishment of an information network leading from the data sources to the larger organizational levels; and

WHEREAS, This information network should be designed so that information may flow freely in any volume, form, sequence, or combination required for each user of the system; and

WHEREAS, Several states have recognized the need for providing funds for the development and implementation of comprehensive educational information systems; and

WHEREAS, Progress must be made in developing standard procedures of reporting methods in order to determine adequate levels of information support; and

WHEREAS, The cost of the development of such a coordinated information system must be considered in addition to the cost of operation of the present information system;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Temporary Special Levy Study Commission in coordination with the State Superintendent of Public Instruction be instructed to develop for presentation to the 1971 Session of the Legislature the anticipated costs of: (1) The detailed assessment and determination of information needs at the state level and intermediate and local school district levels; (2) The

specific design of a coordinated system for collection and transmitting the needed information, with special attention to (a) the automation of the process, and (b) the potential role of the state-wide system of intermediate school districts (in the operating system); and (3) A pilot test of the system in one or more selected local and intermediate school districts.

AND, BE IT FURTHER RESOLVED, That the Clerk of the House transmit a copy of this House Resolution to the State Superintendent of Public Instruction.

The House resumed consideration of the resolution.

The Speaker (Mr. Copeland presiding) stated the question before the House to be the following amendment by Mr. Brown:

In line 2 of the paragraph beginning "NOW, THEREFORE" after "that" and before "The State Superintendent" delete "Temporary Special Levy Study Commission" and insert "Joint Committee on Education"

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

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

After the nine paragraphs which begin "WHEREAS" strike the remainder of the resolution and insert the following:

"NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the State Superintendent of Public Instruction be instructed to develop for presentation to the 1971 Session of the Legislature the anticipated costs of: (1) The detailed assessment and determination of information needs at the state level and intermediate and local school district levels; (2) The specific design of a coordinated system for collecting and transmitting the needed information, with special attention to (a) the automation of the process, and (b) the potential role of the statewide system of intermediate school districts (in the operating system); and (3) A pilot test of the system in one or more selected local and intermediate school districts. The Superintendent, during the process of collecting data for such presentation, shall inform himself of activities related thereto carried on by the Temporary Special Levy Study Commission and the Joint Committee on Education and include in his presentation material thus obtained when pertinent thereto.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this Resolution to the State Superintendent of Public Instruction."

House Resolution No. 70-22, as amended, was adopted.

HOUSE RESOLUTION NO. 70-26, by Committee on Labor and Employment Security:

WHEREAS, The public policy of the State of Washington is that workmen shall be paid the wages due them for their labor and shall be paid such wages forthwith upon termination of their employment; and

WHEREAS, There is no sure, certain and speedy remedy to guarantee the payment of wages justly due and owing to workmen; and

WHEREAS, Many workmen in this State have been unable to collect the wages justly due and owing them; and

WHEREAS, Many persons, firms, and corporations which contemplate the hiring of employees have inadequate assets to reasonably assure their ability to pay the wages of their employees;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Legislative Council in cooperation with the Department of Labor and Industries be directed to investigate the problem of nonpayment of wages by employers to their employees.

BE IT FURTHER RESOLVED, That the Department of Labor and Industries report its findings and its recommendations for insuring the payment of wages to workmen to the Regular Session of the Forty-second Legislature.

Mr. Morrison moved adoption of the resolution.

Representatives Morrison, Grant and Savage spoke in favor of adoption of the resolution.

The resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery students from the Government Class at Seattle University, led by Dr. Paul Ellis who was formerly connected with the Legislative Budget Committee, and asked them to stand and be recognized.

MOTIONS

On motion of Mr. Newhouse, ENGROSSED SENATE BILL NO. 85 was rereferred from the Committee on Revenue and Taxation to the Committee on Local Government.

On motion of Mr. Newhouse, ENGROSSED SENATE BILL NO. 179 was rereferred from the Committee on Labor and Employment Security to the Committee on State Government and Legislative Procedures.

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Adams, Bottiger, Fleming, Harris, Mentor, Perry, Sawyer, Scott and Veroske. Representatives Adams, Bottiger, Fleming, Mentor and Veroske were excused.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Skykomish High School and asked them to stand and be recognized.

The Speaker observed in the south gallery a group of students from Arlington High School and asked them to stand and be recognized.

The Speaker observed in the south gallery the Ebenezer Lutheran Church Confirmation Class from Lake Stevens and asked them to stand and be recognized.

MOTION

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

SECOND READING

HOUSE BILL NO. 232, by Representative Murray:

Repealing B & O exemption as to financial institutions.

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 232, and the bill was ordered placed at the end of today's second reading calendar.

HOUSE BILL NO. 271, by Representatives Sprague and Fleming:

Imposing an additional one cent per ounce tax upon liquor to be used for public assistance purposes.

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 271, and the bill was ordered placed at the end of today's second reading calendar.

ENGROSSED SENATE BILL NO. 68, by Senators Pritchard, Bailey and Holman:

Relating to abortion and providing for a referendum.

The bill was read the second time.

PARLIAMENTARY INQUIRY

Mr. Ackley: "Mr. Speaker, I don't have a calendar for second reading of bills on the desk."

The Speaker: "They are being distributed."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Adams, Bottiger, Fleming, Harris, Mentor, Perry, Sawyer, Scott and Veroske.

Mr. Bledsoe moved that the absent members be excused and the House proceed with business under the Call of the House.

The motion was carried on a rising vote.

MOTION

Mrs. Hurley moved that Engrossed Senate Bill No. 68 be indefinitely postponed.

Representative Hurley spoke in favor of the motion.

Mr. Grant demanded an oral roll call and the demand was not sustained.

Representatives North and Savage spoke against the motion.

The motion by Mrs. Hurley to indefinitely postpone Engrossed Senate Bill No. 68 was lost.

Mrs. Hurley moved adoption of the following amendment:

On page 1, section 2, beginning on line 23 after "(b)" insert the following: "after three physicians licensed under chapters 18.71 or 18.57 RCW, one of whom may be the person performing the termination, and who are not jointly engaged in business, have certified in writing their joint belief in the justifying circumstances, and have filed such certificate prior to the termination in the accredited hospital where it is to be performed, or in such other place as may be designated by law; (c)"

Reletter the following subsection "(d)"

Representative Hurley spoke in favor of adoption of the amendment.

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

Representative Smythe spoke against adoption of the amendment.

Representative Scott appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mrs. Hurley to Engrossed Senate Bill No. 68, and the amendment was lost by the following vote: Yeas, 33; nays, 58; absent or not voting, 8.

Voting yea: Representatives Bagnariol, Barden, Benitz, Bozarth, Ceccarelli, Chatalas, Conway, Curtis, Evans, Flanagan, Gallagher, Gladder, Grant, Hurley, Jolly, Kalich, Kink, Kopet, Kuehnle, Marsh, Martinis, Marzano, May, McCormick, Merrill, Morrison, O'Brien, Pardini, Richardson, Rosellini, Schumaker, Spanton, Wolf—33.

Voting nay: Representatives Ackley, Amen, Anderson, Backstrom, Beck, Berentson, Bledsoe, Bluechel, Brouillet, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Cunningham, DeJarnatt, Farr, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jueling, Julin, King, Kirk, Kiskaddon, Leckenby, Leland, Litchman, Lynch, Mahaffey, McCaffree, Moon, Murray, Newhouse, North, O'Dell, Randall, Saling, Savage, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Wetzzel, Williams, Wojahn, Zimmerman, Mr. Speaker—58.

Absent or not voting: Representatives Adams, Bottiger, Fleming, Harris, Mentor, Perry, Sawyer, Veroske—8.

Mr. Grant moved adoption of the following amendment:

On page 2, section 2, line 6, change "gross misdemeanor" to "felony"

Debate ensued, Representative Grant speaking in favor of adoption of the amendment, and Representatives Chapin and Charette speaking against it.

The amendment by Mr. Grant to Engrossed Senate Bill No. 68 was not adopted.

Representatives Perry and Sawyer appeared at the bar of the House.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 68 be placed on final passage.

Mr. O'Brien demanded an electric roll call and the demand was sustained.

Representative O'Brien spoke against the motion, and Representative Farr spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 68 to third reading and final passage, and the motion was lost by the following vote: Yeas, 61; nays, 32; absent or not voting, 6.

Voting yea: Representatives Amen, Anderson, Backstrom, Beck, Berentson, Bledsoe, Bluechel, Brouillet, Brown, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Cunningham, DeJarnatt, Farr, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Leland, Litchman, Lynch, Mahaffey, McCaffree, Moon, Murray, Newhouse, North, O'Dell, Perry, Randall, Saling, Savage, Sawyer, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Mr. Speaker—61.

Voting nay: Representatives Ackley, Bagnariol, Barden, Benitz, Bozarth, Ceccarelli, Conway, Curtis, Evans, Flanagan, Gallagher, Gladder, Grant, Hurley, Jolly, Kopet, Kuehnle, Marsh, Martinis, Marzano, May, McCormick, Merrill, Morrison, O'Brien, Pardini, Richardson, Rosellini, Schumaker, Spanton, Wolf, Zimmerman—32.

Absent or not voting: Representatives Adams, Bottiger, Fleming, Harris, Mentor, Veroske—6.

Engrossed Senate Bill No. 68 was passed to Committee on Rules and Administration for third reading.

ENGROSSED SENATE BILL NO. 18, by Senators Dore and Holman:

Providing minor students with capacity to borrow.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 18 was placed on final passage.

Representative Smythe spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 18, and the bill passed the House by the following vote: Yeas, 88; nays, 5; absent or not voting, 6.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—88.

Voting nay: Representatives Conway, Hatfield, Mahaffey, O'Dell, Pardini—5.

Absent or not voting: Representatives Adams, Bottiger, Fleming, Harris, Mentor, Veroske—6.

Engrossed Senate Bill No. 18, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 275, by Senators Woodall, Cooney, Gissberg, Durkan, Twigg, Dore, McCormack and Stender:

Relating to unfair business practices.

Committee recommendation: Majority, do pass with the following amendment:

On page 7, section 7, line 1, after "violation" and before the period, insert the following: "PROVIDED, That nothing in this paragraph shall apply to any radio or television broadcasting station which broadcasts, or to any publisher, printer or distributor of any newspaper, magazine, billboard or other advertising medium who publishes, prints or distributes, advertising in good faith without knowledge of its false, deceptive or misleading character"

The bill was read the second time.

On motion of Mr. Clarke (George W.), the committee amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 275 as amended by the House was placed on final passage.

Representatives Clarke (George W.) and Wojahn spoke in favor of passage of the bill.

Representative Harris appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 275 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Adams, Bottiger, Fleming, Mentor, Veroske—5.

Senate Bill No. 275 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE JOINT MEMORIAL NO. 3, by Senators Peterson (Ted), Marquardt, Francis and Greive:

Requesting Congress to turn Fort Lawton over to the people of Seattle for development of a park.

The memorial was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 3 was placed on final passage.

Representatives Kirk and Murray spoke in favor of passage of the memorial.

POINT OF INQUIRY

Mr. Leland yielded to question by Mr. Chapin.

Mr. Chapin: "Mr. Leland, I wonder if you would tell us how those of us who live on the east side of Lake Washington might hope in the future to be able to reach and use this potential park at Fort Lawton?"

Mr. Leland: "I presume it would be via the I-90 facility, the expansion of the Evergreen Point Bridge and the ultimate construction of 522."

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 3, and the memorial passed the House by the following vote: Yeas, 93; nays, 0; absent or not voting, 6.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Absent or not voting: Representatives Adams, Bottiger, Fleming, Hoggins, Mentor, Veroske—6.

Senate Joint Memorial No. 3, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 288, by Senators Sandison and McCormack:

Clarifying the position covered by the definition of faculty appointment as applies to community colleges.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 288 was placed on final passage.

Representative King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 288, and the bill passed the House by the following vote: Yeas, 86; nays, 4; absent or not voting, 9.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Gallagher, Goldsworthy, Grant, Harris, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Gladder, Hatfield, Mahaffey, Spanton—4.

Absent or not voting: Representatives Adams, Bledsoe, Bottiger, Chatalas, Curtis, Flanagan, Fleming, Mentor, Veroske—9.

Engrossed Senate Bill No. 288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Bledsoe, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.

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

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Wednesday, February 4, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWENTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 4, 1970.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bottiger, Spanton and Veroske who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery students from Nooksack High School in Everson and asked them to stand and be recognized.

The Speaker observed in the north gallery a group from the Boeing Aeromechanics Retirement Club and asked them to stand and be recognized.

The Speaker observed in the south gallery six students who are participants in the American Field Service Foreign Exchange Club from Cowlitz County and asked them to stand and be recognized.

REPORTS OF STANDING COMMITTEES

February 4, 1970.

HOUSE BILL NO. 193, pertaining to boards of equalization and assessment procedures, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 24, after "board" and before "receive" strike "shall" and insert "[shall] may"

On page 4, section 2, line 13, before "members" strike "more than five" and insert "less than three or more than seven"

On page 5, section 6, line 5, after "board" and before "appoint" strike "shall" and insert "may"

On page 5, section 8, line 23, after "commissioners" and before "provide" strike "shall" and insert "may"

On page 6, section 10, line 8, after "county" and before "attend" strike "shall" and insert "may"

Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Benitz, Bluechel, Brown, Ceccarelli, Evans, Grant, Hatfield, Marzano, Murray, North, Pardini, Randall, Scott.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SENATE BILL NO. 1, creating a department of pollution control, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following the enacting clause, strike the remainder of the act and substitute therefor the following sections:

"NEW SECTION. Section 1. The legislature recognizes, and declares it to be the policy of this state, that it is a fundamental and inalienable right of the people of the state of Washington to live in a healthful and pleasant environment and to benefit from the proper development and use of its natural resources. The legislature further recognizes that as the population of our state grows, the need to provide for our increasing industrial, agricultural, residential, social, recreational, economic and other needs will place an increasing responsibility on all segments of our society to plan, coordinate, restore and regulate the utilization of our natural resources in a manner that will protect and conserve our clean air, our pure and abundant waters, and the natural beauty of the state.

NEW SECTION. Sec. 2. In recognition of the responsibility of state government to carry out the policies set forth in section 1 of this 1970 amendatory act, it is the purpose of this chapter to establish a single state agency with the authority to manage and develop our

air and water resources in an orderly, efficient, and effective manner and to carry out a coordinated program of pollution control involving these and related land resources. To this end a department of environmental quality is created by this chapter to undertake, in an integrated manner, the various water regulation, management, planning and development programs now authorized to be performed by the department of water resources and the water pollution control commission, the air regulation and management program now performed by the state air pollution control board, the solid waste regulation and management program authorized to be performed by state government as provided by chapter 70.95 RCW, and such other environmental, management protection and development programs as may be authorized by the legislature.

NEW SECTION. Sec. 3. As used in this chapter, unless the context indicates otherwise:

- (1) 'Department' means the department of environmental quality.
- (2) 'Director' means the director of the department of environmental quality.
- (3) 'Council' means the environmental quality advisory council.

NEW SECTION. Sec. 4. There is created a department of state government to be known as the department of environmental quality.

NEW SECTION. Sec. 5. The executive and administrative head of the department shall be the director. The director shall be appointed by the governor with the consent of the senate. He shall have complete charge of and supervisory powers over the department. He shall be paid a salary fixed by the governor in accordance with the provisions of RCW 43.03.040. If a vacancy occurs in the position of director while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate at which time he shall present to that body his nomination for the position.

NEW SECTION. Sec. 6. The following powers, duties and functions are hereby transferred to the department of environmental quality created in section 4 of this 1970 amendatory act:

(1) All powers, duties and functions authorized to be performed by the water pollution control commission, or the director thereof, by the terms of chapter 90.48 RCW or otherwise, including those assigned by action of this 1970 legislature;

(2) All powers, duties and functions authorized to be performed by the department of water resources, or the director thereof, by the terms of chapter 43.27A RCW or otherwise, including those assigned by action of this 1970 legislature;

(3) All powers, duties and functions authorized to be performed with reference to air pollution by the department of health, or the director thereof, and by the state air pollution control board or its executive director, by terms of chapter 70.94 RCW, the Washington Clean Air Act, or otherwise, including those assigned by this 1970 legislature; and

(4) All powers, duties and functions authorized to be performed by the department of health, or the director of health, involving the control of pollution problems created by the disposal of solid waste, including those assigned by action of this 1970 legislature, and all powers, duties and functions to be exercised and performed by a department of environmental quality by the terms of chapter 70.95 RCW, including those assigned by this 1970 legislature.

NEW SECTION. Sec. 7. The administrative procedure act, chapter 34.04 RCW, shall apply to the review of decisions by the director to the same extent as it applied to decisions issued by the directors of the various departments whose powers, duties and functions are transferred by this 1970 amendatory act to the department of environmental quality. The administrative procedure act shall further apply to all other decisions of the director as in that act provided.

NEW SECTION. Sec. 8. The director of the department of environmental quality is authorized to adopt such rules and regulations as are necessary and appropriate to carry out the provisions of this chapter.

NEW SECTION. Sec. 9. All powers, duties and functions transferred to the department by the terms of this 1970 amendatory act shall be performed by the director: PROVIDED, That the director may delegate, by appropriate rule or regulation, the performance of such of his powers, duties, and functions, other than those relating to the adoption, amendment or rescission of rules and regulations, to employees of the department whenever it appears desirable in fulfilling the policy and purposes of this chapter.

NEW SECTION. Sec. 10. In order to obtain maximum efficiency and effectiveness within the department, the director may create such administrative divisions within the department as he deems necessary. The director shall appoint a deputy director as well as such assistant directors as shall be needed to administer the several divisions within the department. The deputy director shall have charge and general supervision of the department in the absence or disability of the director. In the case of a vacancy in the office of director, the deputy director shall administer the department until the governor appoints a successor to the director or an acting director. The officers appointed under this section and exempt from the provisions of the state civil service law as provided in section 11 of this 1970 amendatory act, shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law.

NEW SECTION. Sec. 11. There is added to chapter 1, Laws of 1961 and to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the department of environmental quality, to the director, his confidential secretary, his deputy director, and not to exceed six assistant directors.

NEW SECTION. Sec. 12. The director shall have the power to employ such personnel as may be necessary for the general administration of this chapter: PROVIDED, That except as specified in section 11 of this 1970 amendatory act, such employment shall be in accordance with the rules of the state civil service law, chapter 41.06 RCW.

NEW SECTION. Sec. 13. In addition to any other powers granted the director, he may undertake studies dealing with all aspects of environmental problems involving land, water, or air: PROVIDED, That in the absence of specific legislative authority, such studies shall be limited to investigations of particular problems, and shall not be implemented by positive action: PROVIDED FURTHER, That the results of all such studies shall be submitted to the legislature prior to thirty days before the beginning of each regular session.

NEW SECTION. Sec. 14. The director in carrying out his powers and duties under this chapter shall consult with the department of health and the state board of health, or their successors, insofar as necessary to assure that those agencies concerned with the preservation of life and health may integrate their efforts to the fullest extent possible and endorse policies in common.

NEW SECTION. Sec. 15. The director, whenever it is lawful and feasible to do so, shall consult and cooperate with the federal government, as well as with other states and Canadian provinces, in the study and control of environmental problems. On behalf of the department, the director is authorized to accept, receive, disburse, and administer grants or other funds or gifts from any source, including private individuals or agencies, the federal government, and other public agencies, for the purpose of carrying out the provisions of this chapter.

NEW SECTION. Sec. 16. Whenever any records or other information furnished under the authority of this chapter to the director, the department, or any division of the department, relate to the processes of production unique to the owner or operator thereof, or may affect adversely the competitive position of such owner or operator if released to the public or to a competitor, the owner or operator of such processes or production may so certify, and request that such information or records be made available only for the confidential use of the director, the department, or the appropriate division of the department. The director shall give consideration to the request, and if such action would not be detrimental to the public interest and is otherwise within accord with the policies and purposes of this chapter, may grant the same.

NEW SECTION. Sec. 17. In order to provide advice and guidance to the director of the department of environmental quality and in order better to coordinate the activities of the department of environmental quality with other state agencies concerned with problems of environmental quality, there is created an environmental quality advisory council composed of fifteen members as follows:

- (1) The commissioner of public lands;
- (2) The director of agriculture;
- (3) The director of commerce and economic development;
- (4) The director of fisheries;
- (5) The director of game;
- (6) The director of health;
- (7) The director of highways;
- (8) Three public members to be appointed by the governor as follows:

(a) One public member shall be a representative of organized labor and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of organized labor of the state.

(b) One public member shall be a representative of the business community and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of the business community of the state.

(c) One public member shall be a representative of the agricultural community and shall be selected by the governor from a list of not less than three names submitted to the governor by any organization state-wide in scope which through its affiliates embraces a cross section and a majority of the agricultural community of the state.

(9) Five persons representing the public at large. The eight public members shall be appointed by the governor and shall serve continuously during the full length of the appointing governor's term, and until such further time as a replacement has been made. Any vacancy occurring in a position occupied by a public at large member shall be filled through appointment by the governor within ninety days from the date of the vacancy. The chairman of the council shall be appointed by the governor from among the public at large membership. The chairman shall conduct the council's meetings in accordance with such rules as the council may prescribe. In the absence of the chairman, the members of the council shall select an acting chairman to carry out the duties of the chairman.

NEW SECTION. Sec. 18. The council shall meet quarterly at a date and place of its choice, and at such other times as shall be designated by the director or upon the written request of a majority of the council. Public members of the council shall receive twenty-five dollars per diem for each day or major portion thereof actually spent in attending to their duties as council members; and, in addition, they shall be entitled to reimbursement and for their travel expenses as provided in RCW 43.03.060, as now or hereafter amended.

NEW SECTION. Sec. 19. It shall be the duty of the members of the environmental quality advisory council to provide advice and guidance to the director on each of the following:

(1) Rules and regulations, other than those relating to procedural matters, proposed for adoption by the director in accordance with procedures of chapter 34.04 RCW.

(2) Any comprehensive plan or program proposed for adoption by the director pertaining to an environmental management activity.

(3) Any proposal developed for submission to the legislature as a departmental request bill.

(4) Any other matter pertaining to the activities of the department of environmental quality submitted by the director for which advice and guidance is requested.

NEW SECTION. Sec. 20. In matters submitted to the council for advice and guidance, as set forth in section 19 of this 1970 amendatory act, it shall be the responsibility of the director to accompany such request with a statement of the background occasioning the request, together with the director's proposal for dealing with the same. Each member shall individually submit to the director in writing his views within such time as the director shall prescribe. In considering a matter submitted to it by the director, the council shall conduct such public hearings and make such investigations as it deems necessary. The secretary of the council shall be the director, or an employee of the department designated by the director. It shall be the duty of the secretary to act as liaison between the council and department as well as other state agencies; to prepare the minutes of the council; and otherwise to assist the council. The director shall furnish to the council such staff and facilities as may be necessary to fulfill its duties. He shall submit to the governor during July of each year, a report containing a summary of the advice and guidance rendered by the council during the preceding twelve month period.

NEW SECTION. Sec. 21. In addition to the duties and authorities contained in sections 19 and 20, the advisory council may agree to consider any matter pertinent to the purposes of this act by consent of a majority of the members.

NEW SECTION. Sec. 22. All employees and personnel classified under chapter 41.06 RCW, the state civil service law, and engaged in duties pertaining to the functions transferred by this chapter shall be assigned to the department to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state merit system.

NEW SECTION. Sec. 23. All reports, documents, surveys, books, records, files, papers or other writings in the possession of the department of health or state board of health pertaining to air pollution, in the possession of the department of health pertaining to air or solid waste pollution, or in the possession of the department of water resources or in the possession of the water pollution control commission shall be delivered to the custody of the department of environmental quality.

All cabinets, furniture, office equipment, motor vehicles and other tangible property employed in carrying out the powers, duties, and functions transferred by this chapter shall be made available to the department of environmental quality.

All funds, credits or other assets held in connection with the functions herein transferred shall be assigned to the department of environmental quality.

Any appropriations made to the department of health, the state air pollution control board, the department of water resources, or the water pollution control commission for the purpose of carrying out the powers, duties, and functions herein transferred, shall on the effective date of this chapter be transferred and credited to the department of environmental quality for the purpose of carrying out such transferred powers, duties and functions.

Whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under this chapter, the director of program planning and fiscal management shall make a determination thereon and certify the same to the state agencies concerned.

NEW SECTION. Sec. 24. All state officials required to maintain contact with or provide services to the department of water resources, to the water pollution control commission, to the department of health or state air pollution control board in connection with air pollution, or to the department of health in connection with solid waste pollution, shall continue to perform such services for the department of environmental quality unless otherwise directed by this chapter.

NEW SECTION. Sec. 25. Except as specifically provided in this 1970 amendatory act, the provisions hereof shall not impair or supersede the powers or rights granted under any other law to any person, committee, or association, any public, municipal, or private corporation, any state or local governmental agency, any federal agency, or any political subdivision of the state of Washington. Pollution control permits, water quality standards, air pollution permits, air quality standards, and permits for disposal of solid waste material are not affected by this 1970 amendatory act, and the laws governing the same shall be protected and preserved.

NEW SECTION. Sec. 26. On July 1, 1970, the following state agencies, councils and committees are abolished:

- (1) The department of water resources.
- (2) The water pollution control commission.
- (3) The state air pollution control board.
- (4) The water resources advisory council.

All rules and regulations, and all pending business before the department of water resources, the department of health, the state air pollution control board or the water pollution control commission pertaining to matters affected by this chapter, as of July 1, 1970, shall be continued and acted upon by the department of environmental quality. All existing contracts and obligations pertaining to the functions herein transferred shall remain in full force and effect, and shall be performed by the department. Neither the abolition of any agency nor any of the transfers authorized by this chapter shall affect the validity of any act performed by the department of water resources, the department of health, the state air pollution control board, or the water pollution control commission, or by any official or employee thereof, prior to the effective date of this chapter.

NEW SECTION. Sec. 27. The rule of strict construction shall have no application to this chapter and it shall be liberally construed in order to carry out the broad purposes set forth in section 2 of this 1970 amendatory act.

Sec. 28. Section 1, chapter 32, Laws of 1969 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of public assistance, (2) the department of institutions, (3) the department of health, (4) the department of [water resources] *environmental quality*, (5) the department of labor and industries, (6) the department of agriculture, (7) the department of fisheries, (8) the department of game, (9) the department of highways, (10) the department of motor vehicles, (11) the department of general administration, (12) the department of commerce and economic development, and (13) the department of revenue, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 29. Section 2, chapter 32, Laws of 1969 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The director of public assistance, (2) the director of institutions, (3) the director of health, (4) the director of [water resources] *environmental quality*, (5) the director of labor and industries, (6) the director of agriculture, (7) the director of fisheries, (8) the director of game, (9) the director of highways, (10) the director of motor vehicles, (11) the director of general administration, (12) the director of commerce and economic development, and (13) the director of revenue.

Such officers, except the director of highways and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the office. The director of highways shall be appointed by the state highway commission, and the director of game shall be appointed by the game commission.

NEW SECTION. Sec. 30. The following acts or parts thereof are each hereby repealed:

- (1) Section 3, chapter 242, Laws of 1967 and RCW 43.27A.030;
- (2) Section 4, chapter 242, Laws of 1967 and RCW 43.27A.040;
- (3) Section 5, chapter 242, Laws of 1967 and RCW 43.27A.050;
- (4) Section 6, chapter 242, Laws of 1967 as amended by section 2, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.060;
- (5) Section 7, chapter 242, Laws of 1967 and RCW 43.27A.070;
- (6) Section 10, chapter 242, Laws of 1967 as amended by section 1, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.100;
- (7) Section 11, chapter 242, Laws of 1967 and RCW 43.27A.110;
- (8) Section 16, chapter 242, Laws of 1967 and RCW 43.27A.140;
- (9) Section 17, chapter 242, Laws of 1967 and RCW 43.27A.150;
- (10) Section 18, chapter 242, Laws of 1967 and RCW 43.27A.160;
- (11) Section 19, chapter 242, Laws of 1967 and RCW 43.27A.170;
- (12) Section 1, chapter 188, Laws of 1961 as last amended by section 32, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.300;
- (13) Section 2, chapter 188, Laws of 1961 and RCW 70.94.310;
- (14) Section 3, chapter 188, Laws of 1961 as amended by section 33, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.320;
- (15) Section 3, chapter 216, Laws of 1945 as amended by section 2, chapter 13, Laws of 1967 and RCW 90.48.021;
- (16) Sections 4 and 5, chapter 216, Laws of 1945 and RCW 90.48.022 and 90.48.023;
- (17) Section 6, chapter 216, Laws of 1945 as amended by section 3, chapter 13, Laws of 1967 and RCW 90.48.024;
- (18) Section 7, chapter 216, Laws of 1945 as amended by section 4, chapter 13, Laws of 1967 and RCW 90.48.025;
- (19) Section 8, chapter 216, Laws of 1945 as amended by section 5, chapter 13, Laws of 1967 and RCW 90.48.026;
- (20) Section 9, chapter 216, Laws of 1945 and RCW 90.48.027; and
- (21) Section 1, chapter 242, Laws of 1967 and RCW 43.27A.010.

NEW SECTION. Sec. 31. There is hereby created a pollution control hearings board of the state of Washington as an agency of state government.

The purpose of the hearings board is to provide for a more expeditious and efficient disposition of appeals with respect to the decisions and orders of the department and

director and with respect to all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW.

NEW SECTION. Sec. 32. The hearings board shall consist of three members qualified by experience or training in pertinent matters pertaining to the environment, and at least one member of the hearings board shall have been admitted to practice law in this state and engaged in the legal profession at the time of his appointment. The hearings board shall be appointed by the governor with the advice and consent of the senate, and no more than two of whom at the time of appointment or during their term shall be members of the same political party.

NEW SECTION. Sec. 33. Members of the hearings board shall be appointed for a term of six years and until their successors are appointed and have qualified. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs: **PROVIDED**, That the terms of the first three members of the hearings board shall be staggered so that one member shall be appointed to serve until July 1, 1972, one member until July 1, 1974, and one member until July 1, 1976.

NEW SECTION. Sec. 34. Any member of the hearings board may be removed for inefficiency, malfeasance and misfeasance in office, under specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of the hearing which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final and not subject to review by the supreme court. Removal of any member of the hearings board by the tribunal shall disqualify such member for reappointment.

NEW SECTION. Sec. 35. The hearings board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the hearings board shall operate on a full time basis, each member of the hearings board shall receive an annual salary to be determined by the governor pursuant to RCW 43.03.040. If it is determined the hearings board shall operate on a part time basis, each member of the hearings board shall receive compensation on the basis of seventy-five dollars per diem for each day spent in performance of his duties: **PROVIDED**, That such compensation shall not exceed ten thousand dollars in a calendar year. Each hearings board member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 36. Each member of the hearings board: (1) shall not be a candidate for nor hold any other public office or trust, and shall not engage in any occupation or business interfering with or inconsistent with his duty as a member of the hearings board, nor shall he serve on or under any committee of any political party; and (2) shall not for a period of one year after the termination of his membership on the hearings board, act in a representative capacity before the hearings board on any matter.

NEW SECTION. Sec. 37. The hearings board may appoint, discharge and fix the compensation of an executive secretary, a clerk, and such other clerical, professional and technical assistants as may be necessary, or may contract for required services.

NEW SECTION. Sec. 38. The hearings board shall as soon as practicable after the initial appointment of the members thereof, meet and elect from among its members a chairman, and shall at least biennially thereafter meet and elect such a chairman.

NEW SECTION. Sec. 39. The principal office of the hearings board shall be at the state capitol, but it may sit or hold hearings at any other place in the state. A majority of the hearings board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position of the hearings board be vacant. One or more members may hold hearings and take testimony to be reported for action by the hearings board when authorized by rule or order of the hearings board. The hearings board shall perform all the powers and duties specified in this chapter or as otherwise provided by law.

NEW SECTION. Sec. 40. The hearings board shall make findings of fact and prepare a written decision in each case decided by it, and such findings and decisions shall be effective upon being signed by two or more members of the hearings board and upon being filed at the hearings board's principal office, and shall be open for public inspection at all reasonable times.

NEW SECTION. Sec. 41. The hearings board shall only have jurisdiction to hear and decide appeals from the decisions of the department and the director and the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW when such decisions concern matters within the jurisdiction of the hearings board as provided in this act or as provided in any future act or law granting the hearings board additional jurisdiction. The hearings board shall also have jurisdiction to hear and decide appeals from any person aggrieved by an order issued by the department or by air pollution control boards or authorities as established pursuant to chapter 70.94 RCW with respect to a violation or violations of this act or of any rule or regulation adopted by the department or of any other law within the jurisdiction of the department. The issuance, modification, or termination of any permit or license by the department in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, or the modification of the conditions or the terms of a waste disposal permit, shall be deemed to be an order for purposes of this act: **PROVIDED**, That

review of rules and regulations adopted by the board shall be subject to review in accordance with the provisions of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 42. Notwithstanding any other provisions of law to the contrary, the department and all air pollution control boards or authorities established pursuant to chapter 70.94 RCW are hereby prohibited from conducting hearings on violations of any rule or regulation made by the department or the director, on violations of this act, or on violations of any rule or regulation adopted by any air pollution control board or authority established pursuant to chapter 70.94 RCW, or on the issuance, modification, or termination of any permit or license, within the jurisdiction of the department. All petitions for hearings with respect to such violations shall be heard by this hearings board created in this 1970 act: PROVIDED, That violations of any rule or regulation made by any air pollution control board or authority established pursuant to chapter 70.94 RCW, may be heard by a hearings board of three members created by such board or authority pursuant to regulations promulgated by the hearings board created in this act.

Any order issued by the department or by any air pollution control board or authority established pursuant to chapter 70.94 RCW shall become final unless, no later than thirty days after the date that the notice and order are served, the person aggrieved by the order appeals to the hearings board as provided for in this act.

NEW SECTION. Sec. 43. The Administrative Procedure Act, chapter 34.04 RCW, shall apply to the appeal of rules and regulations adopted by the board to the same extent as it applied to the review of rules and regulations adopted by the directors and/or boards or commissions of the various departments whose powers, duties and functions are transferred by this 1970 act to the department. All other decisions and orders of the director and all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW shall be subject to review by the hearings board as provided in this 1970 act.

NEW SECTION. Sec. 44. In all appeals over which the hearings board has jurisdiction under sections 41 and 42 of this 1970 act, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the hearings board: PROVIDED, That nothing herein shall be construed to modify the provisions of sections 49 and 50 of this 1970 act. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

NEW SECTION. Sec. 45. In all appeals involving an informal hearing, the hearings board shall have all powers relating to the administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies by chapter 34.04 RCW. In the case of appeals within the scope of this 1970 act the hearings board or any member thereof may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board or any member thereof may deem necessary or appropriate: PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 46. In all appeals involving a formal hearing the hearings board shall have all powers relating to administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies in chapter 34.04 RCW; and the hearings board, and each member thereof, shall be subject to all duties imposed upon, and shall have all powers granted to, an agency by those provisions of chapter 34.04 RCW relating to contested cases. In the case of appeals within the scope of this 1970 act, the hearings board, or any member thereof, may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board, or any member thereof, may deem necessary or appropriate: PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 47. All proceedings, including both formal and informal hearings, before the hearings board or any of its members shall be conducted in accordance with such rules of practice and procedure as the hearings board may prescribe. The hearings board shall publish such rules and arrange for the reasonable distribution thereof.

NEW SECTION. Sec. 48. Judicial review of a decision of the hearings board shall be de novo except when the decision has been rendered pursuant to a formal hearing elected under the provisions of this 1970 act, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and RCW 34.04.140. The director shall have the same right of review from a decision made pursuant to section 41 of this 1970 act as does any person.

NEW SECTION. Sec. 49. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after an informal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the superior court. In all appeals involving a decision or an order of the hearings board after an informal hearing, the petition shall be filed in the superior court for the county of the petitioner's residence or principal place of business, or in the absence of a residence or principal place of business, for Thurston county. Such appeal may be perfected by filing with the clerk of the superior court a notice of appeal, and by serving a copy thereof by mail, or personally on the director, the air pollution control boards or authorities, established pursuant to chapter 70.94 RCW or on the board as the case may be. The hearings board shall serve upon the appealing party, the director, the air pollution control board or authorities established pursuant to chapter 70.94 RCW, or the board, as the case may be, and on any other party appearing at the hearings board's proceeding, and file with the clerk of the court before

trial, a certified copy of the hearings board's decision and order. Every appeal from a decision of the superior court shall go directly to the supreme court, notwithstanding RCW 2.06.030. No bond shall be required on appeals to the superior court or on appeals to the supreme court unless specifically required by the judge of the superior court.

NEW SECTION. Sec. 50. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after a formal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the court of appeals pursuant to the provisions of RCW 34.04.130 (6). Such appeal may be perfected by filing with the clerk of the court of appeals a notice of appeal, and by serving a copy thereof by mail, or personally on the director of the department, and on the board. The hearings board shall serve upon the appealing party, the director, and any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the hearings board's decision and order which shall become the record in such case. No bond shall be required on appeals to the court of appeals or on appeals to the supreme court unless specifically required by the judge of the court of appeals.

NEW SECTION. Sec. 51. When the proceeding is at issue, a hearing will be had only upon demand. Either party may demand a hearing by filing a written request therefor. The demand shall include an estimate of time that will be required to hear the matter. The hearings boards shall thereupon fix the time and place for hearing: PROVIDED, That all hearings shall be commenced within thirty days of the filing of the appeal: PROVIDED, FURTHER, That extensions of time, continuances and adjournments may be ordered by the hearings board only upon motion of all parties, filed in writing and shall not in any case exceed a period greater than six months.

NEW SECTION. Sec. 52. No provision of this chapter shall be construed to change existing law relating to the staying of orders or decisions pending final determination of any hearing or appeal taken in accordance with the provisions herein.

NEW SECTION. Sec. 53. Any person having received notice of a denial of a petition, a notice of determination, notice of or an order made by the department under the provisions of this 1970 amendatory act may appeal, within thirty days from the date of the notice of such denial, order, or determination to the hearings board. The appeal shall be perfected by serving a copy of the notice of appeal upon the department or air pollution authority established pursuant to chapter 70.94 RCW, as the case may be, within the time specified herein and by filing the original thereof with proof of service with the clerk of the hearings board. If the person intends that the hearing before the hearings board be a formal one, the notice of appeal shall so state. In the event that the notice of appeal does not so state, the hearing shall be an informal one: PROVIDED, HOWEVER, That nothing shall prevent the department or the air pollution authority, as the case may be, within ten days from the date of its receipt of the notice of appeal, from filing with the clerk of the hearings board notice of its intention that the hearing be a formal one.

NEW SECTION. Sec. 54. Notwithstanding any other powers, duties and functions transferred by the provisions of this act, the department shall only have authority to hold public hearings, pursuant to the Administrative Procedure Act, chapter 34.04 RCW, with respect to those matters enumerated in sections of this 1970 amendatory act.

NEW SECTION. Sec. 55. Sections 31 through 54 shall constitute a new chapter in Title 43 RCW.

Sec. 56. Section 25, chapter 238, Laws of 1967 as amended by section 16, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.141 are each amended to read as follows:

The board of any activated authority in addition to any other powers vested in them by law, shall have power to:

(1) Adopt, amend and repeal its own ordinances, resolutions, or rules and regulations, as the case may be, implementing this chapter and consistent with it, after consideration at a public hearing held in accordance with chapter 42.32 RCW.

(2) Hold hearings relating to any aspect of or matter in the administration of this chapter *not prohibited by the provisions of chapter —, (ESB No. 1), Laws of 1970 1st ex. sess.* and in connection therewith issue subpoenas to compel the attendance of witnesses and the production of evidence, administer oaths and take the testimony of any person under oath.

(3) Issue such orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings *subject to the rights of appeal as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.*

(4) Require access to records, books, files and other information specific to the control, recovery or release of air contaminants into the atmosphere.

(5) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise.

(6) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution within its jurisdiction.

(7) Encourage voluntary cooperation by persons or affected groups to achieve the purposes of this chapter.

(8) Encourage and conduct studies, investigation and research relating to air pollution and its causes, effects, prevention, abatement and control.

(9) Collect and disseminate information and conduct educational and training programs relating to air pollution.

(10) Advise, consult, cooperate and contract with agencies and departments and the educational institutions of the state, other political subdivisions, industries, other states, interstate or interlocal agencies, and the United States government, and with interested persons or groups.

(11) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of such device or system, or the air pollution problems which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this chapter, ordinances, resolutions, rules and regulations in force pursuant thereto, or any other provision of law.

(12) Accept, receive, disburse and administer grants or other funds or gifts from any source, including public and private agencies and the United States government for the purpose of carrying out any of the functions of this chapter.

Sec. 57. Section 34, chapter 238, Laws of 1967 as amended by section 24, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.211 are each amended to read as follows:

Whenever the board or the control officer has reason to believe that any provision of this chapter or any ordinance, resolution, rule or regulation relating to the control or prevention of air pollution has been violated, such board or control officer may cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this chapter or the ordinance, resolution, rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. In lieu of an order, the board or the control officer may require that the alleged violator or violators appear before the hearings board as provided for in chapter — (ESB No. 1), Laws of 1970 1st ex. sess. for a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended, or in addition to or in place of an order or hearing, the hearings board created therein [or control officer] may initiate action pursuant to RCW 70.94.425, 70.94.430, and 70.94.435.

Sec. 58. Section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.221 are each amended to read as follows:

[(1)] Any order issued by the board or by the control officer, [which is not preceded by a hearing,] shall become final unless [, no later than twenty days after the date the notice and order are served, the person aggrieved by the order petitions for a hearing before the board. Upon receipt of the petition, the board shall hold a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended.

(2) If, after a hearing held as a result of a petition to the board by a person aggrieved by an order, the board finds that a violation has occurred or is occurring, it shall affirm or modify the order previously issued, or if the finding made is that no violation has occurred or is occurring, the order shall be rescinded. If, after a hearing held in lieu of an order, the board finds that a violation has occurred or is occurring, it shall issue an appropriate order or orders for the prevention, abatement or control of the emissions involved or for the taking of such other corrective actions as may be appropriate. Any order issued as part of a notice or after hearing may prescribe the date or dates by which the violation or violations shall cease and may prescribe timetables for necessary action in preventing, abating, or controlling the emissions.

(3) Any hearings held under this section or under RCW 70.94.181 shall be conducted in accordance with the rules of evidence as set forth in RCW 34.04.100 as now or hereafter amended] such order is appealed to the hearings board as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.

Sec. 59. Section 36, chapter 238, Laws of 1967 as amended by section 26, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.222 are each amended to read as follows:

Any order issued by the board after a hearing shall become final unless no later than thirty days after the issuance of such order, [a petition requesting judicial review is filed in accordance with provisions of chapter 34.04 RCW as now or hereafter amended] a notice of appeal is filed with the hearings board as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.

Sec. 60. Section 3, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.030 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

(1) 'City' means every incorporated city and town.

(2) 'Committee' means the solid waste advisory committee.

(3) 'Department' means the department of environmental quality.

(4) 'Director' means the director of the department of environmental quality.

(5) 'Disposal site' means the location where any final treatment, utilization, processing, or depository of solid waste occurs.

(6) 'Functional standards' means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.

(7) 'Jurisdictional health department' means city, county, city-county, or district public health department.

(8) 'Person' means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

(9) 'Solid waste' means all putrescible and nonputrescible solid and semisolid wastes including garbage, rubbish, ashes, industrial wastes, *swill*, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded [home and industrial appliances,

manure, vegetable or animal solid and semisolid wastes, and other discarded materials] commodities.

(10) 'Solid waste handling' means the storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes.

NEW SECTION. Sec. 61. The provisions of this act shall not impair or supersede the powers or rights of any person, committee, association, public, municipal or private corporations, state or local governmental agency, federal agency, or political subdivision of the state of Washington under any other law except as specifically provided herein. Pollution control permits, water quality standards, air pollution permits, air quality standards, and permits for disposal of solid waste materials of this state are not changed hereby and the laws governing the same are to be protected and preserved.

NEW SECTION. Sec. 62. Sections 1 through 10, 12 through 27, and 63 shall constitute a new chapter in Title 43 RCW and shall be known and cited as the "Environmental Quality Reorganization Act of 1970".

NEW SECTION. Sec. 63. This 1970 amendatory act shall take effect on July 1, 1970.

NEW SECTION. Sec. 64. If any provision of this 1970 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, shall not be affected."

On line 1 of the title after the semicolon after "government" strike everything down to and including the semicolon on line 2 and insert the following: "creating a state department of environmental quality and setting out its powers, duties and functions; creating an environmental quality advisory council and setting forth its powers, duties and functions; creating a pollution control hearings board and setting forth its powers, duties and functions; abolishing certain state agencies and transferring the powers, duties, and functions thereof, as well as transferring certain powers, duties, and functions of existing state agencies; amending section 1, chapter 32, Laws of 1969 and RCW 43.17.010; amending section 2, chapter 32, Laws of 1969 and RCW 43.17.020; repealing section 1, chapter 242, Laws of 1967 and RCW 43.27A.010; repealing section 3, chapter 242, Laws of 1967 and RCW 43.27A.030; repealing section 4, chapter 242, Laws of 1967 and RCW 43.27A.040; repealing section 5, chapter 242, Laws of 1967 and RCW 43.27A.050; repealing section 6, chapter 242, Laws of 1967 as amended by section 2, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.060; repealing section 7, chapter 242, Laws of 1967 and RCW 43.27A.070; repealing section 10, chapter 242, Laws of 1967 as amended by section 1, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.100; repealing section 11, chapter 242, Laws of 1967 and RCW 43.27A.110; repealing section 16, chapter 242, Laws of 1967 and RCW 43.27A.140; repealing section 17, chapter 242, Laws of 1967 and RCW 43.27A.150; repealing section 18, chapter 242, Laws of 1967 and RCW 43.27A.160; repealing section 19, chapter 242, Laws of 1967 and RCW 43.27A.170; repealing section 1, chapter 188, Laws of 1961 as last amended by section 32, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.300; repealing section 2, chapter 188, Laws of 1961 and RCW 70.94.310; repealing section 3, chapter 188, Laws of 1961 as amended by section 33, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.320; repealing section 3, chapter 216, Laws of 1945 as amended by section 2, chapter 13, Laws of 1967 and RCW 90.48.021; repealing sections 4 and 5, chapter 216, Laws of 1945 and RCW 90.48.022 and 90.48.023; repealing section 6, chapter 216, Laws of 1945 as amended by section 3, chapter 13, Laws of 1967 and RCW 90.48.024; repealing section 7, chapter 216, Laws of 1945 as amended by section 4, chapter 13, Laws of 1967 and RCW 90.48.025; repealing section 8, chapter 216, Laws of 1945 as amended by section 5, chapter 13, Laws of 1967 and RCW 90.48.026; repealing section 9, chapter 216, Laws of 1945 and RCW 90.48.027; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding new chapters to Title 43 RCW;"

Signed by Representatives Flanagan, Chairman, Benitz, Berentson, Hawley, Julin, Kiskaddon, Leland, Newhouse, Schumaker, Smythe, Thompson, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 22, enabling owners of destroyed motor vehicles to obtain refunds of excise taxes paid, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Anderson, Beck, Bozarth, Cunningham, Gallagher, Hawley, Hubbard, Jolly, Leckenby, Martinis, May, McCormick, Newhouse, O'Dell, Perry, Schumaker, Thompson, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 23, requiring necessary braking equipment on motor vehicles and trailers when sold, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Anderson, Barden, Beck, Bozarth, Cunningham, Hubbard, Jolly, Leckenby, Martinis, May, McCormick, Newhouse, Perry, Schumaker, Thompson, Wanamaker, Whetzel.

MINORITY recommendation: Do not pass. Signed by Representative Kuehne.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SENATE BILL NO. 27, relating to the age of majority, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Harris, Hurley, Savage, Williams.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

SUBSTITUTE SENATE BILL NO. 28, increasing hunting and fishing fees, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Beck, Benitz, Berentson, Gallagher, Hawley, Julin, Kiskaddon, Leland, McCormick, Moon, Newhouse, Smythe, Thompson, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SENATE BILL NO. 45, relating to salaries of public officials, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 3, after "Association, and" strike "one representative from organized labor" and insert "[one representative from organized labor] *the president of the Washington State Labor Council or his nominee*"

On page 3, section 4, line 21, after "the state." strike everything down to and including "in committee." on line 22.

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Harris, Savage, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SENATE BILL NO. 105, permitting director of institutions to enter into agreements for providing rehabilitation services, reported by Committee on Public Institutions and Youth Development.

MAJORITY recommendation: Do pass. Signed by Representatives Leckenby, Chairman, Evans, Vice Chairman, Beck, Conner, DeJarnatt, Lynch, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SUBSTITUTE SENATE BILL NO. 146, authorizing interest rates on public bonds and warrants to be determined by the issuing authority, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendments:

On page 18, section 10, line 3 after "tees" and before "may" insert: "*If found reasonably necessary and advisable, such boards of regents or trustees*"

On page 80, section 66, line 17, after "board" and before "semiannually" insert "*payable*"

On page 96, lines 26 and 27, after "commissioners" strike "*as shall be determined by the commissioner of the district*"

On page 111, section 95, line 7, after "such" and before "rate" strike "a"

On page 120, line 31 add one new section following section 107 as follows:

"**NEW SECTION. Sec. 107.** All bonds, the issuance of which was authorized or ratified at a general or special election held within the issuing jurisdiction prior to the effective date of this amendatory act or the proposition for the issuance of which will be submitted at such an election pursuant to action of the legislative authority of the issuer taken prior to the effective date of this amendatory act, may be sold and issued with an interest rate or rates greater than any interest rate restriction contained in the ballot proposition or ordinance or resolution relating to such authorization or ratification."

Renumber the remaining sections consecutively.

On page 121, section 108, line 3, after "through" and before "of" strike "32" and insert "33"

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Harris, Savage, Williams.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

SUBSTITUTE SENATE BILL NO. 161, providing for the licensing of the administrators of nursing homes, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 6, line 18, after "receive" strike everything down to the period on line 20 and insert the following: "twenty-five dollars per diem for each day or major portion thereof actually spent on official business, plus travel expenses as provided in RCW 43.03.060"

On page 12, add a new section following section 18 as follows:

"**NEW SECTION.** Sec. 19. All fees or revenue collected in accordance with the provisions of this act shall be deposited in the state general fund."

Renumber all remaining sections consecutively.

Signed by Representatives Goldsworthy, Chairman, Backstrom, Brouillet, Chatalas, Conway, Curtis, DeJarnatt, Farr, Fleming, Jueling, Kalich, Kirk, Kopet, Lynch, Mahaffey, Mentor, Merrill, Richardson, Shera, Shinpoch, Sprague, Swayze.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 164, creating investment of contractor's retained percentage on public works contracts, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Leland, Chairman, Berentson, Vice Chairman, Anderson, Beck, Bozarth, Cunningham, Gallagher, Hawley, Hubbard, Jolly, Kuehnle, Leckenby, Martinis, May, McCormick, Newhouse, O'Dell, Perry, Schumaker, Thompson, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SUBSTITUTE SENATE BILL NO. 226, assigning state route numbers to state highways, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 56, section 178, line 24 after "by section" and before "ex. sess." strike "8, chapter 281, Laws of 1969" and insert "10, chapter 3, Laws of 1963"

On page 2 of the title, line 18, after "and RCW" and before "chapter 13" strike "47.16.190," and insert "47.16.180; repealing section 47.16.190,"

On page 2 of the title, line 33, after "RCW 47.20.060;" at the end of the line, insert "repealing section 47.20.070, chapter 13, Laws"

On page 3 of the title, line 16, after "RCW 47.20.140;" and before "repeal-" insert "repealing section 47.20.150, chapter 13, Laws of 1961 and RCW 47.20.150;"

On page 3 of the title, strike all of line 30 as it begins with "in section 47.20.210," and ends with "as last amended" and insert "ing section 47.20.210, chapter 13, Laws of 1961 as amended by section 10, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.210; repealing section 47.20.220, chapter 13, Laws of 1961 as last amended"

On page 4 of the title, line 18, from the beginning of the line, and before "chapter 13," strike ".30," and insert ".320,"

Signed by Representatives Leland, Chairman, Anderson, Beck, Bozarth, Cunningham, Gallagher, Hubbard, Jolly, Kuehnle, Leckenby, Martinis, May, McCormick, Newhouse, O'Dell, Perry, Schumaker, Thompson, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SENATE BILL NO. 228, providing for appointment of state toxicologist and laboratory funds, reported by Committee on Public Health and Welfare.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following section 2, add a new section to read as follows:

"**NEW SECTION.** Sec. 3. This 1970 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately."

On page 1, line 2 of the title after "RCW 68.08.107" and before the period insert "and declaring an emergency"

Signed by Representatives Farr, Chairman, Zimmerman, Vice Chairman, Adams, Ceccarelli, Hatfield, Jastad, Kirk, Kopet, Marzano, Rosellini, Sprague, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 243, increasing fees for certified copies of vital statistics records, reported by Committee on Public Health and Welfare.

MAJORITY recommendation: Do pass. Signed by Representatives Farr, Chairman, Zimmerman, Vice Chairman, Adams, Ceccarelli, Hatfield, Jueling, Kirk, Kopet, Marzano, Rosellini, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 267, regulating public or private nonprofit schools which dismantle or substantially change the form of any motor vehicles, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Leland, Chairman, Anderson, Beck, Bozarth, Cunningham, Gallagher, Hubbard, Jolly, Kuehnle, Leckenby, Martinis, McCormick, Newhouse, O'Dell, Perry, Schumaker, Thompson, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SENATE BILL NO. 297, establishing the power of the director of the department of institutions to make rules and regulations concerning facilities, equipment, and personnel of the department, reported by Committee on Public Institutions and Youth Development.

MAJORITY recommendation: Do pass. Signed by Representatives Leckenby, Chairman, Evans, Vice Chairman, Beck, Conner, DeJarnatt, Lynch, Smythe.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

February 3, 1970.

Mr. Speaker: The Senate has passed:

HOUSE JOINT MEMORIAL NO. 2,
HOUSE JOINT MEMORIAL NO. 3,

SIDNEY R. SNYDER, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE JOINT MEMORIAL NO. 2,
HOUSE JOINT MEMORIAL NO. 3.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-27, by Representatives Shera, Bottiger, Wojahn, Adams, Swayze, Marzano, Conway, Brouillet, Wolf, Sawyer and Juelling:

WHEREAS, The Tacoma Youth Symphony has been selected as one of two American orchestras to represent this nation at the second annual International Festival of Youth Orchestras to be held August 15 through 30, 1970, at St. Moritz, Switzerland; and

WHEREAS, This one hundred piece orchestra is made up of selected musicians from several Washington counties and has been designated as an official representative of the State of Washington by Governor Daniel J. Evans; and

WHEREAS, This orchestra is one of twelve youth orchestras from throughout the world chosen to participate in this prestigious event; and

WHEREAS, The young people will meet and perform with musicians from Canada, Czechoslovakia, England, Germany, Japan, The Netherlands, Norway, Soviet Union, Sweden, and Switzerland; and

WHEREAS, Through this shared musical experience with the youth of other nations, the members of the Tacoma Youth Symphony will be ambassadors of good will for the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives congratulates the Tacoma Youth Symphony and its outstanding conductor, Mr. C. Irvin Wright, for the diligent work and talent exhibited by their selection.

BE IT FURTHER RESOLVED, That the House of Representatives encourages the young people of this orchestra to continue their efforts which have culminated in such a fine example of the creativity of our youth.

AND BE IT FURTHER RESOLVED, That the House of Representatives offers its best wishes for a successful tour and expresses its firm belief that the State of Washington and our nation will be well represented by the Tacoma Youth Symphony.

Mr. Shera moved adoption of the resolution.

Representatives Shera and Wolf spoke in favor of adoption of the resolution.

The resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery Mr. C. Irvin Wright, Director of the Tacoma Youth Symphony, and asked him to stand and be recognized.

SECOND READING

ENGROSSED SENATE BILL NO. 86, by Senators Herr, Bailey, Huntley, Lewis (Harry), Andersen and Durkan (by Washington Public Employees' Retirement System request):

Providing post retirement adjustments in retirement allowances for public employees' retirement system.

MOTION

On motion of Mr. Newhouse, ENGROSSED SENATE BILL NO. 86 was rereferred to the Committee on Rules and Administration.

MOTION

On motion of Mr. Newhouse, the House reverted to the eighth order of business.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-31, by Representatives Chatalas, O'Brien, Merrill, Sawyer, Sprague, Fleming, Rosellini, Marsh, Perry, Jolly, Kalich, Kink, Bagnariol, Brouillet, Grant, Litchman, Gallagher, Anderson, Wojahn, Williams, Martinis, Adams, McCormick, Shinpoch, Jastad, Savage and Ceccarelli:

WHEREAS, The Boston Patriots, professional football team of the American Football League, appears to be having difficulties in Boston in securing a stadium big enough for their home games; and

WHEREAS, All efforts in Boston, Massachusetts, have failed to provide an adequate stadium for the Boston Patriots; and

WHEREAS, Seattle is being considered as one of a number of cities as a possible home for this American Football League franchise; and

WHEREAS, The domed stadium in Seattle will be completed within a few years and one of its primary purposes is to be set up for all professional sports, including football; and

WHEREAS, It appears that Seattle and the State of Washington should make their position completely known to the Club President of the Boston Patriots, Mr. B. Sullivan, in order for him to know of our interest;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives urges Mr. Sullivan to give every consideration to moving its Boston Patriots franchise to Seattle and the State of Washington.

BE IT FURTHER RESOLVED, That the President and the Board of Regents of the University of Washington issue an invitation to the Boston Patriots to utilize the astro-turf surfaced stadium on an interim basis at the University of Washington for its home games until the domed stadium is completed; and

BE IT FURTHER RESOLVED, That the University of Washington President and Board of Regents commence this action immediately as time is of the essence; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to the President and members of the Board of Regents of the University of Washington and Mr. B. Sullivan of the Boston Patriots.

Mr. O'Brien moved adoption of the resolution.

Representative O'Brien spoke in favor of the resolution.

POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Clark (Newman H.).

Mr. Clark (Newman H.): "It has been expressed by the press, in the news reports of this, that it would be on a limited basis only during the period until the domed stadium is constructed. Is that the intent here?"

Mr. O'Brien: "That is the intent of the resolution — just an interim basis until the domed stadium is completed."

POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Conner.

Mr. Conner: "Representative O'Brien, when we were trying to keep the Pilots here, you stated that you weren't interested enough to purchase a season ticket for that. I wonder

if you would be interested enough to buy a season ticket to have the football team come here?"

Mr. O'Brien: "I don't know where you got the idea I wasn't interested enough to buy a season ticket for the Pilots. I can assure you that the Pilots have my total support, and we want to see them stay in the City of Seattle. I would purchase tickets to this football team if it comes to the City of Seattle, and I intend to fully support the Seattle Pilots."

Representative Litchman spoke in favor of adoption of the resolution.
The resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker: "Mr. O'Brien, I hope that you recognize how lenient I was this morning in allowing this resolution to even be considered. I hope this will forestall any more letters to me from you and your group. We have had a policy that resolutions shall be brought to the desk twenty-four hours in advance of being introduced. We have tried to keep resolutions down to one day a week. I have taken down all those barriers, and I just hope you appreciate how kind I am this morning."

Mr. O'Brien: "Mr. Speaker, I want to compliment you for your tolerance this morning. I know that you had passed to another order of business, but I think you are a big man and you see the largeness of the resolution and the importance and magnitude of it."

The Speaker: "Fine, we have a couple of measures that will be on the calendar this afternoon, and I hope you are still as cheerful then."

SECOND READING

ENGROSSED SENATE BILL NO. 107, by Senators Lewis (Brian), Andersen and Ridder:

Revising criteria for reimbursement to school districts for safe walk-ways for pupils.
Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 22, after "for" and before "costs" strike "their" and insert "its"

On page 2, section 2, line 15, after "for" and before "costs" strike "their" and insert "its"

The bill was read the second time.

On motion of Mr. Hoggins, the committee amendments were adopted.

On motion of Mr. Hoggins, the following amendments by Representatives Hoggins and Julin were adopted:

On page 1, section 1, line 21, after "involved" and before "then" insert "*through a reduction in said transportation costs for said fifteen year period*"

On page 2, section 2, line 14, after "involved," and before "then" insert "*through a reduction in said transportation costs for said fifteen year period*"

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 107 as amended by the House was placed on final passage.

Representative Hoggins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 107 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent or not voting, 8.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Absent or not voting: Representatives Benitz, Bottiger, Chatalas, Conner, Mentor, Spanton, Swayze, Veroske—8.

Engrossed Senate Bill No. 107 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 204, by Senators Keefe, Twigg and Guess:

Relating to Spokane judges.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 204 was placed on final passage.

Representative Harris spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 204, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Bottiger, Chatalas, Spanton, Swayze, Veroske—5.

Senate Bill No. 204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 52, by Senators Faulk, Elicker, Andersen, Peterson (Ted), Day and McCormack (by Executive request):

Creating a department of social and health services.

The bill was read the second time.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 52 be placed on final passage.

The motion was lost on a rising vote.

Engrossed Senate Bill No. 52 was passed to Committee on Rules and Administration for third reading.

SENATE BILL NO. 60, by Senators Guess, Washington and Atwood:

Allowing seventy-five year leases for school purposes.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 16, after "district" and before "for" insert "*or institutions of higher education*"

On page 1, section 1, line 19, after "district" and before "to" insert "*or institutions of higher education*"

On page 2, section 1, line 2, after "school" and before "purposes" insert "*college or university*"

The bill was read the second time.

Mr. Hoggins moved adoption of the committee amendment to page 1, line 16.

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

Amend the committee amendment to page 1, section 1, line 16 as follows: After "or" and before "*institutions*" insert "*public*"

Representatives Hoggins and Pardini spoke in favor of adoption of the amendment to the committee amendment.

The amendment by Mr. Hoggins to the committee amendment was lost on a rising vote.

The committee amendment to page 1, line 16, was adopted.

On motion of Mr. Hoggins, the committee amendments to page 1, line 16, and page 2, line 2, were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 60 as amended by the House was placed on final passage.

Representative Pardini spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 60 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Bottiger, Haussler, McCaffree, Spanton, Veroske—5.

Senate Bill No. 60 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 121, by Senators Stender, Gissberg and Peterson (Ted) (by Department of Labor and Industries request):

Revising inspection fees relating to boilers and pressure vessels.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 121 was placed on final passage.

Representative Morrison spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 121, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Bottiger, Spanton, Veroske—3.

Senate Bill No. 121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 232, by Representative Murray:
Repealing B & O exemption as to financial institutions.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 232 on second reading, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 271, by Representatives Sprague and Fleming:
Imposing an additional one cent per ounce tax upon liquor to be used for public assistance purposes.

MOTIONS

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 271 on second reading, and the bill was ordered held for tomorrow's second reading calendar.

On motion of Mr. Newhouse, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Fleming, Spanton and Veroske. Representatives Spanton and Veroske were excused.

MOTION

On motion of Mr. Newhouse, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

February 3, 1970.

ENGROSSED SUBSTITUTE SENATE BILL NO. 133, providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 21, after "apply" strike "as"

On page 1, section 2, line 22, following "than" strike "variable annuity contracts," and insert "separate account variable policies and contracts authorized by chapter 48.18A RCW,"

On page 2, section 2, line 4, following "time the" strike "insolvency commenced," and insert "order of liquidation of an insolvent insurer is entered,"

On page 2, section 3, following subsection (7), add a new subsection as follows:

"(8) 'Certificates' means certificates of contribution provided for in section 9."

On page 3, section 4, line 14, following "nine" strike "persons representative of"

On page 3, section 4, line 15, following "of" and before "shall" strike "whom" and insert "which"

On page 3, section 4, line 24, following "be" and before "domestic" strike "representatives of"

On page 4, section 4, following subsection (4), add a new subsection as follows:

"(5) The board may, upon majority vote, make recommendations to the commissioner for the detection and prevention of insurer insolvencies."

On page 5, section 6, line 22, following "payment of the" strike "values or"

On page 6, section 6, line 3, following subsection (2), add two new subsections as follows:

"(3) In determining benefits to be paid with respect to the policies and contracts of a particular insolvent insurer the board may give due consideration to amounts reasonably recoverable or deductible because of the contingent liability, if any, of policyholders of the insurer (if a mutual insurer), or recoverable because of the assessment liability, if any, of the insurer's stockholders (if a stock insurer).

(4) With respect to an insolvent domestic insurer, the board shall have power to petition the court in which the delinquency proceedings are pending for, and the court shall have authority to order and effectuate, such modifications in the terms and premiums thereafter to be in effect of policies and contracts of the insurer as may reasonably be necessary to effect a bulk reinsurance of such policies and contracts in a solvent insurer."

On page 6, section 8, line 20, following "taxes," and before "Such" insert a new sentence as follows: "Assessment for funds to meet the requirements of the association with respect to a particular insolvent insurer shall not be made until an order of liquidation has been entered against the insurer by the court in which delinquency proceedings against the insurer are pending."

On page 6, section 8, line 30, following "liabilities," add a new sentence as follows: "The association may exempt or defer, in whole or in part, the assessment of any insurer if, in the opinion of the board, the assessment would cause the amount of the insurer's capital or surplus to be less than the minimum amounts required for a certificate of authority by any jurisdiction in which the insurer is authorized to transact insurance."

On page 7, section 8, line 4, following "other" and before "method" insert "equitable"

On page 7, following line 31, insert two new subsections as follows:

"(3) The insurer shall offset the amount written off by it in a calendar year under subsection (2) above, against its premium tax liability to this state accrued with respect to business transacted in such year.

(4) Any sums recovered by the association representing sums which have theretofore been written off by contributing insurers and offset against premium taxes as provided in subsection (3) above, shall be paid by the association to the commissioner and by him deposited with the state treasurer for credit to the general fund of the state of Washington."

On page 8, section 10, line 15, following subsection (2), add a new subsection as follows:

"(3) Assessments made upon domestic life insurers of this state pursuant to a similar guaranty fund law of another jurisdiction shall be excluded from the application of RCW 48.14.040 (retaliatory provision)."

On page 9, section 14, line 3, after the period, insert "As used in sections 1 through 13 hereof, the phrase 'this 1970 act' means the new chapter added to Title 48 RCW by this section."

On page 9, following section 14, add new sections as follows:

NEW SECTION. Sec. 15. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

The purposes of this chapter are:

(1) To protect the public, policyholders and insurers against the adverse effects of excessive, inadequate, or unfairly discriminatory rates;

(2) To encourage, as the most effective way to produce rates that conform to the standards set forth in section 18, reasonable price competition among insurers;

(3) To provide formal regulatory controls for use if price competition fails;

(4) To authorize cooperative action among insurers in the rate making and risk evaluation process, and to regulate such cooperation in order to prevent practices that tend to bring about monopoly or to lessen or destroy competition;

(5) To encourage the most efficient and economic practices in providing insurance protection;

(6) To regulate the business of insurance in a manner that will preclude application of federal antitrust laws.

NEW SECTION. Sec. 16. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

In this chapter, unless contrary to context, the following definitions shall apply:

(1) 'Rate determination data' shall mean any manual or plan of rates, rating schedules, rating tariff, rating rule, risk classification for rating purposes, and any other material necessarily used by an insurer or rating bureau in computing the rate to be charged for any policy.

(2) 'Rating organization' shall mean any person, other than an insurer or a direct employee of an insurer, who assists insurers in rate making or filing by:

(a) recommending, making, furnishing or filing rates or information used in rate determination; or by

(b) advising about rate questions, except as an attorney giving legal advice.

(3) 'Market segment' means any grouping or sub-grouping of risks separately defined or classed as to loss or expense probability for the purpose of rating with respect to any line or kind of insurance.

NEW SECTION. Sec. 17. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

The commissioner may by rule exempt any market segment from any or all of the provisions of section 20 of this act, if and to the extent that he finds their application unnecessary to achieve the purposes of this chapter.

NEW SECTION. Sec. 18. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

Rates shall not be excessive, inadequate, or unfairly discriminatory, nor shall any insurer charge any rate which, if continued, will have or tend to have the effect of destroying competition or creating a monopoly.

(1) No rate shall be held to be excessive unless:

- (a) Such rate is unreasonably high for the insurance provided; and
- (b) A reasonable degree of competition does not exist in the area with respect to the classification to which such rate is applicable.
- (2) No rate shall be held to be inadequate unless:
 - (a) Such rate is unreasonably low for the insurance provided; and
 - (b) Continued use of such rate endangers the solvency of the insurer; or unless
 - (c) Such rate is unreasonably low for the insurance provided and the use of such rate by the insurer has, or if continued will have, the effect of destroying competition or creating a monopoly.

NEW SECTION. Sec. 19. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

In determining whether rates comply with the requirements of this chapter, due consideration shall be given to past and prospective loss and expense experience within and outside of this state, to catastrophe hazards and contingencies, to trends within and outside of this state, to loadings for leveling premium rates over time or for dividends or savings to be allowed or returned by insurers to their policyholders, members or subscribers, and to all other relevant factors, including the judgment of technical personnel.

Risks may be classified or divided into market segments in any reasonable way for the establishment of rates and minimum premiums, except that classifications may not be based on race, color, creed or national origin. Rates thus produced may be modified for individual risks in accordance with rating plans or schedules which establish reasonable standards for measuring probable variations in hazards, expenses, or both.

The expense provisions included in the rates to be used by an insurer may reflect the operating methods of the insurer and, so far as it is credible, its own expense experience.

The rates may contain an allowance permitting a profit that is not unreasonable in relation to the loss probability of the class of business.

NEW SECTION. Sec. 20. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

Every authorized insurer and every rating organization licensed under RCW 48.19.180 which has been designated by any insurer for the filing of rates on its behalf shall file with the commissioner all rate determination data and all changes and amendments thereof made by it for use in this state and each filing shall become effective immediately on date specified thereon, but not earlier than the date such filing is received by the commissioner. In the event the commissioner requests it, there shall also be filed after demand, statistical and other supporting data showing that the filing meets the requirements of this chapter. If the commissioner determines, after hearing, that any filing does not so comply, he shall order that the same be disapproved and it may not thereafter be used. At such hearing or any appeal therefrom the burden of establishing the validity of a filing shall be upon the filer. All premiums charged by an insurer shall be in accordance with its rate filings.

NEW SECTION. Sec. 21. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

Each filing and any supporting information filed under this chapter shall, as soon as filed, be open to public inspection at any reasonable time. Copies may be obtained by any person on request and upon payment of a reasonable charge therefor.

NEW SECTION. Sec. 22. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

Any insurer which is a subscriber or member of a rating organization may designate such rating organization to make rate filings on its behalf. The insurer shall have the complete power of determination as to filings to be made on its behalf and the rating organization shall act simply as a filing agent. The filings designated by an insurer may coincide with the filings made by the rating organization on behalf of other subscribers or members or they may vary therefrom in any respect requested by the insurer. In making any filing of rates or rate determination data or any amendments thereto, a rating organization shall specifically designate the subscriber or member insurers on whose behalf such filing is made.

NEW SECTION. Sec. 23. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

If as to any kind, class or market segment of insurance the commissioner finds, after a hearing, that competition does not exist as a result of which the rates are excessive or that a substantial number of companies are competing irresponsibly as a result of which rates are inadequate, or that there are widespread violations of this chapter, he may promulgate a rule requiring that in such kind, class, or market segment any subsequent changes in the rates or rate determination data be filed with him at least fifteen days before they become effective. He may extend the waiting period to not exceed fifteen additional days by written notice to the filer before the first fifteen day period expires. Changes in rates or rate determination data may become effective at the expiration of such fifteen day period or extended period as the case may be, unless the commissioner within such period or extended period has given written notice to the filer of his intention to disapprove the change. Within fifteen days after the date of such notice the commissioner shall hold a hearing notice of the time and place of which shall have been given the filer at least ten days in advance, to determine whether the change would result in a rate or rates which do not comply with the requirements and standards of this chapter. The commissioner shall render his decision within fifteen days after the close of such hearing. If the decision is to disapprove the change as proposed by the filer, the commissioner in the decision may grant approval to

some other change found by the commissioner to be consistent with the requirements and standards of this chapter. In any such hearing the filer shall have the burden of supporting and justifying the change proposed. The time periods specified herein are for the benefit of the filer and may be waived by him. A rule promulgated under this section shall expire no more than one year after issue but the commissioner may renew it after a hearing and appropriate findings to the effect that such renewal is warranted.

NEW SECTION. Sec. 24. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

If the commissioner finds, after a hearing, that any rate or rate determination data on file does not meet the requirements of this chapter, he shall order that its use be discontinued for any policy issued or renewed after a date specified in the order, which date shall not be prior to the date of the issuance of the order. For a period of one year after the effective date of such order, no rate promulgated to replace a disapproved one may be used until it has been filed with the commissioner and not disapproved within thirty days thereafter. Whenever an insurer has no legally effective rates as a result of the commissioner's disapproval of rates or other acts, the commissioner shall, on request, specify interim rates for the insurer that are sufficient to protect the interests of all parties and may order that a specified portion of the premiums be placed in an escrow account approved by him. When new rates become legally effective, the commissioner shall order the escrowed funds or any overcharge in the interim rates to be distributed appropriately, except that refunds to policyholders that are de minimis shall not be required.

NEW SECTION. Sec. 25. There is added to chapter 79, Laws of 1947, and to chapter 48.19 RCW, a new section to read as follows:

The commissioner may, by order, require that a particular insurer file any or all of its rates and supplementary rate information fifteen days prior to their effective date, if and to the extent that he finds, after a hearing, that protection of the interests of its insureds and the public in this state require closer supervision of its rates because of the insurer's financial condition.

Sec. 26. Section .19.37, chapter 79, Laws of 1947, and RCW 48.19.370, are each amended to read as follows:

(1) The commissioner shall promulgate reasonable rules and statistical plans, reasonably adapted to each of the rating systems on file with him, which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and country-wide expense experience, in order that the experience of all insurers may be made available at least annually in such form and detail as may be necessary to aid him in determining whether rating systems comply with the standards set forth in [RCW 48.19.020 and 48.19.030] *this chapter*. Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this state and are not susceptible of determination by a prorating of country-wide expense experience.

(2) In promulgating such rules and plans, the commissioner shall give due consideration to the rating systems on file with him and, in order that such rules and plans may be as uniform as is practicable among the several states, to the rules and to the form of the plans used for such rating systems in other states.

(3) No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it.

(4) The commissioner may designate one or more rating organizations or other agencies to assist him in gathering such experience and making compilations thereof, and such compilations shall be made available, subject to reasonable rules promulgated by the commissioner, to insurers and rating organizations.

(5) Reasonable rules and plans may be promulgated by the commissioner for the interchange of data necessary for the application of rating plans.

NEW SECTION. Sec. 27. Section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; section .19.03, chapter 79, Laws of 1947 and RCW 48.19.030; section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; section .19.05, chapter 79, Laws of 1947 as amended by section 13, chapter 193, Laws of 1957 and RCW 48.19.050; section .19.06, chapter 79, Laws of 1947 and RCW 48.19.060; section .19.07, chapter 79, Laws of 1947 and RCW 48.19.070; section .19.08, chapter 79, Laws of 1947 and RCW 48.19.080; section .19.10, chapter 79, Laws of 1947 and RCW 48.19.100; section .19.11, chapter 79, Laws of 1947 and RCW 48.19.110; section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; section .19.28, chapter 79, Laws of 1947 as amended by section 14, chapter 193, Laws of 1957 and RCW 48.19.280; section .19.29, chapter 79, Laws of 1947 and RCW 48.19.290; and section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440 are each repealed."

Renumber the remaining sections consecutively.

On page 9, section 16, herein renumbered Sec. 29, line 11 after "EMERGENCY." strike "This 1970 act is" and insert "Sections 1 through 14 and 28 of this 1970 act are"

On page 1, line 1 of the title after "ACT" and before "the" strike "Creating" and insert "Relating to insurance; creating"

On page 1, line 5 of the title after "taxes;" insert "regulating insurance rates and rate making;"

On page 1, line 6 of the title after "chapter" and before "to" insert "and new sections"

On page 1, line 6 of the title after "RCW;" insert "amending section .19.37, chapter 79, Laws of 1947, and RCW 48.19.370; adding new sections to chapter 79, Laws of 1947 and to chapter 48.19 RCW; repealing section .19.02, chapter 79, Laws of 1947 and RCW

48.19.020; repealing section .19.03, chapter 79, Laws of 1947 and RCW 48.19.030; repealing section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; repealing section .19.05, chapter 79, Laws of 1947 as amended by section 13, chapter 193, Laws of 1957 and RCW 48.19.050; repealing section .19.06, chapter 79, Laws of 1947 and RCW 48.19.060; repealing section .19.07, chapter 79, Laws of 1947 and RCW 48.19.070; repealing section .19.08, chapter 79, Laws of 1947 and RCW 48.19.080; repealing section .19.10, chapter 79, Laws of 1947 and RCW 48.19.100; repealing section .19.11, chapter 79, Laws of 1947 and RCW 48.19.110; repealing section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; repealing section .19.28, chapter 79, Laws of 1947 as amended by section 14, chapter 193, Laws of 1957 and RCW 48.19.280; repealing section .19.29, chapter 79, Laws of 1947 and RCW 48.19.290; and repealing section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440;"

Signed by Representatives O'Dell, Chairman, Barden, Vice Chairman, Bagnariol, Clarke (George W.), Gladder, Hubbard, Merrill, Pardini, Shera.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 145, providing post retirement benefit increases for fire fighters and police officers, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass. Signed by Representatives Morrison, Chairman, Spanton, Vice Chairman, Curtis, Grant, King, Kuehne, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

HOUSE BILL NO. 236, establishing compensation for the board of tax appeals, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Goldsworthy, Chairman, Saling, Vice Chairman, Conway, Curtis, Farr, Fleming, Hoggins, King, Kirk, Kopet, Lynch, Mahaffey, Mentor, Morrison, Richardson, Savage, Shera, Shipoch, Sprague, Wolf, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery students from Walla Walla Valley Academy and asked them to stand and be recognized.

MESSAGES FROM THE SENATE

February 4, 1970.

Mr. Speaker: The President has signed:

SENATE BILL NO. 18,

SENATE BILL NO. 288,

SENATE JOINT MEMORIAL NO. 3,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

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

THIRD READING

ENGROSSED SENATE BILL NO. 68, by Senators Pritchard, Bailey and Holman: Relating to abortion and providing for a referendum.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bagnariol, Berentson, Fleming, Kalich, Murray, Perry, Randall, Spanton, Veroske and Zimmerman.

On motion of Mr. Bledsoe, the absent members were excused and the House proceeded with business under the Call of the House.

Engrossed Senate Bill No. 68 was read the third time and placed on final passage.

Debate ensued, Representative North speaking in favor of passage of the bill, and Representative Hurley speaking against it.

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

Representatives Berentson, Murray, Kalich, Bagnariol, Zimmerman and Randall appeared at the bar of the House.

Further debate ensued, Representatives Savage, Kalich, Rosellini, Smythe and Pardini speaking in favor of passage of the bill, and Representatives Curtis, Marzano, O'Brien and Ceccarelli speaking against it.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 68, and the bill passed the House by the following vote: Yeas, 64; nays, 31; absent or not voting, 4.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Beck, Berentson, Bledsoe, Bluechel, Brouillet, Brown, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Cunningham, DeJarnatt, Farr, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Moon, Murray, North, O'Dell, Pardini, Randall, Rosellini, Saling, Savage, Sawyer, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Zimmerman, Mr. Speaker—64.

Voting nay: Representatives Bagnariol, Barden, Benitz, Bottiger, Bozarth, Ceccarelli, Conway, Curtis, Evans, Flanagan, Gallagher, Gladder, Grant, Harris, Hurley, Jolly, Kopet, Kuehnle, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, Morrison, Newhouse, O'Brien, Richardson, Schumaker, Wolf—31.

Absent or not voting: Representatives Fleming, Perry, Spanton, Veroske—4.

Engrossed Senate Bill No. 68, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Bledsoe, Engrossed Senate Bill No. 68 was ordered transmitted immediately to the Senate.

On motion of Mr. Newhouse, the House reverted to the ninth order of business.

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

SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House the Chairman of the Department of Political Science at the University of Washington, Dr. Hugh Bone, who has been active over the years on a number of legislative and educational committees and has been of great service to the legislative interim committees. The Speaker requested that Representatives Barden and Rosellini conduct Dr. Bone to a place on the rostrum.

SECOND READING

ENGROSSED SENATE BILL NO. 228, by Senator Henry:

Providing for appointment of state toxicologist and laboratory funds.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, following section 2, add a new section to read as follows:

"NEW SECTION. Sec. 3. This 1970 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately."

On page 1, line 2 of the title after "RCW 68.08.107" and before the period insert "and declaring an emergency"

The bill was read the second time.

Mr. Farr moved that the committee amendment adding a new section 3 be not adopted.

Representatives Farr and Chatalas spoke in favor of the motion.

The motion was carried and the committee amendment was not adopted.

On motion of Mr. Farr, the committee amendment to the title was not adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 228 was placed on final passage.

Representative Farr spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 228, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Fleming, Perry, Rosellini, Spanton, Veroske—5.

Engrossed Senate Bill No. 228, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 1, by Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington:

Creating a department of pollution control.

Committee recommendation: Majority, do pass as amended.

(For amendments see Reports of Standing Committees, Morning Session, today's Journal.)

The bill was read the second time.

On motion of Mr. Flanagan, the committee amendments were adopted.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 1 as amended by the House be placed on final passage.

Mr. O'Brien demanded an electric roll call and the demand was sustained.

Representative O'Brien spoke against the motion, and Representative Thompson spoke in favor of it.

PERSONAL PRIVILEGE

Mr. O'Brien: "Mr. Speaker, perhaps we could get out of this dilemma if you would put the House at ease for a few minutes and we could talk this over. Apparently, there is some confusion on this side of the aisle as to the merits of the bill."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of Engrossed Senate Bill No. 1 as amended by the House, and the bill was ordered placed at the top of tomorrow's second reading calendar.

MOTIONS

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

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Thursday, February 4, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWENTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 5, 1970.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hubbard, Leckenby and Litchman who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

SPEAKER'S PRIVILEGE

The Speaker observed in the north gallery students from Nisqually Junior High School in Lacey and asked them to stand and be recognized.

The Speaker observed in the north gallery students from West Seattle High School and asked them to stand and be recognized.

The Speaker observed in the north gallery a group of Horizon Club members from Seattle and asked them to stand and be recognized.

The Speaker observed in the south gallery a group of senior citizens from Vancouver and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Clallam Bay High School and asked them to stand and be recognized.

REPORTS OF STANDING COMMITTEES

February 4, 1970.

HOUSE BILL NO. 33, making appropriations, reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Goldsworthy, Chairman, Saling, Vice Chairman, Clark (Newman H.), Conway, Copeland, Curtis, Farr, Hoggins, Julin, Kirk, Kopet, Lynch, Mahaffey, Mentor, Morrison, Shera, Swayze, Wolf, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representatives Backstrom, Brouillet, Chatalas, DeJarnatt, Fleming, King, Kink, Marsh, Moon, Rosellini, Savage, Shinpoch, Sprague.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

HOUSE BILL NO. 62, relating to revenue and taxation, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Bledsoe, Bluechel, Brown, Ceccarelli, Chapin, Charette, Clarke (George W.), Grant, Haussler, Marzano, Murray, North, Randall, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

HOUSE BILL NO. 273, pertaining to the business and occupation tax as applied to real estate brokers, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Ackley, Bagnariol, Bledsoe, Ceccarelli, Chapin, Charette, Clarke (George W.), Evans, Hatfield, Haussler, Pardini, Randall, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 2, expediting environmental pollution cases in the courts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 5, after "court shall" strike the remainder of the section and insert the following: "*be heard by the appropriate appellate court as soon as possible. Such appeal shall be considered a case involving issues of broad public import requiring prompt and ultimate determination.*"

On page 2, section 2, line 18, after "court shall" strike the remainder of the section and insert the following: "*be heard by the appropriate appellate court as soon as possible. Such appeal shall be considered a case involving issues of broad public import requiring prompt and ultimate determination.*"

Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 40, pertaining to indebtedness limitations of taxing districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 11, section 13, line 33 of the printed and engrossed bills, before "percent" strike "[five] two and one-half" and insert "five"

Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Ackley, Adams, Bozarth, Brown, Haussler, Hoggins, Leckenby, McCaffree, Martinis, May, Mentor, Merrill, North, Rosellini, Scott, Spera, Shimpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 3, 1970.

ENGROSSED SENATE BILL NO. 49, providing for the location and regulation of thermal power facilities, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"*NEW SECTION. Section 1. The legislature finds that the present and predicted growth in electric power demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for thermal generating facilities and the identification of a state position with respect to each proposed site. The legislature recognizes that the selection of sites and the routing of associated transmission lines will have a significant impact upon the welfare of the population, the location and growth of industry and the use of the natural resources of the state.*"

It is the policy of the state of Washington that, while recognizing the pressing need for increased power generation facilities, the state shall ensure through available and reasonable methods, that the location and operation of thermal power plants will produce minimal adverse effects on the environment, ecology of the land and its wildlife, and the ecology of state waters and their aquatic life.

It is the intent to seek courses of action that will balance the increasing demands for thermal power plant location and operation in conjunction with the broad interests of the public. Such action will be based on these premises:

(1) To assure Washington state citizens that, where applicable, operational safeguards are at least as stringent as the criteria established by the federal government and are technically sufficient for their welfare and protection.

(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the esthetic and recreational benefits of the air, water and land resources; to promote air cleanliness; and to pursue beneficial changes in the environment.

(3) To provide abundant low-cost electrical energy.

NEW SECTION. Sec. 2. (1) 'Applicant' means any electric utility which makes application for a site location certification pursuant to the provisions of this act;

(2) 'Application' means any request for approval of a particular site or sites filed in accordance with the procedures established pursuant to this act;

(3) 'Person' means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized;

(4) 'Electric utility' means cities and towns, public utility districts, regulated electric companies, electric cooperatives and joint operating agencies, or combinations thereof, engaged in or authorized to engage in the business of generating, transmitting or distributing electric energy;

(5) 'Site' means any proposed location wherein the power plant, related or supporting facilities, and associated transmission lines will be located;

(6) 'Certification' means a binding agreement between an applicant and the state which shall embody compliance to the siting guidelines adopted in section 5 of this act as conditions to be met prior to or concurrent with the construction or operation of any thermal power plant coming under this act;

(7) 'Associated transmission lines' means new transmission lines constructed to operate at nominal voltages in excess of 200,000 volts to connect a thermal power plant to the northwest power grid;

(8) 'Independent consultants' means those persons who have no financial interest in the applicant's proposals and who are retained by the council to evaluate the applicant's proposals, supporting studies, or to conduct additional studies;

(9) 'Thermal power plant' means, for the purpose of certification, any electrical generating facility using any fuel, including nuclear materials, for distribution of electricity by electric utilities;

(10) 'Thermal power plant site evaluation council' or 'council' means the body defined under section 3 of this act;

(11) 'Counsel for environment' means an assistant attorney general or a special assistant attorney general who shall represent the public in accordance with section 8 of this act;

(12) 'Construction' means on-site work and construction shall not be deemed to have commenced until there has been an expenditure of not less than two hundred fifty thousand dollars in on-site improvements, excluding exploratory work;

(13) 'Chairman' means the chairman of the thermal power plant site evaluation council;

(14) 'Member agency' means departments, agencies and commissions enumerated in subsection (3) of section 3 of this act.

NEW SECTION. Sec. 3. (1) There is hereby created and established a 'thermal power plant site evaluation council'.

(2) The chairman of the council shall be appointed by the governor with the advice and consent of the senate and shall serve at the pleasure of the governor. The salary of the chairman shall be determined pursuant to the provisions of RCW 43.03.028 as now or hereafter amended.

(3) The council shall consist of the directors, administrators, or their designees, of the following departments, agencies and commissions or their statutory successors:

- (a) Water pollution control commission
- (b) Department of water resources
- (c) Department of fisheries
- (d) Department of game
- (e) State air pollution control board
- (f) Department of parks and recreation
- (g) Department of health
- (h) Interagency committee for outdoor recreation
- (i) Department of commerce and economic development
- (j) Utilities and transportation commission
- (k) Office of program planning and fiscal management
- (l) Department of natural resources
- (m) Planning and community affairs agency
- (n) Department of civil defense
- (o) Department of agriculture.

(4) The county legislative authority of every county wherein an application for a proposed thermal power plant site is filed shall appoint a member to the council. The member so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he represents and such member shall serve until there has been a final acceptance or rejection of such proposed site.

NEW SECTION. Sec. 4. The council shall have the following powers:

(1) To adopt, promulgate, amend, or rescind suitable rules and regulations to carry out the provisions of this act, and the policies and practices of the council in connection therewith;

(2) To appoint an executive secretary to serve at the pleasure of the council;

(3) To appoint and prescribe the duties of such clerks, employees and agents as may be necessary to carry out the provisions of this act: PROVIDED, That such persons shall be employed pursuant to the provisions of chapter 41.06 RCW;

(4) To develop and apply topical environmental and ecological guidelines in relation to the type, design, and location of thermal power plant sites and associated transmission line routes;

(5) To establish rules of practice for the conduct of public hearings pursuant to the provisions of the Administrative Procedure Act, as found in chapter 34.04 RCW;

(6) To prescribe the form, content, and necessary supporting documentation for site certification;

(7) To receive applications for site locations and to investigate the sufficiency thereof;

(8) To make and contract, when applicable, for independent studies of thermal power plant sites and transmission line routes proposed by the applicant;

(9) To conduct hearings on the proposed location of the thermal power plant sites and, when applicable, the associated transmission line routes;

(10) To prepare written reports to the governor which shall include: (a) a statement indicating whether the application is in compliance with the council's topical guidelines, (b) criteria specific to the site and transmission line routing, and (c) a council recommendation as to the disposition of the application;

(11) To prescribe the means for monitoring of the effects arising from the construction and the operation of thermal power plants, and where applicable, associated transmission lines to assure continued compliance with terms of certification.

NEW SECTION. Sec. 5. Promptly after it is organized under this act, the council shall give notice, pursuant to the Administrative Procedure Act, chapter 34.04 RCW, of intention to adopt as rules the comprehensive guidelines recommended by the thermal power plant evaluation council. The thermal power plant site evaluation council shall adopt the proposed guidelines as rules after making any changes or additions that are appropriate in view of facts and testimony presented at the hearing, provided that the guidelines so changed are consistent with the purposes of this act.

NEW SECTION. Sec. 6. (1) Provisions of this act shall apply to any stationary thermal power plant with generating capacity of two hundred fifty thousand kilowatts or more and floating thermal power plants of fifty thousand kilowatts or more, including associated transmission lines installed anywhere within the state of Washington. No construction of any such facility may be undertaken, after the effective date of this act, without first obtaining certification in the manner as herein provided, except that this act shall not apply to any such thermal power plant presently under construction, and its associated transmission lines.

(2) Applications for certification shall be upon forms prescribed by the council and shall be supported by such information and technical studies as the council may require.

NEW SECTION. Sec. 7. (1) The council shall receive all applications for thermal power plant site certification. A fee of twenty-five thousand dollars for each proposed site, to be applied toward the cost of any study authorized in subsection (2) of this section, shall accompany the application and shall be a condition precedent to any further consideration or action on the application by the council.

(2) After receiving an application for site certification, the council shall commission its own, independent consultant study to measure the consequences of the proposed power plant on the environment for each site application. The council shall direct the consultant to study any matter which it deems essential to an adequate appraisal of the site. The full cost of the study shall be paid by the applicant: PROVIDED, That said costs exceeding a total of twenty-five thousand dollars shall be payable subject to applicant giving prior approval to such excess amount.

(3) All payments required of the applicant under this section are to be made to the state treasurer, who in turn shall pay the consultant as instructed by the council. All such funds shall be subject to state auditing procedures. Any unexpended portions thereof shall be returned to the applicant.

NEW SECTION. Sec. 8. After the council has received a site application, the attorney general shall appoint an assistant attorney general or a special assistant attorney general as a counsel for the environment who shall be a member of the bar of the state of Washington. The counsel for the environment shall represent the public and its interest in protecting the quality of the environment for the duration of the certification proceedings, until such time as the certification is issued or denied. He shall be accorded all the rights, privileges and responsibilities of an attorney representing a party in a formal action. This section shall not be construed to prevent any person from being heard or represented by counsel in accordance with the other provisions of this act.

NEW SECTION. Sec. 9. (1) The council shall conduct a public hearing in the county of the proposed site within sixty days of receipt of an application for site certification: PROVIDED, That the place of such public hearing shall be as close as practical to the proposed site.

(2) The council must determine at the initial public hearing whether or not the proposed site is consistent and in compliance with county or regional land use plans or zoning ordinances. If it is determined that the proposed site does conform with existing land use plans or zoning ordinances in effect as of the date of the application, the county or regional planning authority shall not thereafter change such land use plans or zoning ordinances so as to affect the proposed site.

(3) Prior to the issuance of a council recommendation to the governor under section 10 of this act a public hearing, conducted as a contested case under chapter 34.04 RCW, shall be held. At such public hearing any person shall be entitled to be heard in support of or in opposition to the application for certification.

(4) Additional public hearings shall be held as deemed appropriate by the council in the exercise of its functions under this act.

NEW SECTION. Sec. 10. (1) The council shall report to the governor its recommendations for the disposition of an application for certification within twelve months of receipt by the council of such an application, or such later time as is mutually agreed by the council and the applicant.

(2) Within sixty days of receipt of the council's report the governor shall approve or reject the application for certification.

(3) The issuance or denial of the certification by the governor shall be final as to that application.

(4) Upon approval by the governor of the application for certification the chairman of the council shall within thirty days compose and submit a certification agreement for execution by the governor and the applicant.

NEW SECTION. Sec. 11. (1) If any provision of this act is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state,

or any rule or regulation promulgated thereunder, this act shall govern and control and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this act.

(2) The state hereby preempts the regulation and certification of thermal power plant sites and thermal power plants as defined in section 2 of this act.

NEW SECTION. Sec. 12. (1) Subject to the conditions set forth therein any certification signed by the governor shall bind the state or any of its departments, agencies, divisions, bureaus, commissions or boards as to the approval of the site and the construction and operation of the proposed thermal power plant and any associated transmission lines.

(2) The certification shall authorize the electric utility named therein to construct and operate the proposed thermal power plant and any associated transmission lines subject only to the conditions set forth in such certification.

(3) The issuance of a certification shall be in lieu of any permit, certificate or similar document required by any department, agency, division, bureau, commission or board of this state.

NEW SECTION. Sec. 13. Any certification may be revoked or suspended:

(1) For any material false statement in the application or in the supplemental or additional statements of fact or studies required of the applicant when a true answer would have warranted the council's refusal to recommend certification in the first instance; or

(2) For failure to comply with the terms or conditions of the original certification; or

(3) For violation of the provisions of this act, regulations issued thereunder or order of the council.

NEW SECTION. Sec. 14. (1) The approval or rejection of an application for certification by the governor shall be subject to judicial review pursuant to the provisions of chapter 34.04 RCW.

(2) The rules and regulations adopted by the council shall be subject to judicial review pursuant to the provisions of chapter 34.04 RCW.

NEW SECTION. Sec. 15. (1) The courts are authorized to grant such restraining orders, and such temporary and permanent injunctive relief as is necessary to secure compliance with this act and/or with a site certification agreement issued pursuant to this act. The court may assess civil penalties in an amount not less than one thousand dollars per day nor more than twenty-five thousand dollars per day for each day of construction or operation in material violation of this act, or in material violation of any site certification agreement issued pursuant to this act.

(2) Wilful violation of any provision of this act shall be a gross misdemeanor.

(3) Civil or criminal proceedings to enforce this act may be brought through the attorney general by the prosecuting attorney of any county affected by the violation.

(4) The remedies and penalties in this section, both civil and criminal, shall be cumulative and shall be in addition to any other penalties and remedies available at law, or in equity, to any person.

NEW SECTION. Sec. 16. The council shall make available for public inspection and copying during regular office hours at the expense of any person requesting copies, any information filed or submitted pursuant to this act.

NEW SECTION. Sec. 17. If any provision of this act, or its application to any person or circumstance is held invalid, with the exception of sections 11 and 12 of this act, the remainder of the act, or the application of the provision to other persons or circumstances, is not affected.

NEW SECTION. Sec. 18. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 19. Sections 1 through 18 of this act shall constitute a new chapter in Title 80 RCW."

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Conway, Cunningham, DeJarnatt, Grant, Harris, Hurley, Savage, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SUBSTITUTE SENATE BILL NO. 55, providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 15, after "home" and before "which" insert "the structure or any room of"

On page 2, section 2, subsection 1, line 8, after "built" and before "housing" insert "or on-site"

On page 2, section 3, line 15, after the comma following "requirements" and before "building" strike "local fire zones,"

On page 3, section 6, line 2, after "a" and before "housing" strike "prefabricated" and insert "factory built"

On page 3, section 6, line 9, after "The" strike "prefabricated" and substitute "factory built"

Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Adams, Bozarth,

Brown, Haussler, Hoggins, Leckenby, McCaffree, May, Mentor, Merrill, North, Richardson, Rosellini, Scott, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 61, authorizing counties to acquire and develop open space and health facilities, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Adams, Bozarth, Brown, Haussler, Hoggins, Leckenby, McCaffree, Martinis, May, Mentor, Merrill, North, Rosellini, Scott, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 66, regulating fees for transcripts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Julin, Marsh, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SUBSTITUTE SENATE BILL NO. 80, establishing a state-wide drug control unit with the board of pharmacy, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 21, following section 1 strike the remainder of the bill and insert the following:

"NEW SECTION. Sec. 2. There is hereby created in the Washington state patrol a drug control assistance unit.

NEW SECTION. Sec. 3. The drug control assistance unit shall:

(1) Enforce and aid in the enforcement of the criminal provisions of chapters 69.32 and 69.40 RCW;

(2) Establish a laboratory equipped to analyze drug and narcotic evidence and evidence relating to any crime when requested by any of the law enforcement agencies of the state;

(3) Establish a record system to coordinate with all law enforcement agencies in the state a comprehensive system of information concerning violations of the narcotic and drug laws; and

(4) Perform any act or provide any service necessary to carry out the purposes of this act.

NEW SECTION. Sec. 4. The chief of the Washington state patrol may employ such drug control agents, criminalists, chemists, clerical and other personnel as are necessary for the conduct of the affairs of the drug control assistance unit."

On page 1, line 1 of the title following "government;" strike the remainder of the title and insert "and creating a new unit in the Washington state patrol."

Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Chapin, Clark (Newman H.), Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 81, increasing fees of county clerks, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Adams, Bozarth, Brown, Haussler, Hoggins, Leckenby, McCaffree, May, Mentor, Merrill, North, Richardson, Scott, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 85, adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 4, line 27, after "on" delete "one-twentieth" and insert "one-fortieth"

On page 4, section 5, line 16, after "of" and before "of a" on line 17, delete "one-twentieth" and insert "one-fortieth"

Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Adams, Bozarth, Brown, Haussler, Leckenby, Martinis, May, Mentor, Merrill, North, Rosellini, Scott, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 95, authorizing sound and video recordings in certain police activities, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 23, after "(c)" and before "the" insert the following: "at the commencement of the recording"

On page 1, section 1, line 27, after "activities" insert a period and strike the remainder of the subsection

Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Chapin, Clark (Newman H.), Harris, Julin, O'Dell.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SUBSTITUTE SENATE BILL NO. 99, defining crimes and establishing criminal procedures, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11, strike "adding a new section to chapter 46.61 RCW;"

On page 1, section 2, line 24, after "degree," insert "or"

On page 1, section 2, beginning on line 25, after "second degree," strike all of the matter down to and including "second degree" in line 26

On page 4, section 5, line 30, after "homicide" strike the remainder of the sentence and insert "by means of a motor vehicle."

On page 4, section 5, beginning on line 32, after "homicide" strike all of the matter down to and including "first degree" on line 33 and insert "by means of a motor vehicle"

On page 5, line 12, strike all of section 7 and renumber the remaining sections consecutively.

On page 5, section 8, line 23, after "Sec. 8." and before "In" insert "(1)"

On page 6, section 8, following line 12 insert a new subsection

"(2) Whenever any witness or prospective witness for the prosecution refuses to give to the defendant or his counsel a written, signed statement setting forth the facts of the case as known to him, upon filing an affidavit indicating such witness' refusal, the defendant or his counsel may take such a statement by deposition upon oral examination or written interrogatories for the purpose of discovery, or for use as evidence in the action, or for both purposes. Such deposition shall be taken in accordance with rules to be adopted by the supreme court to implement this subsection. Until such rules have been adopted, however, Rules 26-37 of the civil rules for superior courts, as presently enacted or hereafter amended shall apply."

On page 6, section 9, line 13, after "having" strike "knowledge of" and insert "witnessed"

On page 6, section 9, line 15, after "or" strike "knowledge of preparation" and insert "having witnessed preparations"

On page 6, section 9, line 20, after "shall" strike the remainder of the section and insert "be so construed to affect existing privileged relationships as provided by law."

Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 101, establishing procedures and setting requirements for possession of poisonous and dangerous drugs, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Chapin, Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 129, providing for per diem for state officers and employees, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Perry, Saling, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 130, allowing the deposit of certain material removed for harbor and channel improvement on private land, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On line 10, following "public" strike "agencies" and insert "[agencies] agency"

On line 17, after "and" strike "is hereby" and insert "may be"

On line 17, after "designated" insert "by the department of natural resources"

On line 23, after "is" and before "sold" insert "subsequently"

On line 23, after "or" strike "is" and insert "[is]"

Signed by Representatives Flanagan, Chairman, Anderson, Benitz, Berentson, Hawley, Jolly, Julin, Kink, Kiskaddon, Leland, McCormick, Moon, Newhouse, Schumaker, Smythe, Thompson, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 132, implementing state teachers' retirement system provisions, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass. Signed by Representatives Morrison, Chairman, Backstrom, Copeland, Curtis, Grant, Harris, King, Newhouse, Savage.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SUBSTITUTE SENATE BILL NO. 139, establishing regulations for strip mining to be administered by the department of natural resources, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

Strike all of the matter after the enacting clause and insert:

"NEW SECTION. Section 1. Sections 2 through 25 of this act shall constitute a new chapter in Title 76 RCW.

NEW SECTION. Sec. 2. The legislature recognizes that the extraction of minerals by surface mining is a basic and essential activity making an important contribution to the economic well-being of the state and nation. At the same time, proper reclamation of surface mined land is necessary to prevent undesirable land and water conditions that would be detrimental to the general welfare, health, safety, and property rights of the citizens of the state. Surface mining takes place in diverse areas where the geologic, topographic, climatic, biologic, and social conditions are significantly different, and reclamation specifications must vary accordingly. It is not practical to extract minerals required by our society without disturbing the surface of the earth and producing waste materials, and the very character of many types of surface mining operations precludes complete restoration of the land to its original condition. However, the legislature finds that reclamation of surface mined lands as provided in this act will allow the mining of valuable minerals and will provide for the protection and subsequent beneficial use of the mined and reclaimed land.

NEW SECTION. Sec. 3. The purpose of this act is to provide that the usefulness, productivity, and scenic values of all lands and waters involved in surface mining within the state will receive the greatest practical degree of protection and restoration. It is a further purpose of this act to provide a means of cooperation between private and governmental entities in carrying this act into effect.

NEW SECTION. Sec. 4. As used in this act, unless the context indicates otherwise:

(1) 'Surface mining' shall mean all or any part of the process involved in mining of minerals by removing the overburden and mining directly from the mineral deposits thereby exposed, including open-pit mining of minerals naturally exposed at the surface of the earth, mining by the auger method, and including the production of surface mining refuse. For the purpose of this act surface mining shall mean those operations described in this paragraph from which more than ten thousand tons of minerals are produced or more than two acres of land is newly disturbed within a period of twelve consecutive calendar months. Surface mining shall not include excavation or removal of sand, gravel, clay, rock or other material in remote areas by an owner or holder of a possessory interest in land for the primary purpose of construction or maintenance of access roads to or on such landowner's property. Surface mining shall not include excavation or grading conducted for farming, on-site road construction or other on-site construction, but shall include adjacent or off-site borrow pits except those on landowner's property for use on access roads on such property. Prospecting and exploration activities shall be included within the definition of surface mining when they are of such nature and extent as to exceed the qualifying sizes listed above or when collectively they disturb more than one acre per eight acres of land area.

(2) 'Unit of surface mined area' shall mean the area of land and water covered by each operating permit that is actually newly disturbed by surface mining during each twelve-month period of time, beginning at the date of issuance of the permit, and shall comprise the area from which overburden and/or minerals have been removed, the area covered by spoil banks, and all additional areas used in surface mining operations which by virtue of such use are thereafter susceptible to excessive erosion.

(3) 'Abandonment of surface mining' shall mean a cessation of surface mining, not set forth in an operator's plan of operation or by any other sufficient written notice, extending for more than six consecutive months or when, by reason of examination of the premises or by any other means, it becomes the opinion of the director of environmental quality that the operation has in fact been abandoned by the operator: PROVIDED, That the operator does not, within thirty days of receipt of written notification from the director of his intent to declare the operation abandoned, submit evidence to the director's satisfaction that the operation is in fact not abandoned.

(4) 'Minerals' shall mean coal, clay, stone, sand, gravel, metallic ore, and any other similar solid material or substance to be excavated from natural deposits on or in the earth for commercial, industrial, or construction uses.

(5) 'Overburden' shall mean the earth, rock, and other materials that lie above a natural deposit of mineral.

(6) 'Surface mining refuse' shall mean all waste soil, rock, mineral, liquid, vegetation, and other material directly resulting from or displaced by the mining, cleaning, or preparation of minerals during the surface mining operations on the operating permit area, and shall include all waste materials deposited on or in the permit area from other sources.

(7) 'Spoil bank' shall mean a deposit of excavated overburden or mining refuse.

(8) 'Operator' shall mean any person or persons, any partnership, limited partnership, or corporation, or any association of persons, either natural or artificial, including every public or governmental agency engaged in surface mining operations, whether individually, jointly, or through subsidiaries, agents, employees, or contractors.

(9) 'Department' shall mean the department of environmental quality.

(10) 'Director' shall mean the director of environmental quality or his designee.

(11) 'Reclamation' shall mean the reasonable protection of all surface resources subject to disruption from surface mining and rehabilitation of the surface resources affected by surface mining. Although both the need for and the practicability of reclamation will control the type and degree of reclamation in any specific instance, the basic objective will be to reestablish on a continuing basis the vegetative cover, soil stability, water conditions, and safety conditions appropriate to the intended subsequent use of the area.

(12) 'Reclamation plan' shall mean the operator's written proposal, as required and approved by the department, for reclamation of the affected resources which shall include, but not be limited to:

(a) A statement of the proposed subsequent use of the land after reclamation and satisfactory evidence that all owners of a possessory interest in the land concur with this proposed use;

(b) Evidence that this subsequent use would not be illegal under local zoning regulations;

(c) Proposed practices to protect adjacent surface resources;

(d) Specifications for surface gradient restoration to a surface suitable for the proposed subsequent use of the land after reclamation is completed, and proposed method of accomplishment;

(e) Manner and type of revegetation or other surface treatment of disturbed areas;

(f) Method of prevention or elimination of conditions that will create a public nuisance, endanger public safety, damage property, or be hazardous to vegetative, animal, fish, or human life in or adjacent to the area;

(g) Method of control of contaminants and disposal of surface mining refuse;

(h) Method of diverting surface waters around the disturbed areas;

(i) Method of restoration of stream channels and stream banks to a condition minimizing erosion and siltation and other pollution;

(j) Such maps and other supporting documents as reasonably required by the department; and

(k) A time schedule for reclamation that meets the requirements of section 10 of this act.

NEW SECTION. Sec. 5. The department of environmental quality is charged with the responsibility of administering this act. In order to implement the act's terms and provisions, the department of environmental quality, under the provisions of the administrative procedure act (chapter 34.04 RCW), as now or hereafter amended, may from time to time promulgate those rules and regulations necessary to carry out the purposes of this act. Such rules and regulations, together with the administrative provisions set forth in this act, shall be carried out and enforced by the director, who may, at his discretion establish a separate division within the department for that purpose. The assistant director in charge of this division shall be exempt from the provisions of the state civil service law in accordance with the terms of RCW 41.06.070. The staff of the department shall include mining engineers and/or geologists.

NEW SECTION. Sec. 6. This act shall not affect any of the provisions of the state fisheries laws (Title 75 RCW), the state water pollution control laws (Title 90 RCW), the state game laws (Title 77 RCW), or any other state laws, and shall be cumulative and nonexclusive.

NEW SECTION. Sec. 7. The director shall have the authority to conduct or authorize investigations, research, experiments and demonstrations, and to collect and disseminate information relating to surface mining and reclamation of surface mined lands.

NEW SECTION. Sec. 8. The department may cooperate with other governmental and private agencies in this state and other states and agencies of the federal government, and may reasonably reimburse them for any services the department requests that they provide. The department may also receive any federal funds, state funds and any other funds and expend them for reclamation of land affected by surface mining and for purposes enumerated in section 7 of this act.

NEW SECTION. Sec. 9. After the effective date of this act, no operator shall engage in surface mining without having first obtained an operating permit from the department. Except as otherwise permitted in this section, a separate permit shall be required for each separate surface mining operation. Prior to receiving an operating permit from the department an operator must submit an application on a form provided by the department, which shall contain the following information and any other pertinent data required by the director:

(1) Name and address of the legal landowner, any purchaser of the land under a real estate contract, and the operator and, if any of these are corporations or other business entities, the names and addresses of their principal officers and resident agent for service of process;

(2) Materials to be surface mined;

(3) Type of surface mining to be performed;

(4) Expected starting date of surface mining;

(5) Anticipated termination date of the surface mining project;

(6) Expected amount of mineral to be surface mined;

(7) Maximum depth of surface mining;

(8) Size and legal description of the area that will be disturbed by surface mining. If more than ten acres will be disturbed by surface mining or, regardless of the amount of land to be disturbed, if the director finds that conditions warrant it and so requests, a map of the area to be surface mined shall be submitted. The map shall show the boundaries of the area of land which will be affected; topographic detail; the location and names of all streams, roads, railroads, and utility lines on or immediately adjacent to the area; location of proposed access roads to be built in conjunction with the surface mining operation; and the names of the surface and mineral owners of all lands within the surface mining area;

(9) A plan of surface mining that will provide, within limits of normal operational procedure of the industry, for completion of surface mining and associated disturbances on each segment of the area for which a permit is requested so that reclamation can be initiated at the earliest possible time on those portions of the surface mined area that will not be subject to further disturbance by the mining operation. Whenever feasible, visual screening, vegetative or otherwise, will be maintained or established on the property containing the surface mining to screen the view of the operation from public highways, public parks, and residential areas;

(10) A reclamation plan that must be acceptable to and approved by the director, except as provided in section 11 of this act. An operator may not depart from an approved plan without having previously obtained from the department written approval of his proposed change.

The department may adopt rules and regulations permitting an operator of more than one surface mining operation to submit a single application for a combined operating permit covering all of his surface mining operations. Such application may require detailing of information required by section 9 of this act for each separate location. An operator operating under such a combined permit may submit a consolidated reclamation program covering all his operations under rules and regulations prescribed by the department, but may be required to furnish specific information relative to reclamation of any single operating area if the department determines that such is necessary to carry out the purposes of this act.

NEW SECTION. Sec. 10. The reclamation plan shall provide that reclamation activities, particularly those relating to control of erosion, shall, to the extent feasible, be conducted simultaneously with surface mining and in any case shall be initiated at the earliest possible time after completion or abandonment of mining on any segment of the permit area. The plan shall provide that reclamation activities shall be completed not more than two years after completion or abandonment of surface mining on each segment of the area for which a permit is requested.

A reclamation plan will be approved by the director if it adequately provides for the accomplishment of the activities specified in the definition of "reclamation plan", section 4(12) of this act, and meets those of the following minimum standards that are applicable:

(1) Excavations made to a depth not less than two feet below the low groundwater mark, which will result in the establishment of a lake of sufficient area and depth of water to be useful for residential, recreational, game, or wildlife purposes, shall be reclaimed in the following manner:

(a) All banks in soil, sand, gravel, and other unconsolidated materials shall be sloped to two feet below the low groundwater line at a slope no steeper than one and one-half feet horizontal to one foot vertical;

(b) Portions of solid rock banks shall be stepped or other measures be taken to permit a person to escape from the water.

(2) In all other excavations in soil, sand, gravel, and other unconsolidated materials, the side slopes and the slopes between successive benches shall be no steeper than one and one-half feet horizontal to one foot vertical for their entire length.

(3) The sides of all strip pits and open pits in rock and other consolidated materials shall be no steeper than one foot horizontal to one foot vertical, or other precautions must be taken to provide adequate safety.

(4) The slopes of quarry walls in rock or other consolidated materials shall have no prescribed angle of slope, but where a hazardous condition is created that is not indigenous to the immediate area, the quarry shall be either graded or backfilled to a slope of one foot horizontal to one foot vertical or other precautions must be taken to provide adequate safety.

(5) In strip mining operations the peaks and depressions of the spoil banks shall be reduced to a gently rolling topography which will minimize erosion and which will be in substantial conformity with the immediately surrounding land area.

(6) In no event shall any provision of this section be construed to allow stagnant

water to collect or remain on the surface mined area. Suitable drainage systems shall be constructed or installed to avoid such conditions if natural drainage is not possible.

(7) All grading and backfilling shall be made with nonnoxious, nonflammable, noncombustible solids unless approval has been granted by the director for a supervised sanitary fill.

(8) In all types of surface mining, in order to prevent water pollution, all acid-forming surface mining refuse shall be disposed of by covering all acid-forming materials with at least two feet of clean fill. The final surface covering shall be graded so that surface water will drain away from the disposal area.

(9) Vegetative cover will be required in the reclamation plan as appropriate to the future use of the land.

(10) All surface mining that will disturb streams must comply with the requirements of the state fisheries laws (Title 75 RCW), and every application for an operating permit for such operations must have a reclamation plan that shall have been approved by the department of fisheries with regard to operations in streams as required by Title 75 RCW.

NEW SECTION. Sec. 11. Upon receipt of an application for a permit, the surface mining site must be inspected by a representative of the director. Within twenty-five days of receipt of the application and reclamation plan by the department and receipt of the permit fee, the director shall either issue an operating permit to the applicant or return any incomplete or inadequate application to the applicant along with a description of the deficiencies.

Failure to act within the twenty-five day period on the reclamation plan shall not be cause for denial of a permit. If the director refuses to approve a reclamation plan in the form submitted by the operator, he shall notify the operator in writing stating the reasons for his refusal and listing such additional requirements to the operator's reclamation plan as are necessary for the approval of the plan by the director. Within thirty days the operator shall either accept such additional requirements as a part of the reclamation plan or file notice of appeal.

The operating permit shall be granted for the period required to mine the land covered by the plan and shall be valid until the surface mining authorized by the permit is completed or abandoned, unless the permit is suspended by the director as provided in this act. The operating permit shall provide that the reclamation plan may be modified, after timely notice and opportunity for hearing, at any time during the term of the permit for any of the following reasons:

- (1) To modify the requirements so that they will not conflict with existing laws;
- (2) The director determines that the previously adopted reclamation plan is clearly impossible or impracticable to implement and maintain;
- (3) The director determines that the previously adopted reclamation plan is obviously not accomplishing the intent of this act; or
- (4) The operator and the director mutually agree to change the reclamation plan.

When one operator succeeds to the interest of another in any uncompleted surface mining operation by sale, assignment, lease, or otherwise, the director may release the first operator from the duties imposed upon him by this act as to such operation: PROVIDED, That both operators have complied with the requirements of this act and the successor operator assumes the duty of the former operator to complete the reclamation of the land, in which case the director shall transfer the permit to the successor operator upon approval of the successor operator's bond as required under this act.

NEW SECTION. Sec. 12. The permit fees required under this act shall be as follows:

(1) The basic fee for the permit shall be twenty-five dollars per permit year for each separate location, payable with submission of the application and annually thereafter with submission of the report required in section 14 of this act.

(2) In addition, there shall be a five dollar per acre fee for all acreage exceeding ten acres which was newly disturbed by surface mining during the previous permit year, which acreage fee shall be paid at the time of submission of the report required in section 14 of this act.

NEW SECTION. Sec. 13. Upon receipt of an operating permit an operator other than a public or governmental agency shall not commence surface mining until the operator has deposited with the department an acceptable performance bond on forms prescribed and furnished by the department. This performance bond shall be a corporate surety bond executed in favor of the department by a corporation authorized to do business in the state of Washington under the provisions of chapter 48.28 RCW and approved by the department. The bond shall be filed and maintained in an amount equal to the estimated cost of completing the reclamation plan for the area to be surface mined during the next twelve-month period and any previously surface mined area for which a permit has been issued and on which the reclamation has not been satisfactorily completed and approved. The director shall have the authority to determine the amount of the bond that shall be required, and for any reason may refuse any bond not deemed adequate. In no case shall the amount of the bond be less than one hundred dollars or more than one thousand dollars per acre or fraction thereof.

The bond shall be conditioned upon the faithful performance of the requirements set forth in this act and of the rules and regulations adopted pursuant thereto.

In lieu of the surety bond required by this section the operator may file with the director a cash deposit, negotiable securities acceptable to the director, or an assignment of a savings account in a Washington bank on an assignment form prescribed by the director.

Liability under the bond shall be maintained as long as reclamation is not completed in compliance with the approved reclamation plan unless released prior thereto as hereinafter provided. Liability under the bond may be released only upon written notification from the director. Notification shall be given upon completion of compliance or acceptance by the department of a substitute bond. In no event shall the liability of the surety exceed the amount of the surety bond required by this section.

A public or governmental agency shall not be required to post a bond under the terms of this act.

A blanket performance bond covering two or more surface mining operations may be submitted by an operator in lieu of separate bonds for each separate operation.

NEW SECTION. Sec. 14. Within thirty days after completion or abandonment of mining on an area under permit or within thirty days after each annual anniversary date of the operating permit, whichever is earlier, or at such later date as may be provided by department rules and regulations, and each year thereafter until reclamation is completed and approved, the operator shall file a report of activities completed during the preceding year on a form prescribed by the department, which report shall:

- (1) Identify the operator and permit number;
- (2) Locate the operation by subdivision, section, township, and range, and with relation to the nearest town or other well known geographic feature;
- (3) Estimate acreage to be newly disturbed by surface mining in the next twelve-month period; and
- (4) Update any maps previously submitted or provide such maps as may be specifically requested by the department. Such maps shall show:
 - (a) The operating permit area;
 - (b) The unit of surface mined area;
 - (c) The area to be surface mined during the next twelve-month period;
 - (d) If completed, the date of completion of surface mining;
 - (e) If not completed, the area that will not be further disturbed by the mining operations; and

(f) The date of beginning, amount, and current status of reclamation performed during the previous twelve months. An operator operating under a combined operating permit may submit a single annual report, but such report shall include the data required in section 14 of this act for each separate operating area.

NEW SECTION. Sec. 15. Upon receipt of the operator's report, and at any other reasonable time the department may elect, the director shall cause the permit area to be inspected to determine if the operator has complied with the reclamation plan and the department's rules and regulations.

The operator shall proceed with reclamation as scheduled in his reclamation plan. Following any written notice by the director noting deficiencies, the operator shall commence action within thirty days to rectify these deficiencies and shall diligently proceed until the deficiencies are corrected: PROVIDED, That deficiencies that also violate other laws that require earlier rectification shall be corrected in accordance with the applicable time provisions of such laws. The director may extend performance periods referred to in this section and in section 9 of this act, for delays clearly beyond the operator's control, but only when the operator is, in the opinion of the director, making every reasonable effort to comply.

Within thirty days after notification by the operator and when in the judgment of the director reclamation of a unit of surface mined area is properly completed, the mining operator shall be notified in writing and his bond on said area shall be released or decreased proportionately.

If reclamation of surface mined land is not proceeding in accordance with the reclamation plan and the operator has not commenced action to rectify deficiencies within thirty days after notification by the director, or if reclamation is not properly completed in conformance with the reclamation plan within two years after completion or abandonment of surface mining on any segment of the permit area, the director is authorized, with the staff, equipment and material under his control, or by contract with others, to take such actions as are necessary for the reclamation of the surface mined areas. The department shall keep a record of all necessary expenses incurred in carrying out any project or activity authorized under this section, including a reasonable charge for the services performed by the state's personnel and the state's equipment and materials utilized.

The director shall notify the operator and his surety by order. The order shall state the amount of necessary expenses incurred by the department in reclaiming the surface mined land and a notice that the amount is due and payable to the department by the operator and the surety.

If the amount specified in the order is not paid within thirty days after receipt of the notice, the attorney general, upon request of the director, shall bring an action on behalf of the state in the superior court for Thurston county or any county in which the persons to whom the order is directed do business to recover the amount specified in the final order of the department. The surety shall be liable to the state to the extent of the bond.

The amount owed the department by the operator for the reclamation performed by the state may be recovered by a lien against the reclaimed property, which may be enforced in the same manner and with the same effect as a mechanic's lien.

In addition to the other liabilities imposed by this act, failure to commence action to rectify deficiencies in reclamation within thirty days after notification by the department or

failure satisfactorily to complete reclamation work on any segment of the permit area within two years after completion or abandonment of surface mining on any segment of the permit area shall constitute sufficient grounds for cancellation of a permit and refusal to issue another permit to the delinquent operator until such deficiencies are corrected by the operator.

NEW SECTION. Sec. 16. Any operator conducting surface mining within the state of Washington without a valid operating permit shall be guilty of a gross misdemeanor. Each day of operation shall constitute a separate offense.

NEW SECTION. Sec. 17. When the director finds that an operator is conducting surface mining on an area for which a valid operating permit is not in effect, or is conducting surface mining in any manner not authorized by his operating permit or by the rules and regulations adopted by the department, the director may forthwith order such operator to suspend all such operations until compliance is effected or assured to the satisfaction of the director. In the event the operator fails or declines to obey such order, the facts may be reported by the director to the attorney general. The attorney general shall forthwith take the necessary legal action to enjoin, or otherwise cause to be stopped, such conduct of surface mining.

NEW SECTION. Sec. 18. Appeals from determinations made under this act shall be made under the provisions of the administrative procedure act (chapter 34.04 RCW), as now or hereafter amended and shall be considered a contested case within the meaning of the administrative procedure act (chapter 34.04 RCW).

NEW SECTION. Sec. 19. Operators of surface mines in operation on the effective date of this act shall have ninety days thereafter to submit an application for an operating permit. Any such operator who has timely filed an application for an operating permit but for reasons beyond his control has neither received an operating permit nor had his application denied within twenty-five days after his application has been submitted as provided in section 9 of this act, shall have issued to him by the department a temporary operating permit, which, if the applicant is diligently pursuing his application, shall be effective until a regular operating permit is either issued or denied.

NEW SECTION. Sec. 20. All reclamation plans, operators' reports and other required information under this act shall be for the confidential use of the director who shall by rule or regulation provide for the release thereof to proper interested persons.

NEW SECTION. Sec. 21. Nothing in this act shall authorize surface mining in violation of an ordinance or resolution of the city, town or county within which the surface mining is conducted.

NEW SECTION. Sec. 22. Until such time as a department of environmental quality is established, the provisions of this act shall be administered by the department of natural resources and any reference in sections 2 through 20 of this act to the 'department' or to 'the department of environmental quality' shall mean the department of natural resources; in accordance therewith, until such time as a department of environmental quality is established, references in sections 2 through 20 of this act to the 'director' and 'the director of environmental quality' shall be deemed to mean the state land commissioner.

NEW SECTION. Sec. 23. This act shall not direct itself to the reclamation of land mined prior to the effective date of this act.

NEW SECTION. Sec. 24. This act shall become effective January 1, 1971.

NEW SECTION. Sec. 25. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected."

In line 4 of the title strike "natural resources" and insert "environmental quality"

Signed by Representatives Flanagan, Chairman, Benitz, Berentson, Hawley, Julin, Kiskaddon, Leland, Newhouse, Schumaker, Smythe, Wanamaker, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representatives Anderson, Jolly, Kink, McCormick.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 141, creating crimes and penalties for illegal use of credit cards, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Chapin, Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 5, 1970.

SENATE BILL NO. 144, changing amount of college property exempted from taxation from one hundred to four hundred acres, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Ceccarelli, Charette, Clarke (George W.), Grant, Hatfield, Haussler, Hurlley, Marzano, Murray, Pardini, Wojahn.

MINORITY recommendation: Do not pass. Signed by Representatives Brown, Scott.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 155, implementing law providing insurance for employees of state educational institutions, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16, after "able" and before "types" insert "health care contracts and"

On page 1, section 1, line 18, after "insurance" and before "for" insert "and health care contracts"

On page 1, section 1, line 24, after "premium" and before "cost" insert "or"

On page 2, section 2, line 10, after "available" and before "types" insert "health care contracts and"

On page 2, section 2, line 13, after "insurance" and before "for" insert "and health care contracts"

On page 2, section 2, line 17, after "premium" and before "cost" insert "or"

On page 2, section 3, line 29, after "available" and before "types" insert "health care contracts and"

On page 2, section 3, line 32, after "insurance" and before "for" insert "and health care contracts"

On page 3, section 3, line 3, after "premium" and before "cost" insert "or"

Signed by Representatives Hoggins, Chairman, Richardson, Vice Chairman, Brown, Conway, Evans, Kalich, May, McCormick, North, Saling, Scott, Shinpoch, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

February 5, 1970.

ENGROSSED SENATE BILL NO. 179, establishing health care programs for state employees, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Bledsoe, Conway, Cunningham, DeJarnatt, Grant, Harris, Hurley, Marzano, Saling, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 191, setting standards for establishing county commissioner districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Adams, Bozarth, Brown, Haussler, Hoggins, Leckenby, McCaffree, May, Mentor, Merrill, North, Richardson, Scott, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 216, changing qualifications for those claiming the property tax exemption for senior citizens, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, add new sections after section 1 as follows:

"Sec. 2. Section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020 are each amended to read as follows:

On order of the board of county commissioners ad valorem taxes paid before or after delinquency shall be refunded if they were:

(1) Paid more than once; or

(2) Paid as a result of manifest error in description; or

(3) Paid as a result of a clerical error in extending the tax rolls; or

(4) Paid as a result of other clerical errors in listing property; or

(5) Paid with respect to improvements which did not exist on assessment date; or

(6) Paid under levies or statutes adjudicated to be illegal or unconstitutional; or

(7) Paid as a result of mistake, inadvertence, or lack of knowledge by any person exempted from paying real property taxes or a portion thereof pursuant to RCW 84.36.128: PROVIDED, That a claim for such refund is made on or before October [30] 31 of the year for which the taxes have been paid; or

(8) Overpaid as a result of mistake, inadvertence, or lack of knowledge by any person paying the same: PROVIDED, That a claim for such refund is made on or before October [30] 31 of the year for which the taxes have been overpaid; or

(9) Paid on the basis of an assessed valuation which was appealed to the state board of tax appeals and ordered reduced by the board: PROVIDED, That the amount refunded shall only be for the difference between the tax paid on the basis of the appealed valuation and the tax payable on the valuation adjusted in accordance with the board's order.

No refunds under the provisions of this section shall be made because of any error in determining the valuation of property, except as authorized in subsection (9).

NEW SECTION. Sec. 3. This 1970 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 3 of the title, after "84.36.128" and before the period insert "; amending section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020; and declaring an emergency"

Signed by Representatives Kiskaddon, Vice Chairman, Ackley, Bagnariol, Bluechel, Brown, Ceccarelli, Chapin, Charette, Grant, Haussler, Marzano, Murray, Scott, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 266, stipulating amount employers may withhold from wages, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 7, line 13, add a new section following section 10 as follows:

"Sec. 11. Section 13, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.130 are each amended to read as follows:

Service of the writ of garnishment is invalid unless there is served therewith (1) Four answer forms as provided in RCW 7.33.150 together with stamped envelopes addressed respectively to the clerk of the court issuing the writ, the attorney for the plaintiff (or to the plaintiff if he has no attorney), and the defendant; and (2) Cash, [a certified check] or a [cashier's] check made payable to the garnishee in the amount of ten dollars. The writ of garnishment may be served by the sheriff of the county in which the garnishee lives or it may be served by any citizen of the state of Washington over the age of twenty-one years and not a party to the action in which it is issued in the same manner as a summons in an action is served: PROVIDED, HOWEVER, That where the writ is directed to a bank, banking association, mutual savings bank or savings and loan association maintaining branch offices, as garnishee, the writ must be directed to and service thereof must be made by leaving a copy of the writ with the manager or any other officer or cashier or assistant cashier of such bank or association at the office or branch thereof at which the account evidencing such indebtedness of the defendant is carried or at the office or branch which has in its possession or under its control credits or other personal property belonging to the defendant. In every case where a writ of garnishment is served by an officer, such officer shall make his return thereon showing the time, place and manner of service and that the writ was accompanied by answer forms and addressed envelopes and cash or a check as required by this section, and noting thereon his fees for making such service and shall sign his name to such return. In case such service is made by any person other than an officer, such person shall attach to the original writ his affidavit showing his qualifications to make such service, and that the writ was accompanied by answer forms and addressed envelopes and cash deposit or a check as required by this section, and the time, place and manner of making service, and shall endorse thereon the legal fees therefor."

On page 1, line 3 of the title after "RCW 7.33.080;" and before "amending section 19," on line 4 insert "amending section 13, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.130;"

Signed by Representatives Clarke (George W.), Chairman, Hubbard, Vice Chairman, Ackley, Chapin, Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SUBSTITUTE SENATE BILL NO. 294, relating to cities operating under the optional municipal code, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert:

"Section 1. Section 35A.02.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.040 are each amended to read as follows:

When one or more ordinances are passed under RCW 35A.02.020 or RCW 35A.02.030, the clerk of the city or town shall forward to the secretary of state a certified copy of any such ordinance. Upon the filing in the office of the secretary of state of a certified copy of an ordinance adopting the classification of noncharter code city, such city or town shall thereafter be classified as a noncharter code city; except that if there is also filed with the secretary of state a certified copy of an ordinance providing for reorganization of the municipal government of such city or town, such reclassification and reorganization shall not be effective until the election and qualification under section 35A.02.050 as amended of the new officers under the plan of government so adopted.

Sec. 2. Section 35A.02.050, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.050 are each amended to read as follows:

The first election of officers under a plan of government adopted in the manner provided in RCW 35A.02.020 or 35A.02.030 shall be at the next general municipal election if one is to be held [within] *more than ninety days but not more than one hundred and eighty days* after certification of a reorganization ordinance or at a special election to be held for that purpose not less than ninety days nor more than one hundred and eighty days from the certification of such ordinance. *In the event that the first election of officers as*

herein provided is to be held at a general municipal election, such election shall be preceded by a primary election pursuant to RCW 29.13.070. In the event that the first election of officers as herein provided is to be held at a special election, and notwithstanding any provisions of any other law to the contrary, such special election shall be preceded by a primary election to be held not less than forty-five nor more than sixty days prior to the date of the special election: *PROVIDED*, That in the event the ordinances calling for reclassification or reclassification and reorganization under the provisions of Title 35A RCW have been filed with the secretary of state pursuant to RCW 35A.02.040 in an even numbered year at least ninety days prior to a state general election then the election of new officers shall be concurrent with the state primary and general election and shall be conducted as set forth in chapter 35A.29 RCW. Declarations of candidacy for any primary election held pursuant to this section shall be filed as provided in RCW 35A.29.110 as amended. The terms of the persons holding office at the time of such proceedings shall continue until the new officers are elected and qualified [;] as provided in this 1970 amendatory act, and the ordinances, bylaws and resolutions adopted under the former plan of government, where not in conflict with state law, shall continue in force until repealed or amended by the legislative body of the reorganized noncharter code city. The former officers shall, upon the election and qualification of new officers, deliver to the proper officers of the reorganized noncharter code city all books of record, documents and papers in their possession belonging to such municipal corporation before the reorganization thereof. Officers elected at the first election of officers held pursuant to this amendatory act shall assume office as soon as the election returns have been certified.

Sec. 3. Section 35A.12.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.040 are each amended to read as follows:

Officers shall be elected at biennial municipal elections to be conducted as provided in chapter 35A.29. The mayor and the councilmen shall be elected for four year terms and until their successors are elected and qualified; except that at the first election [the] three councilmen in cities having seven councilmen, and [the] two councilmen in cities having five councilmen, [who received the lesser number of votes at such election] shall be elected for two year terms and the remaining councilmen shall be elected for four year terms, and the mayor in office at the time of such election shall continue for another four year term coextensive with the terms for which councilmen elected for four years are elected and there shall be no election as to mayor. Thereafter the requisite number of councilmen shall be elected biennially as the terms of their predecessors expire and shall serve for terms of four years. [After the first election,] The positions to be filled on the city council shall be designated by consecutive numbers and shall be dealt with as separate offices for all election purposes, as provided in RCW 35A.29.105. At the first election in cities having seven councilmen, the candidates elected to positions one, two, and three shall serve for two year terms and the candidates elected to positions four, five, six and seven shall serve for four year terms; at the first election in cities having five councilmen, the candidates elected to positions one and two shall serve for two year terms and the candidates elected to positions three, four, and five shall serve for four year terms: *PROVIDED*, That in any city which holds its first election under this title in the calendar year 1970, candidates elected for two year terms shall hold office until their successors are elected and qualified at the general municipal election to be held in November, 1973 and candidates elected for four year terms shall hold office until their successors are elected and qualified at the general municipal election to be held in November, 1975. Election to positions on the council shall be by majority vote from the city at large, unless provision is made by charter or ordinance for election by wards. The city council shall be the judge of the qualifications of its members and determine contested elections of city officers, subject to review by certiorari as provided by law. The mayor and councilmen shall qualify by taking an oath or affirmation of office and as may be provided by law, charter, or ordinance.

Sec. 4. Section 35A.29.110, chapter 119, Laws of 1967 ex. sess. and RCW 35A.29.110 are each amended to read as follows:

A candidate for office in a code city shall file a declaration of candidacy substantially in the form set forth in RCW 29.18.030 insofar as such form is applicable to nonpartisan offices. Declarations of candidacy for offices of code cities to be voted upon at any municipal general election shall be filed with the city clerk or code city clerk [not more than sixty nor less than forty-five days prior to the date of the election] not earlier than the last Monday of July nor later than the next succeeding Friday in the year such general election is to be held: *PROVIDED*, That if the first election of officers under a plan of government adopted in the manner provided in sections 35A.02.020, 35A.02.030 or 35A.02.080 is a special election as provided in section 35A.02.050 as amended, such declarations of candidacy shall be filed with the city clerk not more than fifty nor less than forty-six days prior to the primary election provided for in RCW 35A.02.050 as amended. Any candidate may withdraw his declaration at any time but not later than five days [before] after the last day allowed for filing declarations of candidacy. Nominating petitions for charter commissioners and for any other office for which nominating petitions may be required shall be [governed by the provisions of this section as to the time for filing and withdrawal of such petitions] filed with the city clerk or code city clerk not more than sixty nor less than forty-six days prior to the date of the election, and may be withdrawn at any time but not later than five days before the last day allowed for filing such petitions.

Sec. 5. Section 35A.29.150, chapter 119, Laws of 1967 ex. sess. and RCW 35A.29.150 are each amended to read as follows:

Except as otherwise provided in this chapter, municipal elections in code cities *having seven or more councilmen* shall be conducted in accordance with the applicable provisions of Title 29 RCW relating to elections in [municipal corporations] *first, second and third class cities and the municipal elections in code cities having five councilmen shall be conducted in accordance with the applicable provisions of Title 29 RCW relating to elections in fourth class municipalities (towns).*

Sec. 6. Section 35.13.015, chapter 7, Laws of 1965 as last amended by section 7, chapter 73, Laws of 1967 and RCW 35.13.015 are each amended to read as follows:

In addition to the method prescribed by RCW 35.13.020 for the commencement of annexation proceedings, the legislative body of any city or town may, whenever it shall determine by resolution that the best interests and general welfare of such city or town would be served by the annexation of unincorporated territory contiguous to such city or town, file a certified copy of the resolution with the board of county commissioners of the county in which said territory is located. The resolution of the city or town initiating such election shall describe the boundaries of the area to be annexed, as nearly as may be stated the number of voters residing therein, pray for the calling of an election to be held among the qualified voters therein upon the question of annexation, and provide that said city or town will pay the cost of the annexation election. The resolution may require that there also be submitted to the electorate of the territory sought to be annexed a proposition that all property within the area annexed shall, upon annexation, be assessed and taxed at the same rate and on the same basis as the property of such annexing city or town is assessed and taxed to pay for any then outstanding indebtedness of the city or town to which said area is annexed, contracted prior to, or existing at, the date of annexation. Whenever a city or town has prepared and filed a comprehensive plan for the area to be annexed as provided for in RCW 35.13.177 and 35.13.178, the resolution initiating the election may also provide for the simultaneous adoption of the comprehensive plan upon approval of annexation by the electorate of the area to be annexed. The resolution initiating the election may also provide for the simultaneous creation of a community municipal corporation and election of community council members as provided for in RCW 35.14.010 through 35.14.060 upon approval of annexation by the electorate of the area to be annexed. *In cities under the optional municipal code the resolution initiating the election may also provide for the simultaneous inclusion of the annexed area into a named existing community municipal corporation. The proposition for the creation of a community municipal corporation may be submitted as part of the annexation proposition or may be submitted as a separate proposition. The proposition for inclusion within a named existing community municipal corporation shall be submitted as part of the annexation proposition.*

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Kopet, Chairman, Chapin, Vice Chairman, Adams, Bozarth, Brown, Haussler, Hoggins, Leckenby, McCaffree, May, Mentor, Merrill, North, Richardson, Scott, Shera, Shinpoch, Whetzel.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE BILL NO. 311, removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise funds for outdoor recreational areas and providing for a vote of the people, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Perry, Saling, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 5, 1970.

SENATE BILL NO. 315, permitting interest coupons to be used as an instrument of payment, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Saling, Savage, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 317, removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendment:

On line 19, page 1, of the engrossed bill, strike "*but not in excess of twelve percent per annum,*"

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Perry, Saling, Savage, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

ENGROSSED SENATE BILL NO. 318, removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people, reported by Committee on State Government and Legislative Procedures.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 of the engrossed bill, after the word "bear," strike "but not in excess of twelve percent per annum."

Signed by Representatives Swayze, Chairman, Bluechel, Vice Chairman, Conway, Cunningham, DeJarnatt, Grant, Perry, Saling, Savage, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 2, 1970.

SENATE BILL NO. 324, providing for retirement plans for state college employees, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 15, after "such" strike "other employees" and insert "of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 2, section 2, line 8, after "such" strike "other employees" and insert "of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 3, section 4, line 1, after "or" strike "such other employee" and insert "any of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 3, section 4, line 31, after "or" strike "such other employee" and insert "any of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

Signed by Representatives Lynch, Chairman, Adams, Amen, Anderson, Brouillet, Goldsworthy, King, Kiskaddon, Marsh, Mentor, Murray, Williams, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 4, 1970.

SENATE JOINT RESOLUTION NO. 6, deleting prohibition against lotteries, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Ceccarelli, Gallagher, Hatfield, Jastad, Kuehnl, Leland, Litchman, Perry, Wojahn.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

February 4, 1970.

Mr. Speaker: The President has signed:

HOUSE JOINT MEMORIAL NO. 2,

HOUSE JOINT MEMORIAL NO. 3,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 4, 1970.

Mr. Speaker: The Senate has passed:

HOUSE BILL NO. 34,

HOUSE BILL NO. 35,

HOUSE BILL NO. 36,

HOUSE BILL NO. 37,

HOUSE BILL NO. 38,

HOUSE BILL NO. 39,

HOUSE BILL NO. 40,

HOUSE BILL NO. 41,

ENGROSSED HOUSE BILL NO. 74,

SUBSTITUTE HOUSE BILL NO. 220,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 34,
 HOUSE BILL NO. 35,
 HOUSE BILL NO. 36,
 HOUSE BILL NO. 37,
 HOUSE BILL NO. 38,
 HOUSE BILL NO. 39,
 HOUSE BILL NO. 40,
 HOUSE BILL NO. 41,
 HOUSE BILL NO. 74,
 SUBSTITUTE HOUSE BILL NO. 220,
 SENATE BILL NO. 18,
 SENATE BILL NO. 288,
 SENATE JOINT MEMORIAL NO. 3.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

Mr. Marsh moved that the Committee on Rules and Administration be relieved of HOUSE BILL NO. 9 and that the bill be placed on today's second reading calendar.

Debate ensued, Representative Marsh speaking in favor of the motion and Representative Bledsoe speaking against it.

MOTION

On motion of Mr. Newhouse, the motion by Mr. Marsh was laid on the table.

SECOND READING

ENGROSSED SENATE BILL NO. 1, by Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington:

Creating a department of pollution control.

The House resumed consideration of Engrossed Senate Bill No. 1 on second reading.

The Speaker declared the question before the House to be the motion by Mr. Wolf to suspend the rules and advance Engrossed Senate Bill No. 1 as amended by the House to third reading and final passage.

The Speaker stated that Representative Thompson had spoken in favor of the motion, and Representative O'Brien had spoken against it. An electric roll call had been demanded.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 1 as amended by the House to third reading and final passage, and the motion was carried by the following vote: Yeas, 91; nays, 1; absent or not voting, 7.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representative Wojahn-1.

Absent or not voting: Representatives Bottiger, Chatalas, Hubbard, Leckenby, Litchman, McCaffree, Perry-7.

Representatives Flanagan, Thompson and Leland spoke in favor of passage of the bill, and Representative Moon spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 1 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 12; absent or not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Juelling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Marsh, Martinis, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker-81.

Voting nay: Representatives Bottiger, Bozarth, Chatalas, Gallagher, Jastad, Jolly, Kalich, Marzano, May, Moon, Thompson, Wojahn-12.

Absent or not voting: Representatives Ackley, Backstrom, Hubbard, Leckenby, Litchman, McCaffree-6.

Senate Bill No. 1 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

My negative vote on Engrossed Senate Bill No. 1 as amended by the House was cast in protest of the appeals procedure added to the committee amendment and to qualify as a member of a conference committee should one be required. ALAN THOMPSON, 18th District.

HOUSE BILL NO. 232, by Representative Murray:
Repealing B & O exemption as to financial institutions.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 232 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

HOUSE BILL NO. 271, by Representatives Sprague and Fleming:
Imposing an additional one cent per ounce tax upon liquor to be used for public assistance purposes.

MOTIONS

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 271 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

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

THIRD READING

ENGROSSED SENATE BILL NO. 52, by Senators Faulk, Elicker, Andersen, Peterson (Ted), Day and McCormack (by Executive request):

Creating a department of social and health services.

Engrossed Senate Bill No. 52 was read the third time and placed on final passage.

Debate ensued, Representative Lynch speaking in favor of passage of the bill, and Representative Conner speaking against it.

POINT OF INQUIRY

Mrs. Lynch yielded to question by Mr. Smythe.

Mr. Smythe: "There have been numerous concerns raised by the various agencies falling within this department. Their primary concern is if a particular budget of an agency is depleted, is there a possibility of the budgets of the other agencies being tapped and possibly influencing what happens to their remaining money? Would you care to comment on that?"

Mrs. Lynch: "Yes, Mr. Smythe. It is not the intent of this legislation that we would put one lump sum into the department and allow the secretary to decide how it is going to be spent. I am quite sure, as we put the budget together, it will be a lined item for each division. Realizing how much federal money is involved in this, I am quite sure the federal regulations would not permit us to do this anyway."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 52, and the bill passed the House by the following vote: Yeas, 79; nays, 15; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Jastad, Jueling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leland, Lynch, Marsh, Martinis, Marzano, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—79.

Voting nay: Representatives Beck, Bottiger, Bozarth, Brouillet, Conner, Gallagher, Grant, Hurley, Jolly, Mahaffey, May, Moon, Perry, Savage, Sawyer—15.

Absent or not voting: Representatives Hubbard, Kalich, Leckenby, Litchman, McCaffree—5.

Engrossed Senate Bill No. 52, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The Speaker (Mr. Newhouse presiding) called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Hubbard, Kalich, Leckenby, Litchman and Rosellini. Representatives Hubbard, Kalich, Leckenby and Litchman were excused.

The Speaker (Mr. Newhouse presiding) declared the House to be at ease.

The Speaker called the House to order.

MOTION

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

SECOND READING

HOUSE BILL NO. 271, by Representatives Sprague and Fleming:

Imposing an additional one cent per ounce tax upon liquor to be used for public assistance purposes.

MOTION

On motion of Mr. Bledsoe, HOUSE BILL NO. 271 was rereferred to the Committee on Rules and Administration.

SUBSTITUTE SENATE BILL NO. 161, by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution:

Providing for the licensing of the administrators of nursing homes.

Committee recommendation: Majority, do pass with the following amendments:

On page 3, section 6, line 18, after "receive" strike everything down to the period on line 20 and insert the following: "twenty-five dollars per diem for each day or major portion thereof actually spent on official business, plus travel expenses as provided in RCW 43.03.060"

On page 12, add a new section following section 18 as follows:

"NEW SECTION. Sec. 19. All fees or revenue collected in accordance with the provisions of this act shall be deposited in the state general fund."

Renumber all remaining sections consecutively.

The bill was read the second time.

On motion of Mr. Goldsworthy, the committee amendments were adopted.

Mr. Murray moved adoption of the following amendment:

On page 1, section 2, line 19, delete all of subsection (3) and insert:

"(3) 'Nursing home' shall mean any home, place, facility or institution which falls within the definition of nursing home as defined by state law. In addition, the definition of nursing home shall include those facilities which fall within the definition of equivalent facilities as provided by the secretary of the United States Department of Health, Education and Welfare, whether or not such facilities fall within the definition of state law."

Debate ensued, Representative Murray speaking in favor of adoption of the amendment, and Representatives Harris and Chatalas speaking against it.

POINT OF INQUIRY

Mr. Harris yielded to question by Mr. Bottiger.

Mr. Bottiger: "Representative Harris, we realize the lateness of the session and the possibility that amending a Senate bill might result in killing it. Are you satisfied that the definition of 'nursing home' in Substitute Senate Bill No. 161 is sufficient to meet the federal requirements?"

Mr. Harris: "Yes, in fact the entire nursing home industry as well as those who are vitally interested have had to contend with the federal guidelines, and they have come to the conclusion that this will meet the federal guidelines for matching money."

Further debate ensued, Representatives Murray and Farr speaking in favor of adoption of the amendment, and Representatives Harris, Hurley and Gladder speaking against the amendment.

POINT OF INQUIRY

Mr. Murray yielded to question by Mr. Barden.

Mr. Barden: "Representative Murray, as I read this amendment, it appears that the defeat of the amendment would accomplish the requirement that a licensed hospital doing business also as a nursing home would require a license as a nursing home. We all know of numerous businesses doing business within our state which require multiple licensing. If, as you indicated in your earlier testimony on this amendment, the standards imposed on hospitals are higher than those imposed on nursing homes, what then would be the harm in requiring a hospital acting in competition with a nursing home to obtain a license in order to do so?"

Mr. Murray: "Mr. Barden, I think I should point out that the proposed amendment would cover all those things that are now defined as nursing homes. There are some

hospitals operating nursing homes as separate physical units, in which case they are licensed as nursing homes and meet any requirements that would be currently in existence or might come into effect under this act. The area in dispute is about two hundred beds throughout the State of Washington that actually occupy the physical hospital facility. The question that comes up is whether the hospital administrator has to take orders, in effect, from the nursing home people, and how much authority the nursing home board would have on the administration of the entire hospital. Since this is a relatively insignificant number of beds as compared to the total number of nursing home beds, I am not debating the issue of whether they should or shouldn't have the authority, but at the present time I think this issue should not be involved in the definition here. So we have an issue that should be settled now, in the clearest possible form, and the issue of whether the definition of 'nursing home' should be changed in our state law should stand as a separate issue."

POINT OF INQUIRY

Mr. Murray yielded to question by Mr. Mentor.

Mr. Mentor: "Do you mean if there is a hospital that has three or four, or a half dozen beds, they might be required to hire a separate nursing home administrator to administer those beds?"

Mr. Murray: "Probably not, but that could possibly be an interpretation that would be put on it by the nursing home administration."

Representative Harris again spoke in opposition to the amendment.

Mrs. Hurley demanded an electric roll call and the demand was sustained.

Mr. Chatalas demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Murray to Substitute Senate Bill No. 161, and the amendment was lost by the following vote: Yeas, 19; nays, 73; absent or not voting, 7.

Voting yea: Representatives Ackley, Bluechel, Brown, Ceccarelli, Chapin, Curtis, Hoggins, Kirk, Lynch, Mahaffey, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Brien, Scott, Shera—19.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bottiger, Bozarth, Brouillet, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kiskaddon, Kopet, Kuehnle, Leland, Marsh, Martinis, Marzano, May, McCormick, Merrill, O'Dell, Pardini, Perry, Randall, Richardson, Saling, Savage, Sawyer, Schumaker, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—73.

Absent or not voting: Representatives Benitz, Farr, Hubbard, Leckenby, Litchman, McCaffree, Rosellini—7.

Mr. Murray moved adoption of the following amendment:

On page 2, section 4, line 16, strike all of section 4 and insert:

"NEW SECTION. Sec. 4. A state board of examiners for nursing home administrators is hereby created. Four of the board's seven members shall be persons whom the governor finds have had at least four years of actual experience in the administration or overall management of nursing homes in this state immediately prior to the governor's appointment of them to the board. Three members of the board shall be representatives from the healing arts professions; or persons engaged in health care administration education, or persons employed by educational institutions, whom the governor appoints because of their special knowledge or expertise in the field of long term care, or the care, of the aged and chronically ill. Board members selected who meet any of the preceding qualifications may also be nurses, physicians or other persons with special health care training. The governor shall consult with and seek the recommendations of the appropriate state-wide business and professions organizations and societies primarily concerned with long term health care facilities in the course of considering his appointments to the board."

Debate ensued, Representative Murray speaking in favor of adoption of the amendment, and Representative Harris speaking against it.

Representative Murray again spoke in favor of the amendment.
Mr. King demanded an electric roll call and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Murray to Substitute Senate Bill No. 161, and the amendment was lost by the following vote: Yeas, 17; nays, 75; absent or not voting, 7.

Voting yea: Representatives Ackley, Berentson, Bluechel, Brown, Chapin, Hoggins, Mentor, Moon, Murray, Newhouse, North, O'Brien, O'Dell, Scott, Whetzel, Zimmerman, Mr. Speaker—17.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Merrill, Morrison, Pardini, Perry, Randall, Richardson, Saling, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf—75.

Absent or not voting: Representatives Farr, Hubbard, Kuehnle, Leckenby, Litchman, McCaffree, Rosellini—7.

Mr. Farr moved adoption of the following amendment:
On page 3, section 6, line 19, after "plus traveling" strike ", hotel and meal"

POINT OF ORDER

Mr. Harris: "I do not know for sure, but I am inclined to think that this was taken care of by the Appropriations Committee amendment. It has already been covered."

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

POINT OF ORDER

Mrs. Hurley: "Mr. Speaker, we seem to be considering amendments and reading the last line. I, for one, don't have a copy of these amendments, and I can't find one any place on this side."

The Speaker: "The amendments were distributed earlier, Mrs. Hurley. We do have a floor amendment that, of course, you don't have."

Mr. Murray moved adoption of the following amendment:

On page 3, section 7, line 30, after "fee" and before "and" insert "and the one hundred dollar annual fee"

Debate ensued, Representative Murray speaking in favor of adoption of the amendment, and Representative Harris speaking against it.

Representative Murray again spoke in favor of adoption of the amendment.

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

Representative Harris again spoke against adoption of the amendment.

POINT OF INQUIRY

Mr. Harris yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Harris, is it your intent, and the intent of the friends of the bill, that in addition to the fifty dollar application fee there will also be due and payable a one hundred dollar annual fee?"

Mr. Harris: "I don't think they would have to pay the annual license fee until they passed the examination and qualified."

Further debate ensued, Representative Murray speaking in favor of adoption of the amendment, and Representative Harris speaking against it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Murray to Substitute Senate Bill No. 161, and the amendment was lost by the following vote: Yeas, 18; nays, 70; absent or not voting, 11.

Voting yea: Representatives Ackley, Benitz, Bluechel, Brown, Curtis, Hoggins, Mentor, Moon, Murray, North, O'Brien, O'Dell, Perry, Randall, Scott, Shera, Swayze, Whetzel—18.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bottiger, Bozarth, Brouillet, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Merrill, Morrison, Newhouse, Richardson, Saling, Savage, Sawyer, Schumaker, Shipoch, Smythe, Spanton, Sprague, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—70.

Absent or not voting: Representatives Backstrom, Ceccarelli, Chapin, Fleming, Hubbard, Leckenby, Litchman, McCaffree, Pardini, Rosellini, Zimmerman—11.

Mr. Murray moved adoption of the following amendment:

On page 11, section 16, line 11, delete all of section 16 and renumber the remaining sections consecutively.

Debate ensued, Representative Murray speaking in favor of adoption of the amendment, and Representative Harris speaking against it.

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

Representative Zimmerman spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Harris yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Harris, I think it might be helpful if you would explain for the benefit of the House how the public can determine as a result of this provision whether or not the statute is being fairly and conscientiously implemented."

Mr. Harris: "Just taking a practical look at it, it appears to me when you read it—and if you read it you will see it is pretty plain:

"... Information received by the director or board through investigations, complaints, studies or other proceedings or procedures authorized under this 1970 act shall not be disclosed to any public or private person or agency in any manner identifying individuals or nursing homes, . . ."

"It would seem to me that while you are making an investigation and handling these complaints that it ought to be confidential until you have actually determined whether or not a hearing is worthwhile. After that, of course, nothing is confidential."

Representative Chatalas spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Murray to Substitute House Bill No. 161, and the amendment was lost by the following vote: Yeas, 24; nays, 63; absent or not voting, 12.

Voting yea: Representatives Ackley, Barden, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Charette, Cunningham, Evans, Grant, Hoggins, Kuehnle, Mentor, Moon, Murray, O'Brien, Perry, Randall, Sawyer, Thompson, Whetzel, Williams, Zimmerman—24.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Beck, Benitz, Berentson, Bozarth, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Curtis, DeJarnatt, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick,

Merrill, Morrison, Newhouse, O'Dell, Richardson, Saling, Savage, Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Wojahn, Wolf, Mr. Speaker—63.

Absent or not voting: Representatives Ceccarelli, Chapin, Copeland, Fleming, Hubbard, Leckenby, Litchman, McCaffree, North, Pardini, Rosellini, Shinpoch—12.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 161 as amended by the House was placed on final passage.

Representatives Harris and Murray spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 161 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 3; absent or not voting, 8.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Perry, Randall, Richardson, Saling, Savage, Sawyer, Schumakei, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—88.

Voting nay: Representatives Ackley, Amen, Grant—3.

Absent or not voting: Representatives Fleming, Hubbard, Leckenby, Litchman, McCaffree, Pardini, Rosellini, Shinpoch—8.

Substitute Senate Bill No. 161 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Newhouse, the House recessed until 3:30 p.m.

SECOND AFTERNOON SESSION

The Speaker called the House to order at 3:30 p.m.

The Clerk called the roll and all members were present except Representatives Harris, Hubbard, Kalich, Litchman and Marzano who were excused.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Harris, Hubbard, Litchman, Marzano, McCaffree and Smythe.

On motion of Mr. Bledsoe, the absent members were excused and the House proceeded with business under the Call of the House.

SECOND READING

HOUSE BILL NO. 33, by Representatives Goldsworthy and Saling (by Executive request):

Making appropriations.

MOTION

On motion of Mr. Wolf, Substitute House Bill No. 33 was substituted for House Bill No. 33 and the substitute bill was placed on the calendar for second reading. Substitute House Bill No. 33 was read the second time.

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

On page 2, section 1, line 29, insert the following:

"DEPARTMENT OF INDUSTRIAL INSURANCE

**General Fund—To carry out
the provisions of chapter**

—, (SB No. 11), Laws of

1970 1st ex. sess. \$1,750,000"

Debate ensued, Representative Grant speaking in favor of adoption of the amendment, and Representative Morrison speaking against it.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Grant and DeJarnatt to page 2, line 29, Substitute House Bill No. 33, and the amendment was lost by the following vote: Yeas, 42; nays, 51; excused, 6.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Fleming, Gallagher, Grant, Haussler, Hurley, Jastad, Jolly, Kalich, King, Kink, Leckenby, Marsh, Martinis, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Sprague, Thompson, Williams, Wojahn—42.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Hatfield, Hawley, Hoggins, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—51.

Excused: Representatives Harris, Hubbard, Litchman, Marzano, McCaffree, Smythe—6.

Mr. Charette moved adoption of the following amendment:

On page 3, section 1, line 32, after the colon insert: "PROVIDED FURTHER, That no departmental stipend program or grant shall exceed expenditures in an amount greater than that paid to any individual recipient receiving the largest payment or grant given by the department unless approved by a majority of the members of the Legislative Budget Committee:"

Debate ensued, Representative Charette speaking in favor of adoption of the amendment, and Representative Copeland speaking against it.

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

Further debate ensued, Representative Bottiger speaking in favor of adoption of the amendment, and Representatives Bledsoe, Saling and Lynch speaking against its adoption.

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

POINT OF ORDER

Mr. Charette: "Mr. Speaker, as proposer of the amendment, do I get to close the debate?"

The Speaker: "Mr. Charette, our rules provide that the sponsor of a bill can close debate. We have been a little lenient when we had more time, and I have allowed the proposers of amendments to make closing remarks. If you feel a real burning desire to kick this one again, I will give you the opportunity."

Representative Charette closed debate, speaking in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Charette to page 3, line 32, Substitute House Bill No. 33, and the amendment was lost by the following vote: Yeas, 41; nays, 52; excused, 6.

Voting yea: Representatives Ackley, Adams, Anderson, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Fleming, Gallagher, Grant, Haussler, Hurley, Jastad, Jolly, Kalich, King, Kink, Leckenby, Marsh, Martinis, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Sprague, Thompson, Williams, Wojahn-41.

Voting nay: Representatives Amen, Backstrom, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Hatfield, Hawley, Hoggins, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker-52.

Excused: Representatives Harris, Hubbard, Litchman, Marzano, McCaffree, Smythe-6.

Mr. Sprague moved adoption of the following amendment by Representatives Sprague and Fleming:

On page 3, section 1, beginning on line 29, strike everything after "Appropriation:" down through "\$14,560,000.00" on page 4, line 5, and insert "\$29,028,747.00"

Debate ensued, Representative Sprague speaking in favor of adoption of the amendment, and Representative Shera speaking against it.

Representatives Smythe and Litchman appeared at the bar of the House.

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

Further debate ensued, Representatives Fleming and King speaking in favor of adoption of the amendment, and Representative Bledsoe speaking against it.

Representative Fleming again spoke in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Sprague and Fleming to page 3, line 29, Substitute House Bill No. 33, and the amendment was lost by the following vote: Yeas, 42; nays, 53; excused, 4.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Farr, Fleming, Gallagher, Grant, Haussler, Jastad, Jolly, Kalich, King, Kink, Leckenby, Litchman, Marsh, Martinis, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Sprague, Thompson, Williams, Wojahn-42.

Voting nay: Representatives Amen, Backstrom, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Flanagan, Gladder, Goldsworthy, Hatfield, Hawley, Hoggins, Hurley, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, May, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker-53.

Excused: Representatives Harris, Hubbard, Marzano, McCaffree-4.

Mr. Sprague moved adoption of the following amendment by Representatives Sprague and Fleming:

On page 4, section 1, following line 5, add " PROVIDED, HOWEVER, That the Department of Public Assistance is hereafter precluded from instituting ratable reductions in grants to recipients of public assistance."

Representative Sprague spoke in favor of adoption of the amendment.

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

Representative Fleming spoke in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Sprague and Fleming to page 4, line 5, Substitute House Bill No. 33, and the amendment was lost by the following vote: Yeas, 43; nays, 52; excused, 4.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Fleming, Gallagher, Grant, Haussler, Hurley, Jastad, Jolly, Kalich, King, Kink, Leckenby, Litchman, Marsh, Martinis, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Sprague, Thompson, Williams, Wojahn—43.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Hatfield, Hawley, Hoggins, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—52.

Excused: Representatives Harris, Hubbard, Marzano, McCaffree—4.

Mrs. Hurley moved adoption of the following amendment:

On page 4, section 1, line 5, after "July 1, 1970" insert: "PROVIDED, FURTHER, That no public assistance funds herein appropriated shall be used for the purpose of terminating a pregnancy except in cases of extreme medical necessity"

Debate ensued, Representative Hurley speaking in favor of adoption of the amendment, and Representatives Copeland and Fleming speaking against it.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mrs. Hurley to page 4, line 5, Substitute House Bill No. 33, and the amendment was lost by the following vote: Yeas, 18; nays, 77; excused, 4.

Voting yea: Representatives Bagnariol, Beck, Benitz, Bozarth, Ceccarelli, Chatalas, Gallagher, Grant, Hurley, Jolly, Kink, Marsh, Martinis, May, McCormick, Merrill, O'Brien, Shinpoch—18.

Voting nay: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Barden, Berentson, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Jastad, Jueling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—77.

Excused: Representatives Harris, Hubbard, Marzano, McCaffree—4.

Mr. Copeland moved adoption of the following amendment:

On page 4, section 1, line 28, after "eligibility" and before "\$200,000.00" insert the following: "AND PROVIDED, FURTHER, That the Legislative Budget Committee shall review and make findings of fact respecting the stipend and sabbatical leave programs as those programs pertain to employees of the State of Washington and to employees of the State's institutions of higher education, and shall report on the results of that study together with its recommendations to the next regular session of the Legislature for its consideration."

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

The amendment by Mr. Copeland to page 4, line 28, Substitute House Bill No. 33, was adopted.

The Clerk read the following amendment by Representatives Sprague and Fleming:

On page 4, section 1, delete lines 19 through 28

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

Mr. Chapin moved adoption of the following amendment:

On page 16, section 5, line 18, after "tion" and before "is" insert: "subject to the approval of the Legislative Budget Committee and the Legislative Council"

Representative Chapin spoke in favor of adoption of the amendment.

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

Debate ensued, Representative Goldsworthy speaking in favor of adoption of the amendment, and Representatives Brouillet, Saling and Fleming speaking against it.

POINT OF INQUIRY

Mr. Saling yielded to question by Mr. Wolf.

Mr. Wolf: "Mr. Saling, one of the large concerns is that the Superintendent of Public Instruction might drop the \$371 per student to a low enough figure so that he would have a \$6 million surplus. I'd like your comment on whether that might happen."

Mr. Saling: "That certainly is legal, but I don't think the Superintendent of Public Instruction would dare drop that \$371 from all of the rest of the school districts just to have some money available to put this into effect. I think he would be tarred and feathered."

Representatives Wolf and Chatalas spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Chapin to page 16, line 18, Substitute House Bill No. 33, and the amendment was lost by the following vote: Yeas, 33; nays, 62; excused, 4.

Voting yea: Representatives Amen, Beck, Benitz, Bottiger, Chapin, Clark (Newman H.), Clarke (George W.), Copeland, Curtis, Gladder, Goldsworthy, Hatfield, Hawley, Jastad, Julin, Kopet, Kuehnle, Leland, Martinis, Morrison, Newhouse, North, O'Dell, Pardini, Richardson, SHERA, Smythe, Spanton, Swayze, Wanamaker, Whetzel, Zimmerman, Mr. Speaker—33.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Barden, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Conner, Conway, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Grant, Haussler, Hoggins, Hurley, Jolly, Juelling, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Litchman, Lynch, Mahaffey, Marsh, May, McCormick, Mentor, Merrill, Moon, Murray, O'Brien, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shinpoch, Sprague, Thompson, Veroske, Williams, Wojahn, Wolf—62.

Excused: Representatives Harris, Hubbard, Marzano, McCaffree—4.

On motion of Mr. Hoggins, the following amendment by Representatives Hoggins and Brouillet was adopted:

On page 16, section 5, line 18, after "expend" and before "from" insert "funds anticipated to be remaining"

Mr. Clarke (George W.) moved adoption of the following amendment by Representatives Clarke and Chapin:

On page 16, line 32, after section 5, add a new section 6 as follows:

"NEW SECTION. Sec. 6. There is hereby appropriated from the general fund, to the state treasurer, the sum of three hundred thousand dollars for distribution to cities and towns as follows: Upon reports being made at the close of each quarter of the fiscal year 1970-1971 by the director of revenue to the state treasurer certifying the amount of tax collected in that quarter on behalf of each city or town which has imposed a tax to the full extent authorized by chapter —, Laws of 1970, 41st Legislature, 2nd ex. sess. (HB No. 21), the state treasurer shall compute the amount which would have accrued to each such city and town from the ten million dollars conditionally appropriated to cities and towns for the fiscal year 1970-1971 under the provisions of section 3, chapter 282, Laws of 1969 ex. sess. had such section remained in effect for the fiscal year 1970-1971, and if the amount reported for such quarter under this section shall be less than the amount which would have accrued to such city or town for such quarter under section 3, chapter 282, Laws of 1969 ex. sess., the treasurer shall within thirty days following the submittal of such report pay to each such city or town the difference between the two such amounts by warrant drawn upon the appropriation made by this section."

Remember the remaining sections consecutively.

Representative Clarke (George W.) spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Clarke (George W.) yielded to question by Mr. Farr.

Mr. Farr: "Representative Clarke, for my information could you state which cities in the State of Washington this would benefit?"

Mr. Clarke: "Representative Farr, I do not have a list of the exact number of cities and towns. My information is that there are about twenty, and they are those that constitute primarily bedroom communities so that when they impose the sales tax they will receive substantially no benefit whatsoever therefrom. This, in effect, simply says that they are guaranteed the deficiency that would thus accrue in view of the fact that they would not be receiving their share of the \$10 million. I do not know the exact number of cities and towns. But I do know, as was stated at the time the amount was put in with respect to House Bill No. 21, that the total fiscal impact is estimated not to be in excess of \$300,000, and if it is less than that, of course, the amount will revert."

Mr. Farr: "I don't think, sir, you have answered the question. Could you give an example of two or three of the cities in the state that you know of that would be benefited?"

Mr. Clarke: "Mountlake Terrace, I am informed, is one; Mercer Island is one; Edmonds is another. I am being furnished these names by the various representatives who have the towns in their districts, and I personally do not have such a list."

POINT OF INQUIRY

Mr. Chapin yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Chapin, I think I understand. Is this the same problem we discussed, when you proposed an amendment to House Bill No. 21, where we are trying to implement the sales tax to help those small bedroom communities with no retail establishments to speak of through their present fiscal problem?"

Mr. Chapin: "That is exactly correct, Mr. Bottiger. You will recall that this House inserted in House Bill No. 21 a provision that provided, in essence, that House Bill No. 21, the authorization for the sales tax, would not be effective until the legislature appropriated the money this measure provides in this amendment. So this is a necessity in order to make House Bill No. 21 work."

Representative Goldsworthy stated the amendment was not necessary, but he would not oppose it.

POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Beck.

Mr. Beck: "Mr. Goldsworthy, what is the fiscal impact of this amendment?"

Mr. Goldsworthy: "Three hundred thousand dollars."

POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Clarke (George W.).

Mr. Clarke (George W.): "If this does not go in this bill, where then does the money come from in order to implement House Bill No. 21?"

Mr. Goldsworthy: "Representative Clarke, the House bill is over in the Senate. If the Senate passes the bill, they will have the supplemental budget. They can either put it in there or if we have it back in the conference committee, it goes in there. It has obviously got to be funded, and it depends on what the Senate does whether we need the money or not. I would say that the money would have to go in over in the Senate if the Senate passes the bill."

Mr. Clarke: "Continuing, if this is true and if the money is appropriated and House Bill No. 21 isn't passed, the appropriation falls of its own weight anyway so we have not done an idle act. We have merely made it certain that if the Senate does not do what it is supposed to do that we do not jeopardize House Bill No. 21."

Further debate ensued, Representatives Bottiger and Haussler speaking in favor of adoption of the amendment, and Representative Farr speaking against it.

The amendment by Representatives Clarke (George W.) and Chapin to Substitute House Bill No. 33 was adopted on a rising vote.

Substitute House Bill No. 33 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 33 was placed on final passage.

Debate ensued, Representative Goldsworthy speaking in favor of passage of the bill, and Representative O'Brien speaking against it.

Representative McCaffree appeared at the Bar of the House.

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

POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Bledsoe, this morning you moved to put back into the Rules Committee the proposed tax on liquor. In order to vote on this bill, I'd like to have some idea why we are not considering that as a possible source of revenue."

Mr. Bledsoe: "The balance of this measure, considering the revenue and appropriations picture, necessitates about \$5.5 million in new money to balance it. Immediately following the successful outcome of this vote which we are about to take, where I am sure we will find you responsible Democrats joining us in sufficient number to pass this measure today, it is my proposal to rise and, if I can catch the Speaker's eagle eye, be recognized to make a motion to bring House Bill No. 232 to the top of today's second reading calendar. At this point you great defenders of the rights of those who need assistance from the state will find an opportunity to join us as we fund the programs which you have been suggesting all afternoon that we need."

Representatives Moon, Sawyer, Wojahn, Fleming and Savage spoke against passage of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 33, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 50; excused, 3.

Voting yea: Representatives Amen, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Goldsworthy, Hatfield, Hawley, Hoggins, Julin, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Saling, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Whetzel, Zimmerman, Mr. Speaker—46.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Barden, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Fleming, Gallagher, Gladder, Grant, Haussler, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kink, Kuehnle, Litchman, Mahaffey, Marsh, Martinis, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Shipoch, Spanton, Sprague, Thompson, Williams, Wojahn, Wolf—50.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed Substitute House Bill No. 33, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Wolf served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed Substitute House Bill No. 33 failed to pass the House.

HOUSE BILL NO. 60, by Representatives McCaffree and Kiskaddon:
Relating to revenue and taxation.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 60 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

POINT OF INFORMATION

Mr. Bledsoe: "Mr. Speaker, explanatory remarks before I make the next motion and subsequent to the previous motion: We are informed by our colleagues in the Senate that they intend to enter an appropriate amendment in the cut-off resolution which will allow matters dealing with appropriations and revenue to remain alive before us. For reasons of priority, we are proposing to move down in one single motion House Bill No. 62, House Bill No. 273 and House Bill No. 253 to the bottom of today's second reading calendar."

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 62, House Bill No. 273, and House Bill No. 253, and the bills were ordered placed at the end of today's second reading calendar.

HOUSE BILL NO. 127, by Representatives Clark (Newman H.), Wojahn and Hurley: Providing minimum pension for certain pensioners under supreme court judges' retirement act.

Committee recommendation: Majority, do pass with the following amendments: (For Committee Amendments see Journal of January 30, 1970, Nineteenth Day.)

The bill was read the second time.

On motion of Mr. Goldsworthy, the committee amendments were adopted.

House Bill No. 27 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 127 was placed on final passage.

Representative Clark (Newman H.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 127, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representatives Gladder, Kuehnle—2.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed House Bill No. 127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 15, by Senator Walgren:

Shortening from one year to six months residency requirement to file divorce complaint.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 15 was placed on final passage.

Debate ensued, Representatives Clarke (George W.) and Bottiger speaking in favor of passage of the bill, and Representative Charette speaking against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 15, and the bill failed to pass the House by the following vote: Yeas, 39; nays, 57; excused, 3.

Voting yea: Representatives Ackley, Adams, Backstrom, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Copeland, Gallagher, Hoggins, Juelling, Julin, King, Kiskaddon, Leckenby, Litchman, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, Perry, Randall, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Spanton, Swayze, Whetzel, Williams, Wojahn, Wolf, Mr. Speaker—39.

Voting nay: Representatives Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Conway, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hurley, Jastad, Jolly, Kalich, Kink, Kirk, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Marsh, Martinis, May, McCormick, Merrill, O'Brien, O'Dell, Pardini, Richardson, Rosellini, Saling, Smythe, Sprague, Thompson, Veroske, Wanamaker, Zimmerman—57.

Excused: Representatives Harris, Hubbard, Marzano—3.

Senate Bill No. 15, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Bottiger served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Senate Bill No. 15 failed to pass the House.

SENATE BILL NO. 126, by Senators Peterson (Ted), Talley, Stender and Francis:

Relating to regulation of elevators, other lifting devices and moving walks.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 126 was placed on final passage.

Representative Morrison spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 126, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Excused: Representatives Harris, Hubbard, Marzano—3.

Senate Bill No. 126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 277, by Senators Walgren and Twigg:
Regulating mobile homes, commercial coaches and/or recreational units.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 277 was placed on final passage.

Representative Spanton spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 277, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed Senate Bill No. 277, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 28, by Committee on Natural Resources, Fisheries and Game:

Increasing hunting and fishing fees.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of Substitute Senate Bill No. 28 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

SENATE BILL NO. 23, by Senator McCormack:

Requiring necessary braking equipment on motor vehicles and trailers when sold.

MOTION

On motion of Mr. Leland, SENATE BILL NO. 23 was rereferred to the Committee on Transportation.

SENATE BILL NO. 243, by Senators Elicker, Wilson and Faulk (by Department of Health request):

Increasing fees for certified copies of vital statistics records.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 243 was placed on final passage.

Representative Farr spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 243, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden,

Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnie, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Ackley, Conner, Shipoch—3.

Excused: Representatives Harris, Hubbard, Marzano—3.

Senate Bill No. 243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SUBSTITUTE SENATE BILL NO. 226, by Committee on Highways:
Assigning state route numbers to state highways.

MOTION

On motion of Mr. Newhouse, the House deferred consideration of Substitute Senate Bill No. 226, and the bill was ordered placed at the end of today's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 146, by Committee on State Government:

Authorizing interest rates on public bonds and warrants to be determined by the issuing authority.

Committee recommendation: Majority, do pass with the following amendments:

(For Committee Amendments see Journal of February 4, 1970, Twenty-Fourth Day.)

The bill was read the second time.

On motion of Mr. Swayze, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 146 as amended by the House was placed on final passage.

Debate ensued, Representative Swayze speaking in favor of passage of the bill, and Representative Mentor speaking against it.

POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Swayze, to the best of your knowledge, in this long bill is there anything to preclude being able to sell a bond at a discount in order to effect this interest rate?"

Mr. Swayze: "Not that I know of, Mr. Pardini, but I am admittedly not an expert in this financial and investment field."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 146 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 13; excused, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Gladder, Goldsworthy, Grant,

Hatfield, Haussler, Hawley, Hurley, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Zimmerman, Mr. Speaker—83.

Voting nay: Representatives Ackley, Bottiger, Brouillet, Flanagan, Gallagher, Hoggins, Jastad, Mentor, Moon, Sawyer, Williams, Wojahn, Wolf—13.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed Substitute Senate Bill No. 146 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 67, by Senators Holman, Francis and Andersen (by Judicial Council request):

Providing for the election of the court of appeals judge by position number.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 67 was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 67, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Excused: Representatives Harris, Hubbard, Marzano—3.

Senate Bill No. 67, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 232, by Representative Murray:

Repealing B & O exemption as to financial institutions.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 232 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

ENGROSSED SENATE BILL NO. 2, by Senators Durkan and Greive:

Expediting environmental pollution cases in the courts.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 1, line 5, after "court shall" strike the remainder of the section and insert the following: "*be heard by the appropriate appellate court as soon as possible. Such appeal shall be considered a case involving issues of broad public import requiring prompt and ultimate determination.*"

On page 2, section 2, line 18, after "court shall" strike the remainder of the section and insert the following: "*be heard by the appropriate appellate court as soon as possible.*"

Such appeal shall be considered a case involving issues of broad public import requiring prompt and ultimate determination."

The bill was read the second time.

On motion of Mr. Clarke (George W.), the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2 as amended by the House was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shimpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed Senate Bill No. 2 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 27, by Senators Francis, Durkan and Greive:

Relating to the age of majority.

The bill was read the second time.

Mr. Bottiger moved adoption of the following amendment:

On page 2, section 1, line 1, strike everything down to and including line 12

Representative Bottiger spoke in favor of adoption of the amendment.

POINT OF ORDER

Mr. Newhouse: "Point of order, Mr. Speaker. I believe Mr. Bottiger is in error. There is an engrossed bill, Mr. Bottiger. We should put this in the correct section of the engrossed bill."

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

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 27 was placed on final passage.

Representative Swayze spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 27, and the bill passed the House by the following vote: Yeas, 76; nays, 20; excused, 3.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Grant, Hatfield, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet,

Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, O'Brien, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Zimmerman, Mr. Speaker—76.

Voting nay: Representatives Amen, Barden, Bottiger, Conner, Curtis, Gladder, Goldsworthy, Haussler, Hawley, Kuehne, Mahaffey, May, McCormick, North, O'Dell, Pardini, Richardson, Spanton, Veroske, Wolf—20.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed Senate Bill No. 27, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 40, by Senators Mardesich, Foley, Atwood and Newschwander (by Legislative Budget Committee request):

Pertaining to indebtedness limitations of taxing districts.

Committee recommendation: Majority, do pass with the following amendment:

On page 11, section 13, line 33 of the printed and engrossed bills, before "percent" strike "[five] two and one-half" and insert "five"

The bill was read the second time.

On motion of Mr. Kopet, the committee amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 40 as amended by the House was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 40 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed Senate Bill No. 40 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 49, by Senators Canfield, Sandison, Pritchard, Andersen, Holman, McCormack, Peterson (Ted), Talley, Ridder, Peterson (Lowell) and Greive (by Executive request):

Providing for the location and regulation of thermal power facilities.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendment see Reports of Standing Committees, today's Journal.)

The bill was read the second time.

Mr. Swayze moved adoption of the committee amendment.

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

Amend the amendment by the Committee on State Government and Legislative

Procedures as follows: On page 5, section 4, line 14, after the semicolon insert "(d) complete statements by members opposed to that particular site;"

Debate ensued, Representative Conner speaking in favor of adoption of the amendment to the committee amendment, and Representatives Swayze and Jolly speaking against it.

The amendment by Mr. Conner to the committee amendment was not adopted.

Mr. Jolly moved adoption of the following amendment by Representatives Jolly and Evans:

Amend the amendment by the Committee on State Government and Legislative Procedures as follows: On page 6, section 6, line 3, after "presently" and before "under" insert "operating, or"

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

The amendment by Representatives Jolly and Evans to the committee amendment to Engrossed Senate Bill No. 49 was adopted.

Mr. Conner moved adoption of the following amendment:

Amend the amendment by the Committee on State Government and Legislative Procedures as follows: On page 6, section 6, line 7, after the period insert "No application shall be considered as complete or recommended for approval until all data has been submitted to the council."

Debate ensued, Representative Conner speaking in favor of adoption of the amendment, and Representative Morrison speaking against it.

The amendment by Mr. Conner to the committee amendment to Engrossed Senate Bill No. 49 was not adopted.

The Clerk read the following amendment by Mr. Conner:

Amend the amendment by the Committee on State Government and Legislative Procedures as follows: On page 6, section 7, line 26, after the period following "council" insert "No application shall be allowed to proceed until complete data has been submitted."

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

Mr. Morrison moved adoption of the following amendment:

Amend the amendment by the Committee on State Government and Legislative Procedures as follows: On page 10, section 17, lines 4 and 5, after "invalid," on line 4 strike "with the exception of sections 11 and 12 of this act,"

Debate ensued, Representative Morrison speaking in favor of adoption of the amendment, and Representatives Perry and Jolly speaking against it.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Morrison to the committee amendment to Engrossed Senate Bill No. 49, and the amendment was lost by the following vote: Yeas, 16; nays, 80; excused, 3.

Voting yea: Representatives Ackley, Benitz, Berentson, Chapin, Clarke (George W.), DeJarnatt, Evans, Morrison, Murray, Newhouse, North, Savage, Smythe, Thompson, Whtzel, Mr. Speaker—16.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, Curtis, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Sawyer, Schumaker, Scott, Shera, Shinpoch, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—80.

Excused: Representatives Harris, Hubbard, Marzano—3.

Mr. Conner moved adoption of the following amendment:

Amend the amendment by the Committee on State Government and Legislative Procedures as follows: On page 10, line 14, following section 19 insert:

"NEW SECTION. Sec. 20. Nothing in this act shall be construed to grant any rights of any nature in any public or private lands."

Debate ensued, Representative Conner speaking in favor of adoption of the amendment, and Representative Swayze speaking against it.

The amendment by Mr. Conner to the committee amendment to Engrossed Senate Bill No. 49 was not adopted.

The Speaker declared the question before the House to be the adoption of the committee amendment to Engrossed Senate Bill No. 49 as amended by Representatives Jolly and Evans.

The committee amendment as amended was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 49 as amended by the House was placed on final passage.

Representative Morrison spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. Wolf.

Mr. Wolf: "Mr. Swayze, I note that in new section 6, line 2, this act will apply only to new facilities placed in construction after the effective date of this act. In noting the definition of construction under section 2, subsection (12), on page 3, such condition is also dependent on the amount of funds which have been expended for on-site construction. It is my understanding that this wording clearly exempts the present large thermal plant near Centralia which is now well under construction and which would be irreparably jeopardized if it is not allowed to proceed under present statutes. Is this correct?"

Mr. Swayze: "Yes, Representative Wolf, that is correct. This was a committee amendment to make sure that there was no intent in this act that any thermal power plant now in the construction stage, and in which \$250,000 or more had been spent, would now have to go back and get approval for site location. This specifically referred to the Centralia site. By floor amendment here, we also added two more words which referred to operating facilities to take care of the Hanford plant."

Representative Savage spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Leland.

Mr. Leland: "Representative Morrison, a good many of us have not had an opportunity to get very well acquainted in this field. Could you tell the rest of the members, and myself, what the average size in acres would be of the average site with and without whatever kind of bumper zone is required, if such is required?"

Mr. Morrison: "Representative Leland, I'm sorry I can't give you that specific figure. We have considered sites that we have seen from hundreds of acres down to areas as small as twenty acres in size."

Mr. Leland: "I think that is what I have in mind. What is the smallest size possible, not necessarily the largest?"

Mr. Morrison: "I'm sorry, that is a federal regulation put out by the Atomic Energy Commission. We have not really concerned ourselves too much with that because they are calling the shots as far as safety is concerned. Their regulations have been shown through the years to be overly safe—in fact, a complete safety factor times ten. I think the size of the site is dependent on the remoteness of the area. If it is near populated areas, of course, it is a much larger site which is considerably restricted. I'm sorry I can't give you a definite answer. I'm sure they are not going to build one in your backyard though, Mr. Leland."

Representative Evans spoke in favor of passage of the bill.

Mr. Kink demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 49 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Mr. Speaker—93.

Voting nay: Representatives Conner, Morrison, Zimmerman—3.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed Senate Bill No. 49 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

Regarding the final vote on Engrossed Senate Bill No. 49 as amended by the House, I voted "no" on this excellent bill in case the bill went to conference. I am a friend of the bill and would want to see its original intent maintained. HAROLD S. ZIMMERMAN, 17th District.

ENGROSSED SUBSTITUTE SENATE BILL NO. 55, by Committee on Labor and Social Security:

Providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe.

Committee recommendation: Majority, do pass with the following amendments:

(For Committee Amendments see Reports of Standing Committees, today's Journal.)

The bill was read the second time.

On motion of Mr. Kopet, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 55 as amended by the House was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 55 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Voting nay: Representative Mentor—1.

Excused: Representatives Harris, Hubbard, Marzano—3.

Engrossed Substitute Senate Bill No. 55 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I wish the House Journal to show the reason for my nay vote on Engrossed Substitute Senate Bill No. 55 as amended by the House. I voted nay on final passage in order to be considered for a conference committee. I favor the enactment of this legislation. JOE MENTOR, 10th District.

MOTIONS

On motion of Mr. Newhouse, the House dispensed with further business under the Call of the House.

On motion of Mr. Newhouse, the House advanced to the twelfth order of business.

PERSONAL PRIVILEGE

Mr. O'Brien: "Mr. Speaker, members of the House of Representatives: Dr. Karl Menninger is going to be here tomorrow morning. He is an outstanding authority in the field of mental health. We would like to have you all present as he has come a long way. Mr. Leckenby has gone to great effort to bring him here, and we would certainly like to have you attend if at all possible. The hearing will be in the House chamber tomorrow morning at 9:30."

MOTION

On motion of Mr. Newhouse, the House adjourned until 10:30 a.m., Friday, February 6, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWENTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 6, 1970.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ackley, Harris and Veroske who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Mr. Pat Terry from Wenatchee, Chaplain for the Washington State Junior Chamber of Commerce.

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

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery a group from the Yakima Indian Christian Mission at Wapato and asked them to stand and be recognized.

The Speaker observed in the south gallery the Honor Society from North Mason High School and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Rochester Junior High School and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Mountain View School in Lacey and asked them to stand and be recognized.

MESSAGES FROM THE SENATE

February 5, 1970.

Mr. Speaker: The Senate has passed:
 HOUSE BILL NO. 42,
 ENGROSSED HOUSE BILL NO. 46,
 HOUSE BILL NO. 63,
 HOUSE BILL NO. 66,
 HOUSE BILL NO. 126,
 ENGROSSED HOUSE BILL NO. 293,
 and the same are herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 5, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE JOINT RESOLUTION NO. 6, and the same is herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 5, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 107 and has passed the bill as amended by the House.
 JERRY HAGAN, Assistant Secretary.

February 5, 1970.

Mr. Speaker: The Senate has concurred in the House amendment to SENATE BILL NO. 275 and has passed the bill as amended by the House.
 SIDNEY R. SNYDER, Secretary.

February 5, 1970.

Mr. Speaker: The President has signed SENATE BILL NO. 52, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 5, 1970.

Mr. Speaker: The President has signed:

SENATE BILL NO. 68,
 SENATE BILL NO. 121,
 SENATE BILL NO. 204,
 SENATE BILL NO. 228,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 5, 1970.

Mr. Speaker: The President has signed SENATE BILL NO. 275, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 5, 1970.

Mr. Speaker: The President has signed:

HOUSE BILL NO. 34,
 HOUSE BILL NO. 35,
 HOUSE BILL NO. 36,
 HOUSE BILL NO. 37,
 HOUSE BILL NO. 38,
 HOUSE BILL NO. 39,
 HOUSE BILL NO. 40,
 HOUSE BILL NO. 41,
 ENGROSSED HOUSE BILL NO. 74,
 SUBSTITUTE HOUSE BILL NO. 220,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

RESOLUTIONS

On motion of Mr. Goldsworthy, Substitute House Resolution No. 70-17 was substituted for House Resolution No. 70-17.

SUBSTITUTE HOUSE RESOLUTION NO. 70-17, by Committee on Appropriations:

WHEREAS, Considerable evidence has come to the attention of the Legislature in its deliberations in this the Second Extraordinary Session of the Forty-first Legislature concerning the extent to which public employees in many agencies of state government, including the Department of Public Assistance, the Superintendent of Public Instruction, the state universities and colleges, and the State Board of Community College Education, are subsidized at state expense in furthering their education at the graduate and undergraduate levels of instruction; and

WHEREAS, Further evidence has been presented to this Legislature that many of said state employees are supposedly engaged in full time employment for the state, receiving full pay and emolument, while at the same time pursuing full credit undergraduate and graduate degree courses, attending classes during regular working hours; and

WHEREAS, The entire matter of policy relative to stipends, sabbatical leaves, and other leaves should be a fit subject for legislative consideration and action;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Budget Committee shall study the question of policy, rules and regulations relative to the granting of stipends, sabbatical leaves, and other leaves in state government.

BE IT FURTHER RESOLVED, That the Legislative Budget Committee shall make recommendations and present legislation where appropriate, including, but not limited to, the development of a uniform policy regarding these matters; and

BE IT FURTHER RESOLVED, That the Legislative Budget Committee shall present its findings, conclusions and recommendations, and suggested legislation, together with a full itemization and disclosure of all persons in all state agencies of government who are the recipients of such stipends, sabbatical leaves, and other leaves, to the Forty-second Legislature.

Mr. Goldsworthy moved adoption of the resolution.

Representatives Goldsworthy, Backstrom, Lynch and Gallagher spoke in favor of adoption of the resolution.

The resolution was adopted.

MOTION

Mr. Newhouse moved that ENGROSSED SENATE BILL NO. 261 be rereferred from the Committee on Judiciary to the Committee on Appropriations.

Representative Clarke (George W.) spoke in favor of the motion.

The motion was carried.

MOTION

On motion of Mr. Newhouse, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

February 6, 1970.

HOUSE BILL NO. 241, making technical changes in state net income tax provisions, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Bledsoe, Bluechel, Brown, Ceccarelli, Chapin, Clarke (George W.), Haussler, Murray, North, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE JOINT RESOLUTION NO. 6,

SENATE BILL NO. 52,

SENATE BILL NO. 68,

SENATE BILL NO. 121,

SENATE BILL NO. 204,

SENATE BILL NO. 228,

SENATE BILL NO. 275.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery a group of students from Annie Wright Seminary in Tacoma and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Assumption School in Seattle and asked them to stand and be recognized.

MOTION

On motion of Mr. Newhouse, the House advanced to the ninth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 61, by Senators Greive, Williams, Herr, Peterson (Ted), Elicker and Walgren:

Authorizing counties to acquire and develop open space and health facilities.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 61 was placed on final passage.

Representatives Kopet and Haussler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 61, and the bill passed the House by the following vote: Yeas, 87; nays, 2; absent or not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe; Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Copeland, Cunningham, Curtis, DeJamatt, Evans, Farr, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Perry, Randall, Richardson, Rosellini, Saling, Savage,

Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Zimmerman, Mr. Speaker—87.

Voting nay: Representatives Conway, Wolf—2.

Absent or not voting: Representatives Ackley, Backstrom, Flanagan, Harris, Julin, Kink, Leckenby, Pardini, Swayze, Thompson—10.

Engrossed Senate Bill No. 61, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 80, by Committee on State Government:

Establishing a state-wide drug control unit with the board of pharmacy.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, line 21, following section 1 strike the remainder of the bill and insert the following:

“NEW SECTION. Sec. 2. There is hereby created in the Washington state patrol a drug control assistance unit.

NEW SECTION. Sec. 3. The drug control assistance unit shall:

(1) Enforce and aid in the enforcement of the criminal provisions of chapters 69.32 and 69.40 RCW;

(2) Establish a laboratory equipped to analyze drug and narcotic evidence and evidence relating to any crime when requested by any of the law enforcement agencies of the state;

(3) Establish a record system to coordinate with all law enforcement agencies in the state a comprehensive system of information concerning violations of the narcotic and drug laws; and

(4) Perform any act or provide any service necessary to carry out the purposes of this act.

NEW SECTION. Sec. 4. The chief of the Washington state patrol may employ such drug control agents, criminalists, chemists, clerical and other personnel as are necessary for the conduct of the affairs of the drug control assistance unit.”

On page 1, line 1 of the title following “government;” strike the remainder of the title and insert “and creating a new unit in the Washington state patrol.”

The bill was read the second time.

Mr. Clarke (George W.) moved adoption of the committee amendment.

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

Amend the amendment by the Committee on Judiciary as follows: In new section 3, strike subsection (1) and renumber the remaining subsections consecutively.

Debate ensued, Representative Charette speaking in favor of adoption of the amendment to the committee amendment, and Representative Clarke (George W.) speaking against it.

Representative Merrill spoke against adoption of the committee amendment.

POINT OF ORDER

Mr. Clarke (George W.): “I think he is speaking on the main amendment instead of the amendment to the amendment which merely strikes the powers.”

The Speaker: “I think your point is well taken, Mr. Clarke. I will recognize you, Mr. Merrill, when we get to the amendment.”

Further debate ensued, Representatives Charette and Bottiger speaking in favor of adoption of the amendment by Mr. Charette to the committee amendment, and Representatives Zimmerman, Clark (Newman H.) and Chapin speaking against it.

The amendment by Mr. Charette to the committee amendment to Engrossed Substitute Senate Bill No. 80 was not adopted.

The Speaker declared the question before the House to be the committee amendment to Engrossed Substitute Senate Bill No. 80.

Debate ensued, Representatives Clarke (George W.), North and Pardini speaking in favor of adoption of the committee amendment, and Representatives Merrill, Charette, Bottiger and Spanton speaking against it.

Mr. Chatalas demanded the previous question and the demand was sustained.

PARLIAMENTARY INQUIRY

Mr. Clarke (George W.): "Will I be allowed to close debate?"

The Speaker: "Mr. Clarke, I think that in the closing days of this session we are going to have to limit debate to closing statements on final passage only. As a matter of fact, I think this might be a good time to indicate that it might be well on amendments and final passage if we can confine the debate to two persons on each side. We can probably get all the information we need, and it will save us some time and expedite the work of the legislature."

Mrs. Hurley demanded an electric roll call and the demand was sustained.

ROLL CALL

The Clerk called the roll on the adoption of the committee amendment to Engrossed Substitute Senate Bill No. 80, and the amendment was lost by the following vote: Yeas, 42; nays, 50; absent or not voting, 7.

Voting yea: Representatives Barden, Benitz, Berentson, Bluechel, Chapin, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Farr, Flanagan, Hatfield, Hawley, Hoggins, Hubbard, Juelling, Kiskaddon, Kuehmle, Leland, Lynch, Marsh, McCaffree, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Schumaker, Scott, Shera, Smythe, Sprague, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Mr. Speaker—42.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Beck, Bledsoe, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Curtis, DeJarnatt, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Haussler, Hurley, Jastad, Jolly, Kalich, King, Kink, Kirk, Kopet, Litchman, Mahaffey, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Shinpoch, Spanton, Williams, Wojahn—50.

Absent or not voting: Representatives Ackley, Evans, Harris, Julin, Leckenby, Thompson, Whetzel—7.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 80 be placed on final passage.

A division was requested.

PARLIAMENTARY INQUIRY

Mr. Chatalas: "I would like to find out if we are supposed to get two-thirds of the members who are present, or two-thirds of the body."

RULING BY THE SPEAKER

The Speaker: "Two-thirds of those present. The Speaker hasn't voted yet. The Speaker will vote in the affirmative which would give us sixty-four ayes. This is the necessary two-thirds. The motion is carried."

The Speaker stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 80.

POINT OF INQUIRY

Mr. Clarke (George W.) yielded to question by Mr. Saling.

Mr. Saling: "Mr. Clarke, I notice that one section of the bill (I believe it is section 11) calls for an appropriation of \$300,000 from the general fund. This measure was not referred to the Appropriations Committee, and I thought it was supposed to when it carries this amount of money."

Mr. Clarke: "Representative Saling, the reason it was not referred was because in the committee amendment the appropriation was stricken. In the event that the committee amendment had held there would then have been no necessity to refer it to Appropriations. That is the only reason we did not refer it."

Mr. Saling: "Mr. Clarke, then you are saying that this does not carry an appropriation at the present time?"

Mr. Clarke: "No, Representative Saling, I am saying that the bill does now carry an appropriation of \$300,000."

Representative Saling spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 80, and the bill passed the House by the following vote: Yeas, 83; nays, 12; absent or not voting, 4.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—83.

Voting nay: Representatives Amen, Bledsoe, Bluechel, Chapin, Clarke (George W.), Goldsworthy, Julin, Lynch, Mentor, Newhouse, Saling, Zimmerman—12.

Absent or not voting: Representatives Ackley, Harris, Leckenby, Whetzel—4.

Engrossed Substitute Senate Bill No. 80, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION

Mr. Swayze served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed Substitute Senate Bill No. 80 passed the House.

POINT OF ORDER

Mr. Charette: "Mr. Speaker, point of order. Reed's Rules provide that any time a motion for reconsideration is made that would have the effect of defeating a bill, it should not be in order or it should be put immediately. Now I call this to your attention. I am familiar with the rule. If you would give me time I could look up the section, and I think I could convince you. If this motion holds the bill over until tomorrow, it may have the effect of defeating the overwhelming vote of this body by one man who has given notice of reconsideration. That is my point of order."

RULING BY THE SPEAKER

The Speaker: "Mr. Charette, while I agree this could happen, the fact that there is an appropriation attached to this measure would keep it alive until the end of the session. Under the amendment to our cut-off resolution that we will have before us this afternoon, I would think that your point of order is not well taken in this particular instance."

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, that amendment to our concurrent resolution hasn't been approved. Therefore, at the present time we are operating under the resolution that was adopted on the cut-off date. The cut-off date is today. This is the last day for the consideration of Senate bills."

The Speaker: "Mr. O'Brien, if you will give me about three minutes, we will take care of it."

EXPLANATION OF VOTE

My vote on Engrossed Substitute Senate Bill No. 80 was "no" because I favor the drug control division being placed with the State Patrol rather than the Pharmacy Board. I favor the concept but was convinced during the hearings that it should be where it can be enforced. HAROLD S. ZIMMERMAN, 17th District.

MOTION

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

MESSAGES FROM THE SENATE

February 6, 1970.

Mr. Speaker: The Senate has adopted SENATE CONCURRENT RESOLUTION NO. 6, and the same is herewith transmitted. JERRY HAGAN, Assistant Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 6, by Senators Bailey, Atwood, Ryder and Greive:

Extending time for consideration of revenue and budget measures.

On motion of Mr. Wolf, the rules were suspended, Senate Concurrent Resolution No. 6 was advanced to second reading and read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 6 was placed on final passage.

Representative Bledsoe spoke in favor of Senate Concurrent Resolution No. 6, and the resolution was adopted.

MOTION

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

SECOND READING

SENATE BILL NO. 81, by Senators Twigg and Bailey:

Increasing fees of county clerks.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 81 was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 81, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent or not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-93.

Absent or not voting: Representatives Ackley, Berentson, Harris, Leckenby, Lynch, Whetzel—6.

Senate Bill No. 81, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 85, by Senators Atwood, Foley and Mardesich:

Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of Engrossed Senate Bill No. 85 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

ENGROSSED SENATE BILL NO. 86, by Senators Herr, Bailey, Huntley, Lewis (Harry), Andersen and Durkan (by Washington Public Employees' Retirement System request):

Providing post retirement adjustments in retirement allowances for public employees' retirement system.

MOTION

On motion of Mr. Wolf, Engrossed Senate Bill No. 86 was rereferred to the Committee on Rules and Administration.

ENGROSSED SENATE BILL NO. 105, by Senators Odegaard, Newschwander and Foley (by Department of Institutions request):

Permitting director of institutions to enter into agreements for providing rehabilitation services.

MOTION

On motion of Mr. Bledsoe, Engrossed Senate Bill No. 105 was made a special order of business for 1:40 today.

SENATE BILL NO. 129, by Senators Lewis (Harry), Greive, Atwood and Peterson (Lowell):

Providing for per diem for state officers and employees.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 129 was placed on final passage.

Representative Swayze spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 129, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton,

Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representative May—1.

Absent or not voting: Representatives Ackley, Harris, Leckenby, Litchman, Whetzel—5.

Senate Bill No. 129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 132, by Senators Bailey, Gissberg and Peterson (Ted):

Implementing state teachers' retirement system provisions.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 132 was placed on final passage.

Representatives Saling and Brouillet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 132, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Ackley, Harris, Leckenby, Whetzel—4.

Engrossed Senate Bill No. 132, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 133, by Committee on Commerce and Regulatory Agencies:

Providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendments see Journal for Twenty-Fourth Day, February 4, 1970.)

The bill was read the second time.

The Speaker stated that, with the consent of the House, the first thirteen committee amendments would be considered at one time.

Mr. O'Dell moved adoption of the first thirteen committee amendments, and spoke in favor of their adoption.

POINT OF INQUIRY

Mr. O'Dell yielded to question by Mr. Conner.

Mr. Conner: "Mr. O'Dell, I notice that only nine members of the committee signed this out. What were the objections?"

Mr. O'Dell: "There were only nine members present that particular day. We had a conflict with the Committee on Business and Professions, and there were only nine people present."

Representative Sprague spoke against adoption of the amendments.

POINT OF INQUIRY

Mr. O'Dell yielded to question by Mr. Clark (Newman H.):

Mr. Clark: "Have you explored, and do you know, what the rates would be as a result of passing this act for the rest of us who are insured with companies which are not insolvent?"

Mr. O'Dell: "Mr. Clark, that is hard to answer because this is going to be a post assessment fund, and the rates will not go up until an insolvency occurs in the State of Washington. Then the companies are assessed for the amount of the loss it will take to make the policies effective for the value they bought. Right now I couldn't tell you what that would be, but it couldn't affect the rates of existing policies."

The first thirteen committee amendments to Engrossed Substitute Senate Bill No. 133 were adopted.

On motion of Mr. O'Dell, the balance of the committee amendments to Engrossed Substitute Senate Bill No. 133 were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 133 as amended by the House was placed on final passage.

Representative O'Dell spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 133 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Brown, Hawley, King, Sawyer—4.

Absent or not voting: Representatives Ackley, Harris, Marzano, Whetzel—4.

Engrossed Substitute Senate Bill No. 133 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Representatives Al Leland, Axel Julin and Alan Thompson were excused from attendance at today's session in order to function as an ad hoc subcommittee on seacoast tidal beaches legislation for the Natural Resources Committee. These members were involved in this assignment throughout the day and necessarily missed many roll call votes. S. E. "SID" FLANAGAN, Chairman, Natural Resources Committee.

STATEMENT FOR THE JOURNAL

Chairman Flanagan appointed each of us the undersigned to a subcommittee to revise the act relating to "Seacoast Management" and urged that we proceed with all possible speed because of the short time remaining in the session. We met for this purpose and we thus were absent from the House until approximately 11:45 a.m. AXEL C. JULIN, 41st District; ALAN THOMPSON, 18th District; ALFRED E. LELAND, 48th District.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The Speaker (Mr. Newhouse presiding) called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Ackley, Harris and Whetzel who were excused.

SPECIAL ORDER OF BUSINESS

The hour of 1:40 p.m. having arrived, the Speaker (Mr. Newhouse presiding) declared the question before the House to be the special order of business, Engrossed Senate Bill No. 105 on second reading.

ENGROSSED SENATE BILL NO. 105, by Senators Odegaard, Newschwander and Foley (by Department of Institutions request):

Permitting director of institutions to enter into agreements for providing rehabilitation services.

The bill was read the second time.

Mr. Smythe moved adoption of the following amendment:

On page 1, section 1, line 11 after "institutions." strike everything and insert the following:

"Sec. 2. Section 1, chapter 46, Laws of 1967 and RCW 72.01.450 are each amended to read as follows:

The director of institutions of the state of Washington is authorized to enter into agreements with any school district or any [state] institution of higher learning for the use of the [physical] facilities, *equipment and personnel* of any state institution of the department, *for the purpose of conducting courses of education, instruction or training in the professions and skills utilized by one or more of the institutions*, at such times and under such circumstances and with such terms and conditions as may be deemed appropriate.

NEW SECTION. Sec. 3. The director is authorized to enter into an agreement with any agency of the state, a county, city or political subdivision of the state for the use of the facilities, equipment and personnel of any institution of the department for the purpose of conducting courses of education, instruction or training in any professional skill having a relationship to one or more of the functions or programs of the department.

NEW SECTION. Sec. 4. In any course of education, instruction or training conducted in any state institution of the department, pursuant to the authority of section 1 and 2 of this 1970 amendatory act, use may be made of selected files and records of such institution, notwithstanding the provisions of any statute to the contrary.

NEW SECTION. Sec. 5. The director may permit the use of the facilities of any state institution by any community service organization, nonprofit corporation, group or association for the purpose of conducting a program of education, training, entertainment or other purpose, for the residents of such institutions, if determined by the director to be beneficial to such residents or a portion thereof.

NEW SECTION. Sec. 6. The school year for the state school for the blind and the state school for the deaf shall commence on the first day of July of each year and shall terminate on the 30th day of June of the succeeding year. The regular school term shall be for a period of nine months and shall commence as near as reasonably practical at the time of the commencement of regular terms in the public schools, with the equivalent number of days as are now required by law, and the regulations of the superintendent of public instruction as now or hereafter amended, during the school year in the public schools. The school shall observe all legal holidays, in the same manner as other agencies of state government, and the schools will not be in session on such days and such other days as may be approved by the director of institutions. During the period when the schools are not in session during the regular school term, schools may be operated, subject to the approval of the director, for the instruction of students or for such other reasons which are in furtherance of the objects and purposes of such schools.

NEW SECTION. Sec. 7. Section 72.40.030, chapter 28, Laws of 1959 and RCW 72.40.030 are hereby repealed.

NEW SECTION. Sec. 8. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. Sections 2 through 4 of this act shall be added to chapter 72.01 RCW.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the

public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.”

Representative Smythe spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Jolly.

Mr. Jolly: “Are you substituting Engrossed Senate Bill No. 297 or Senate Bill No. 297?”

Mr. Smythe: “I am adding it to Engrossed Senate Bill No. 105.”

Mr. Jolly: “But is it Engrossed Senate Bill No. 297?”

Mr. Smythe: “Yes, it is. That is correct.”

The amendment by Mr. Smythe to Engrossed Senate Bill No. 105 was adopted.

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

On page 1, line 3 of the title after “institutions;” strike the remainder of the title and insert the following: “relating to the facilities, equipment and personnel of the institutions under the supervision of the department of institutions; amending section 1, chapter 46, Laws of 1967 and RCW 72.01.450; adding new sections to chapter 72.01 RCW; repealing section 72.40.030, chapter 28, Laws of 1959 and RCW 72.40.030; and declaring an emergency.”

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 105 as amended by the House was placed on final passage.

Representative Leckenby spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 105 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 0; absent or not voting, 11.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Saling, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—88.

Absent or not voting: Representatives Ackley, Conner, Conway, Harris, Jueling, McCaffree, Rosellini, Sawyer, Sprague, Whetzel, Mr. Speaker—11.

Engrossed Senate Bill No. 105 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, all bills passed today were ordered transmitted immediately to the Senate.

ENGROSSED SUBSTITUTE SENATE BILL NO. 139, by Committee on Natural Resources, Fisheries and Game:

Establishing regulations for strip mining to be administered by the department of natural resources.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendments see Journal for Twenty-Fifth Day, February 5, 1970.)

Mr. Flanagan moved adoption of the committee amendment, and spoke in favor of its adoption.

POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Flanagan, in the amendment that you put on this bill, are we permitting the regulation at the county level, or did we change it back up to the state level?"

Mr. Flanagan: "The way I remember the House bill, we had provisions in there where by ordinance the local level of government could provide for management that could be of a higher degree than the state law."

Mr. Bottiger: "I believe we put that on by amendment. My question would probably be better phrased, Is the amendment here the amended House bill or the original?"

Mr. Flanagan: "The amended House bill."

POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Randall.

Mr. Randall: "If this change is made, putting this in the department of environmental quality, and the department of environmental quality bill is not passed, will this effectively kill this act?"

Mr. Flanagan: "You will have to state that again, I didn't quite understand you."

Mr. Randall: "You said that the change as against Engrossed House Bill No. 15 was that this puts the regulation in the department of environmental quality, which we haven't created yet."

Mr. Flanagan: "Well, it is practically at the stage of creation. It has passed the Senate and the House and may go into conference or may not."

Mr. Randall: "But if that were to fail, this would also?"

Mr. Flanagan: "I think we have a provision in there that some other agency does manage it in case this department isn't created."

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the adoption of the committee amendment to Engrossed Substitute Senate Bill No. 139.

The amendment was adopted.

On motion of Mr. Flanagan, the committee amendment to the title was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 139 as amended by the House was placed on final passage.

Representative Wolf spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 139 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 11; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jueling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Saling, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Zimmerman-81.

Voting nay: Representatives Backstrom, Gallagher, Jastad, Jolly, Kalich, Kuehnle, Marzano, Moon, Richardson, Savage, Wolf-11.

Absent or not voting: Representatives Ackley, Harris, Rosellini, Sawyer, Thompson, Whetzel, Mr. Speaker-7.

Engrossed Substitute Senate Bill No. 139 as amended by the House, having received

the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 141, by Senators Woodall, Greive, Cooney and Twigg:

Creating crimes and penalties for illegal use of credit cards.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 141 was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 141, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman-92.

Absent or not voting: Representatives Ackley, Harris, Julin, Rosellini, Thompson, Whetzel, Mr. Speaker-7.

Engrossed Senate Bill No. 141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 144, by Senators Durkan, Donohue and Stender:

Changing amount of college property exempted from taxation from one hundred to four hundred acres.

The bill was read the second time.

Mr. Mahaffey moved adoption of the following amendment:

On page 1, section 1, line 13 of the engrossed bill after "purposes" strike "or the revenue therefrom be devoted exclusively to the support and maintenance of such institution" and insert "[or the revenue therefrom be devoted exclusively to the support and maintenance of such institution]"

Debate ensued, Representative Mahaffey speaking in favor of adoption of the amendment, and Representatives Charette and Copeland speaking against it.

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

Further debate ensued, Representative Mahaffey again speaking in favor of adoption of the amendment, and Representative McCaffree speaking against it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Mahaffey to Engrossed Senate Bill No. 144, and the amendment was lost by the following vote: Yeas, 21; nays, 65; absent or not voting, 13.

Voting yea: Representatives Amen, Farr, Goldsworthy, Hatfield, Hoggins, Jastad, Jueling, Kirk, Kopet, Kuehnle, Mahaffey, Martinis, Morrison, Richardson, Saling, Savage, Scott, Spanton, Veroske, Wojahn, Wolf-21.

Voting nay: Representatives Adams, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette,

Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Gallagher, Gladder, Grant, Haussler, Hubbard, Hurley, Jolly, Kalich, King, Kink, Kiskaddon, Leckenby, Litchman, Lynch, Marsh, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Rosellini, Sawyer, Schumaker, Shipoch, Smythe, Swayze, Wanamaker, Williams, Zimmerman-65.

Absent or not voting: Representatives Ackley, Anderson, Benitz, Fleming, Harris, Hawley, Julin, Leland, Shera, Sprague, Thompson, Whetzel, Mr. Speaker-13.

The Speaker (Mr. Newhouse presiding) announced that the next amendment was a lengthy amendment by Representative Smythe, but it could be seen in the bill books in the form of House Bill No. 193.

POINT OF ORDER

Mr. Charette: "Mr. Speaker, you just stated my point of order. If it is House Bill No. 193, it is not subject to an amendment because it is before a committee, and I don't think it can be put on as an amendment."

POINT OF INFORMATION

Mr. Smythe: "Mr. Speaker, the bill has been modified enough to make it qualify. It is in Rules Committee and absolutely dead unless we can make this move. I think I can sell you on it."

POINT OF ORDER

Mr. Charette: "Speaking to the point of order, Mr. Speaker. If the bill is in Rules Committee I would suggest that under the House rules it is not available to be tagged on as paper to another bill. If Mr. Smythe can convince the Speaker that he has changed it enough to come within the rules that the Speaker made in the last session, I would think my point would not be well taken. But to change one word doesn't come within the ruling of the Speaker."

RULING BY THE SPEAKER (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "Mr. Charette, I am going to have to rule that your point of order is not well taken. We have accomplished the same purpose with several bills already today, and this one, we understand, has been changed. The amendment is in your bill books as House Bill No. 193, and I expect that the maker of the amendment will point out the differences."

POINT OF ORDER

Mr. Copeland: "I think it would be only fair that the Reading Clerk point out where the differences are in House Bill No. 193 and if necessary read the whole bill."

POINT OF INFORMATION

Mr. Smythe: "I will have to ask my counsel. I don't know what changes he made. He made enough to make it qualify."

MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of Engrossed Senate Bill No. 144 on second reading, and the bill was placed on the calendar immediately following Engrossed Senate Bill No. 318.

ENGROSSED SENATE BILL NO. 145, by Senators Williams, Ridder and Elicker (by Public Pension Commission request):

Providing post retirement benefit increases for fire fighters and police officers.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 145 was placed on final passage.

Representatives Morrison and Mahaffey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 145, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Perry, Randall, Richardson, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Chapin, Harris, Julin, Pardini, Rosellini, Sprague, Thompson, Whetzel—9.

Engrossed Senate Bill No. 145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

ENGROSSED SENATE BILL NO. 164, by Senators Day, Lewis (Harry) and Henry:

Creating investment of contractor's retained percentage on public works contracts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 164 was placed on final passage.

Representative Leland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 164, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Absent or not voting: Representatives Ackley, Goldsworthy, Harris, Julin, Pardini, Sprague, Thompson, Whetzel—8.

Engrossed Senate Bill No. 164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 179, by Senators Odegaard, Lewis (Harry) and Atwood:

Establishing health care programs for state employees.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 179 was placed on final passage.

Representative Swayze spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 179, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Ackley, Chatalas, Harris, Julin, Sprague, Thompson, Whetzel—7.

Engrossed Senate Bill No. 179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 191, by Senators Elicker and Herr:

Setting standards for establishing county commissioner districts.

The bill was read the second time.

Mr. Evans moved adoption of the following amendment:

On page 2, line 3 after "three," add another section as follows:

"NEW SECTION. Sec. 2. Notwithstanding the provisions of RCW 27.24.010, wherever two or more counties comprise a superior court judicial district, the boards of law library trustees of these counties may by a vote of a majority of each board join together and consolidate. The funds collected shall be administered by said consolidated board and there shall be one central law library to be located in the county court house nearest the population center of said judicial district. The consolidated board may take such further action as necessary to carry out the purpose of this section not otherwise prescribed by law."

Representatives Evans and Kopet spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Evans yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Evans, I understand that you checked with the sponsors and some other people in the Senate, and they feel sure that the Senate will concur with this amendment."

Mr. Evans: "Yes, that is my understanding."

The amendment was adopted.

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

On page 1, line 2 of the title after "RCW 36.32.020" and before the period insert the following: "; and adding a new section to RCW 27.24"

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 191 as amended by the House was placed on final passage.

Debate ensued, Representative Wanamaker speaking in favor of passage of the bill, and Representative Grant speaking against it.

POINT OF INQUIRY

Mr. Evans yielded to question by Mr. Benitz.

Mr. Benitz: "If Senate Bill No. 191 with the amendment carries, and if the county commissioners of both counties by majority vote adopt your amendment, would not the county courthouse located in the minority county, shall we say, be without its law library?"

Mr. Evans: "Representative Benitz, I could not answer that question completely because I am not aware exactly how they would set this up. Basically the way the amendment is worded, it is a permissive move that they may create if they wish. Whether or not this would remove the law library from one existing courthouse, I cannot say, but I would think it would be unwise to make such a move. This amendment has the support of the Ben-Franklin Bar Association, and this was the wish of this group."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 191 as amended by the House, and the bill passed the House by the following vote: Yeas, 80; nays, 10; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bluechel, Bottiger, Bozarth, Brown, Ceccarelli, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Kalich, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Scott, Shera, Shipoch, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—80.

Voting nay: Representatives Benitz, Brouillet, Charette, Conner, DeJarnatt, Grant, King, Sawyer, Schumaker, Williams—10.

Absent or not voting: Representatives Ackley, Bledsoe, Chatalas, Fleming, Harris, Julin, Newhouse, Sprague, Whetzel—9.

Senate Bill No. 191 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 266, by Senator Holman:

Stipulating amount employers may withhold from wages.

Committee recommendation: Majority, do pass with the following amendments:

(For Committee Amendments see Journal of Twenty-Fifth Day, February 5, 1970.)

The bill was read the second time.

On motion of Mr. Clarke (George W.), the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 266 as amended by the House was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 266 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder,

Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Benitz, Harris, Julin, Kiskaddon, Kopet, Sprague, Thompson, Whetzel—9.

Engrossed Senate Bill No. 266 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 311, by Senators Ryder and Durkan (by State Finance Committee request):

Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise funds for outdoor recreational areas and providing for a vote of the people.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 311 was placed on final passage.

Representative Swayze spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 311, and the bill passed the House by the following vote: Yeas, 90; nays, 3; absent or not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Gladder, Newhouse, Wolf—3.

Absent or not voting: Representatives Ackley, Harris, Julin, Kiskaddon, Thompson, Whetzel—6.

Senate Bill No. 311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 317, by Senators Ryder and Durkan (by State Finance Committee request):

Removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people.

Committee recommendation: Majority, do pass with the following amendment:

On line 19, page 1, of the engrossed bill, strike "*but not in excess of twelve percent per annum,*"

The bill was read the second time.

On motion of Mr. Swayze, the committee amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 317 as amended by the House was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 317 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 3; absent or not voting, 11.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Grant, Hatfield, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kink, Kirk, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—85.

Voting nay: Representatives Gladder, Newhouse, Wolf—3.

Absent or not voting: Representatives Ackley, Benitz, Chapin, Harris, Haussler, Julin, Kiskaddon, McCaffree, McCormick, Thompson, Whetzel—11.

Engrossed Senate Bill No. 317 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 318, by Senators Ryder and Durkan (by State Finance Committee request):

Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, line 17, of the engrossed bill after the word "bear," strike "*but not in excess of twelve percent per annum,*"

The bill was read the second time.

On motion of Mr. Swayze, the committee amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 318 as amended by the House was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 318 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 2; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—89.

Voting nay: Representatives Newhouse, Wolf—2.

Absent or not voting: Representatives Ackley, Benitz, Harris, Julin, McCormick, Rosellini, Thompson, Whetzel—8.

Engrossed Senate Bill No. 318 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 144, by Senators Durkan, Donohue and Stender:

Changing amount of college property exempted from taxation from one hundred to four hundred acres.

The House resumed consideration of Engrossed Senate Bill No. 144 on second reading.

Mr. Smythe moved adoption of the following amendment:

On page 2, after the period in line 11 insert the following sections:

"Sec. 2. Section 84.48.010, chapter 15, Laws of 1961 and RCW 84.48.010 are each amended to read as follows:

Prior to July 1st, the county commissioners [, or a majority of them,] shall form a board for the equalization of the assessment of the property of the county [: PROVIDED, That in counties having a city or cities of the first or second class, the city council or other governing body thereof shall select a committee of three members of such council or other governing body to act with the board of county commissioners as a board of equalization, as to all property in their respective cities: PROVIDED FURTHER, That in counties under township organization, the chairman of the township supervisors of the several townships, at a meeting called by the county auditor for that purpose, shall select a committee of three, one from each county commissioner's district, to sit with the county board of equalization as members of said county board of equalization as to all property outside the corporate limits of any city or town]. The members of said board [shall] *may* receive [five] *twenty-five* dollars per day for each day of actual attendance of the meeting of the board of equalization to be paid out of the current expense fund of the county: *PROVIDED, That when the county commissioners constitute the board they shall not receive the per diem allowance.* The board of equalization shall meet in open session for this purpose annually on the first Monday in July [at the office of the county assessor, who shall act as clerk of said board,] and, having each taken an oath fairly and impartially to perform their duties as members of such board, they shall examine and compare the returns of the assessment of the property of the county and proceed to equalize the same, so that each tract or lot of real property and each article or class of personal property shall be entered on the assessment list at its true and fair value, according to the measure of value used by the county assessor in such assessment year, and subject to the following rules:

First. They shall raise the valuation of each tract or lot or item of real property which in their opinion is returned below its true and fair value to such price or sum as they believe to be the true and fair value thereof, after at least five days' notice shall have been given in writing to the owner or agent.

Second. They shall reduce the valuation of each tract or lot or item which in their opinion is returned above its true and fair value to such price or sum as they believe to be the true and fair value thereof.

Third. They shall raise the valuation of each class of personal property which in their opinion is returned below its true and fair value to such price or sum as they believe to be the true and fair value thereof, and they shall raise the aggregate value of the personal property of each individual whenever they believe that such aggregate value is less than the true valuation of the taxable personal property possessed by such individual, to such sum or amount as they believe to be the true value thereof, after at least five days' notice shall have been given in writing to the owner or agent thereof.

Fourth. They shall, upon complaint in writing of any party aggrieved, reduce the valuation of each class of personal property enumerated on the detail and assessment list of the current year, which in their opinion is returned above its true and fair value, to such price or sum as they believe to be the true and fair value thereof; and, upon like complaint, they shall reduce the aggregate valuation of the personal property of such individual who, in their opinion, has been assessed at too large a sum, to such sum or amount as they believe was the true and fair value of his personal property.

Fifth. *The board may review all claims for either real or personal property tax exemption, and shall consider any taxpayer appeals from the decision of the assessor thereon to determine (1) if the taxpayer is entitled to an exemption, and (2) if so, the amount thereof.*

The [county assessor] *clerk of the board* shall keep an accurate journal or record of the proceedings and orders of said board in a book kept for that purpose, showing the facts and evidence upon which their action is based, and the said record shall be published the same as other proceedings of county commissioners, and shall make a true record of the changes of the descriptions and assessed values ordered by the county board of equalization. [Having corrected] *The assessor shall correct* the real and personal assessment rolls in accordance with the changes made by the said county board of equalization, *and he shall make duplicate abstracts of such corrected values, one copy of which shall be retained in his office, and one copy forwarded to the state board of equalization on or before the [first] fifth day of August next following the meeting of the county board of equalization.*

The county board of equalization shall meet on the first Monday in July and may continue in session and adjourn from time to time during a period not to exceed [two] *four* weeks, but shall remain in session not less than three days: PROVIDED, That, in addition to the several times fixed by statute, any county board of equalization may be reconvened for special or general purposes [at any time by order of], *but not later than three years after the date of adjournment of its regularly convened session by order of the [state tax commission] department of revenue.*

No taxes, except special taxes, shall be extended upon the tax rolls until the property valuations are equalized by the state board of equalization for the purpose of raising the state revenue.

Boards of county commissioners as such shall at no time have any authority to change the valuation of the property of any person or to release or commute in whole or in part the taxes due on the property of any person.

NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The board of equalization of each county shall consist of not less than three nor more than seven members. Such members shall be appointed by a majority of the board of county commissioners or like other county governmental authority, and shall be selected for their knowledge of the values of property in the county and shall not be a holder of any elective office nor be an employee of any elected official: PROVIDED, HOWEVER, The county commissioners may themselves constitute the board at their discretion.

NEW SECTION. Sec. 4. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The members of each board of equalization shall meet and choose a chairman. A majority of the board shall constitute a quorum.

NEW SECTION. Sec. 5. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

All meetings of the board of equalization shall be held at the county courthouse, or other suitable place within the county, and the board of county commissioners shall make provision for a suitable meeting place.

NEW SECTION. Sec. 6. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The terms of each appointed member of the board shall be for three years or until their successors are appointed: PROVIDED, HOWEVER, Each appointed member may be removed by a majority vote of the county commissioners or other county legislative body.

NEW SECTION. Sec. 7. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The board may appoint a clerk of the board and any assistants the board might need, all to serve at the pleasure of the members of the board, and the clerk or his assistant, shall attend all sessions thereof, and shall keep the record. Neither the assessor nor any of his staff may serve as clerk.

NEW SECTION. Sec. 8. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The board may hire one or more appraisers certified as such by the Washington state department of personnel, society of real estate appraisers, American institute of real estate appraisers, or international association of assessing officers, and not otherwise employed by the county, and other necessary personnel for the purpose of aiding the board and carrying out its functions and duties. In addition, the boards of the various counties may make reciprocal arrangements for the exchange of the appraisers with other counties. Such appraisers need not be residents of the county.

NEW SECTION. Sec. 9. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The county commissioners may provide an adequate annual budget and funds for operation and needs of the board of equalization, including, but not limited to the costs and expenses of the board, such as the meeting place, the necessary equipment and facilities, materials, the salaries of the clerk of the board and his assistants, the expenses of the members of the board during the sessions, travel, in-service training, and payment of salaries of all such employees hired by the board, to facilitate its work.

NEW SECTION. Sec. 10. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The prosecuting attorney of each county shall serve as legal advisor to the board of equalization.

NEW SECTION. Sec. 11. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The department of revenue shall establish a school for the training of members of the several boards of equalization throughout the state. Sessions of such schools shall, so far as practicable, be held in each district of the county commissioners' association. Every member of the board of equalization of each county may attend such school within one year following appointment or reappointment.

NEW SECTION. Sec. 12. There is added to chapter 15, Laws of 1961 and to chapter 84.48 RCW a new section to read as follows:

The department of revenue shall provide a manual for the operation procedures of the several boards of equalization so that uniformity of assessment may be obtained throughout the state, and the several boards of equalization shall follow such manual in all of its operations and procedures.

Sec. 13. Section 84.56.400, chapter 15, Laws of 1961, as last amended by section 2, chapter 93, Laws of 1965 and RCW 84.56.400 are each amended to read as follows:

The county treasurer shall also make and file with the county board of equalization a record, setting forth the facts relating to such manifest errors in description, double assessments, clerical errors in extending the rolls, and such manifest errors in the listing of property which do not involve a revaluation of property, such as the assessment of property

exempted by law from taxation or the failure to deduct the exemption allowed by law to the head of a family, as shall come to his attention after the rolls have been turned over to him for collection. The said record shall also set forth by legal description all property belonging exclusively to the state, any county or any municipal corporation whose property is exempt from taxation, upon which there remains, according to the tax roll, any unpaid taxes.

The county board of equalization at its meeting in June should consider such matters as appear in the record filed with it by the county treasurer, and shall only correct such matters as are set forth in such record, but it shall have no power to change or alter the assessment of any person, or change the aggregate value of the taxable property of the county, except insofar as it is necessary to correct the errors hereinbefore mentioned: PROVIDED, That the board shall cancel all unpaid taxes upon property which belongs exclusively to the state, any county or municipal corporation. The board shall make findings of the facts upon which it bases its decision on all matters submitted to it, and when so made the assessment and levy shall have the same force as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the rolls as modified.

The board at its June meeting shall consider only matters referred to it by the records of the county treasurer or county assessor under this section and RCW 84.56.390.

The county assessor may cancel or correct assessments which are erroneous due to manifest errors in description, double assessments, clerical errors in extending the rolls, and such manifest errors in the listing of the property which do not involve a revaluation of property. When the county assessor cancels or corrects an assessment, he shall send a notice to the taxpayer by registered mail advising the taxpayer that the action of the county assessor is not final, and shall be considered at the June meeting of the county board of equalization, and that such notice shall constitute legal notice of such fact, and a copy of the notice shall be sent to the county treasurer as his authority for correcting the current tax roll. When the county assessor cancels or corrects an assessment, he shall prepare and file a record of such action with the county board of equalization, setting forth therein the facts relating to such manifest error.

The county board of equalization at its meeting in June shall consider such matters as appear in the record filed with it by the county assessor and shall determine whether the action of the county assessor was justified, and shall make findings of facts upon which it bases its decision on all matters submitted to it. If the county board of equalization finds that the action of the assessor was not correct, it shall issue a supplementary roll including such corrections as are necessary, and the assessment and levy shall have the same force and effect as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the supplementary roll."

Renumber the remaining section consecutively.

Representatives Smythe, Haussler and McCaffree spoke in favor of adoption of the amendment.

The amendment by Mr. Smythe to Engrossed Senate Bill No. 144 was adopted.

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

On page 1, line 2 of the title after "RCW 84.36.050;" insert the following: "amending section 84.48.010, chapter 15, Laws of 1961 and RCW 84.48.010; adding new sections to chapter 15, Laws of 1961 and to chapter 84.48 RCW; and amending section 84.56.400, chapter 15, Laws of 1961, as last amended by section 2, chapter 93, Laws of 1965 and RCW 84.56.400;"

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 144 as amended by the House was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 144 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 2; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Curtis, DeJarnatt, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Pery, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—88.

Voting nay: Representatives Mahaffey, Scott—2.

Absent or not voting: Representatives Ackley, Cunningham, Evans, Harris, Jueling, Julin, Spanton, Whetzel, Wolf—9.

Engrossed Senate Bill No. 144 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House former State Representative Ed Morrissey of Yakima and requested that Representatives Newhouse and Sprague conduct him to a place on the rostrum.

ENGROSSED SENATE BILL NO. 45, by Senators Gissberg, Walgren and Twigg:

Relating to salaries of public officials.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 2, line 3, after "Association, and" strike "one representative from organized labor" and insert "[one representative from organized labor] *the president of the Washington State Labor Council or his nominee*"

On page 3, section 4, line 21, after "the state," strike everything down to and including "in committee." on line 22.

The bill was read the second time.

On motion of Mr. Swayze, the committee amendments were adopted.

Mr. Jueling moved adoption of the following amendment:

On page 1, section 2, line 24 after "of" strike "Washington" and insert "[Washington] *Puget Sound*"

Debate ensued, Representative Jueling speaking in favor of adoption of the amendment, and Representative Chapin speaking against it.

The amendment by Mr. Jueling to Engrossed Senate Bill No. 45 was adopted on a rising vote.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 45 as amended by the House was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 45 as amended by the House, and the bill passed the House by the following vote: Yeas, 78; nays, 11; absent or not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnarioli, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Murray, O'Brien, O'Dell, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—78.

Voting nay: Representatives Brouillet, Copeland, Hatfield, Hurley, Kuehnle, Lynch, McCaffree, Morrison, Newhouse, North, Pardini—11.

Absent or not voting: Representatives Ackley, Benitz, Chatalas, Farr, Harris, Julin, Leckenby, Leland, Thompson, Whetzel—10.

Engrossed Senate Bill No. 45 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 66, by Senators Holman, Gissberg and Williams (by Judicial Council request):

Regulating fees for transcripts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 66 was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 66, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Absent or not voting: Representatives Ackley, Chatalas, Harris, Hatfield, Julin, Leckenby, Thompson, Whetzel—8.

Senate Bill No. 66, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 95, by Senators Mardesich, Walgren and Andersen: Authorizing sound and video recordings in certain police activities.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 23, after "(c)" and before "the" insert the following: "at the commencement of the recording"

On page 1, section 1, line 27, after "activities" insert a period and strike the remainder of the subsection.

The bill was read the second time.

On motion of Mr. Clarke (George W.), the committee amendments were adopted.

Mr. Williams moved adoption of the following amendment:

On page 1, section 1, line 8, after "not" strike the remainder of the section and insert: "prohibit police and fire personnel from recording and divulging incoming telephone calls to police and fire stations for the purpose and only for the purpose of verifying the accuracy of reception of emergency calls and such recordings shall not be used for any other purpose whatsoever."

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

POINT OF INQUIRY

The Speaker: "Excuse me, Mr. Williams. I don't believe your amendment is in order. You have not indicated what you are striking. It would appear that you have taken the remaining verbage of the entire bill out."

Mr. Williams: "That is correct."

Mr. Williams continued his remarks in favor of the amendment.

Representative Clarke (George W.) spoke against adoption of the amendment, and Representative Zimmerman spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Clarke (George W.) yielded to question by Mr. Williams.

Mr. Williams: "If a defendant was being interrogated while being videotaped, and if he were to take some sort of action such as jerking or something which would indicate some

sort of prodding from behind, or any other indication that he was being forcibly interrogated, what position would that sort of videotape be in? Would he be able to request that it be shown in a court then? Or would the police be able to prevent it from being shown?"

Mr. Clarke (George W.): "My answer would be that probably under the discovery provisions he would have an opportunity of demanding that the particular confession be made available to him. But I would also think then that the law enforcement people would be able to show by evidence that this was a simulated condition, and it would then be up to the jury. That is the very point that I am making — it would then be up to the jury to make a determination after having looked at this and hearing the testimony on both sides. I think they are much better informed when they have that opportunity."

Representative Bottiger spoke against adoption of the amendment.

The amendment by Mr. Williams to Engrossed Senate Bill No. 95 was not adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 95 as amended by the House was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 95 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 4; absent or not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Gallagher, Gladder, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Wojahn, Wolf, Mr. Speaker—85.

Voting nay: Representatives Fleming, Grant, North, Williams—4.

Absent or not voting: Representatives Ackley, Chatalas, Flanagan, Harris, Julin, Kink, Lynch, Thompson, Whetzel, Zimmerman—10.

Engrossed Senate Bill No. 95 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 99, by Committee on Judiciary:

Defining crimes and establishing criminal procedures.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, line 11, strike "adding a new section to chapter 46.61 RCW;"

On page 1, section 2, line 24, after "degree," insert "or"

On page 1, section 2, beginning on line 25, after "second degree," strike all of the matter down to and including "second degree" in line 26

On page 4, section 5, line 30, after "homicide" strike the remainder of the sentence and insert "by means of a motor vehicle."

On page 4, section 5, beginning on line 32, after "homicide" strike all of the matter down to and including "first degree" on line 33 and insert "by means of a motor vehicle"

On page 5, line 12, strike all of section 7 and renumber the remaining sections consecutively.

On page 5, section 8, line 23, after "Sec. 8." and before "In" insert "(1)"

On page 6, section 8, following line 12 insert a new subsection

"(2) Whenever any witness or prospective witness for the prosecution refuses to give to the defendant or his counsel a written, signed statement setting forth the facts of the case as known to him, upon filing an affidavit indicating such witness' refusal, the defendant or his counsel may take such a statement by deposition upon oral examination or written interrogatories for the purpose of discovery, or for use as evidence in the action, or for both purposes. Such deposition shall be taken in accordance with rules to be adopted by the

supreme court to implement this subsection. Until such rules have been adopted, however, Rules 26-37 of the civil rules for superior courts, as presently enacted or hereafter amended shall apply."

On page 6, section 9, line 13, after "having" strike "knowledge of" and insert "witnessed"

On page 6, section 9, line 15, after "or" strike "knowledge of preparation" and insert "having witnessed preparations"

On page 6, section 9, line 20, after "shall" strike the remainder of the section and insert "be so construed to affect existing privileged relationships as provided by law."

The bill was read the second time.

On motion of Mr. Clarke (George W.), the first five committee amendments were adopted.

Mr. Clarke (George W.) moved adoption of the committee amendments to page 5, line 23, and the amendment inserting a new subsection (2).

Representative Clarke stated he personally was opposed to the amendment inserting a new subsection (2) and that he would yield to Representative Marsh to explain it.

Debate ensued, Representative Marsh speaking in favor of adoption of the amendment, and Representative Swayze speaking against it.

The committee amendments to page 5, line 23, and inserting a new subsection (2) were lost on a rising vote.

On motion of Mr. Clarke, the committee amendments to page 6 were adopted.

On motion of Mr. Clarke, the committee amendment to the title was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 99 as amended by the House was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 99 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Ackley, Chatalas, DeJarnatt, Harris, Julin, Thompson, Whetzel—7.

Substitute Senate Bill No. 99 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 101, by Senators Walgren and Andersen:

Establishing procedures and setting requirements for possession of poisonous and dangerous drugs.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 101 was placed on final passage.

Representative Clarke (George W.) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 101, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Ackley, Chatalas, DeJarnatt, Harris, Julin, Thompson, Whetzel—7.

Senate Bill No. 101, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 130, by Senators Talley, Atwood and Bailey:

Allowing deposit of certain materials removed for harbor and channel improvement on private land.

Committee recommendation: Majority, do pass with the following amendments:

On line 10, following "public" strike "agencies" and insert "[agencies] agency"

On line 17, after "and" strike "is hereby" and insert "may be"

On line 17, after "designated" insert "by the department of natural resources"

On line 23, after "is" and before "sold" insert "subsequently"

On line 23, after "or" strike "is" and insert "[is]"

The bill was read the second time.

On motion of Mr. Flanagan, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 130 as amended by the House was placed on final passage.

Representative Smythe spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 130 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Chapin, Chatalas, Harris, Julin, McCaffree, Shinpoch, Thompson, Whetzel—9.

Senate Bill No. 130 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 294, by Committee on Cities, Towns and Counties:

Relating to cities operating under the optional municipal code.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendment see Journal for Twenty-Fifth Day, February 5, 1970.)

The bill was read the second time.

On motion of Mr. Kopet, the committee amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 294 as amended by the House was placed on final passage.

Representatives Shinpoch and O'Brien spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 294 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent or not voting, 11.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Barden, Beck, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallager, Gladder, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representative Randall—1.

Absent or not voting: Representatives Bagnariol, Benitz, Berentson, Cunningham, Grant, Harris, Juelling, Julin, Leckenby, Thompson, Whetzel—11.

Engrossed Substitute Senate Bill No. 294 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 324, by Senators Sandison, Lewis (Harry), Atwood, Guess and Washington:

Providing for retirement plans for state college employees.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 15, after "such" strike "other employees" and insert "of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 2, section 2, line 8, after "such" strike "other employees" and insert "of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 3, section 4, line 1, after "or" strike "such other employee" and insert "any of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

On page 3, section 4, line 31, after "or" strike "such other employee" and insert "any of the employees exempted from the coverage of the state higher education personnel law under the provisions of RCW 28.75.040"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 324 as amended by the House was placed on final passage.

Representative Smythe spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 324 as amended by the

House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Absent or not voting: Representatives Ackley, Benitz, Fleming, Harris, Jueling, Julin, Randall, Thompson, Whetzel—9.

Senate Bill No. 324 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 312, by Representative Goldsworthy (by State Building Authority request):

Providing for the efficient organization and for the effective operation of the state building authority.

MOTION

On motion of Mr. Wolf, Substitute House Bill No. 312 was substituted for House Bill No. 312, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 312 was read the second time.

Mr. Brouillet moved adoption of the following amendment:

On page 1, line 27, after the comma and before "The" strike "and" and insert "[and]" and after "Evergreen State College" and before the period insert ", and the State Board for Community College Education"

Representative Brouillet spoke in favor of adoption of the amendment, and Representative Lynch spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Brouillet to Substitute House Bill No. 312, and the amendment was lost by the following vote: Yeas, 41; nays, 51; absent or not voting, 7.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Gallagher, Grant, Haussler, Hawley, Hurley, Jastad, Jolly, Kalich, King, Kink, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Sprague, Williams, Wojahn—41.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Flanagan, Gladder, Goldsworthy, Hatfield, Hoggins, Hubbard, Jueling, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Absent or not voting: Representatives Farr, Fleming, Harris, Julin, Moon, Thompson, Whetzel—7.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 312 was placed on final passage.

Representative Goldsworthy spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 312, and the bill passed the House by the following vote: Yeas, 90; nays, 1; absent or not voting, 8.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Smythe, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representative Shinpoch—1.

Absent or not voting: Representatives Adams, Flanagan, Harris, Julin, O'Brien, Spanton, Thompson, Whetzel—8.

Substitute House Bill No. 312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 318, by Representative Goldsworthy (by State Building Authority request):

Authorizing temporary loans from funds in the state treasury to the building authority for capital construction, projects at the institutions of higher education.

MOTION

On motion of Mr. Wolf, Substitute House Bill No. 318 was substituted for House Bill No. 318, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 318 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 318 was placed on final passage.

Representative Goldsworthy spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 318, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Harris, Julin, Spanton, Thompson, Whetzel—5.

Substitute House Bill No. 318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, all bills passed by the House to this point in the proceedings were ordered transmitted immediately to the Senate.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SENATE JOINT RESOLUTION NO. 6, by Senators Walgren, Bailey, Atwood, Keefe, Twigg and Cooney:

Deleting prohibition against lotteries.

MOTION

On motion of Mr. Wolf, the House deferred consideration of Senate Joint Resolution No. 6 on second reading, and the resolution was ordered placed on the second reading calendar immediately following House Bill No. 9.

HOUSE BILL NO. 9, by Representatives Goldsworthy, Lynch, Marsh, Hawley, Gallagher, Ceccarelli, Merrill, Savage, Spanton, Kalich, Jastad, Wolf, Hubbard, Barden, Marzano, Beck, Bozarth, Conner, Cunningham, Kirk, Anderson, Litchman, Backstrom and Martinis:

Authorizing compensation for veterans of the Viet Nam conflict.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 10, after "sons" and before "in the" insert "and daughters"

On page 1, section 1, line 16, after "sons" and before "to once" insert "and daughters"

On page 2, section 2, line 11, after "excess of" and before "days" strike "eighty-nine" and insert "one hundred ninety"

On page 2, section 2, line 13, after "excess of" and before "days" strike "eighty-nine" and insert "one hundred ninety"

On page 2, section 2, beginning on line 30, strike all of subsection (2) and insert the following:

"(2) In case of the death of any such person prior to said termination date as referred to in subparagraph (1) above, or at such time as such person would have been eligible for benefits hereunder, an equal amount shall be paid to such person's surviving spouse if not remarried at the time compensation is requested, or in case such person left no spouse or in case such spouse has remarried and there are surviving children, then to such surviving children, or in the event there is no surviving spouse eligible for payment hereunder, or children surviving on such date, then to such person's surviving parent or parents: PROVIDED, HOWEVER, That no such parent who has been deprived of custody of such child by a decree of a court of competent jurisdiction shall be entitled to any compensation under this act."

On page 4, section 4, line 2, after "forth" and before "name" strike "his" and insert "claimant's"

On page 4, section 4, line 8, after "subject" and before "to full" strike "himself"

On page 4, section 4, line 9, after "that" and before "has not" strike "he" and insert "claimant"

On page 8, section 12, line 18, after "paid to" and before "parent" strike "his widow" and insert "such person's surviving spouse"

On page 8, section 12, line 20, after "for" and before "burial" strike "his" and insert "such person's"

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Harris, Julin, Leland, Thompson and Whetzel.

On motion of Mr. Wolf, the absent members were excused and the House proceeded with business under the Call of the House.

The bill was read the second time.

On motion of Mr. Goldsworthy, the committee amendments were adopted.

Mr. Shera moved adoption of the following amendment by Representatives Shera and Curtis:

On page 2, section 2, line 7, after "Viet Nam," and before "and" insert the following: "and who is currently receiving public assistance from the state of Washington,"

Representative Shera spoke in favor of adoption of the amendment.

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

Representative King spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Shera and Curtis to House Bill No. 9, and the amendment was lost by the following vote: Yeas, 19; nays, 75; excused, 5.

Voting yea: Representatives Amen, Berentson, Bluechel, Brown, Chapin, Clarke (George W.), Curtis, Flanagan, Gladder, Hatfield, Kopet, Kuehne, Mentor, Murray, Richardson, Scott, Shera, Wanamaker, Mr. Speaker—19.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Fleming, Gallagher, Goldsworthy, Grant, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Moon, Morrison, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Schumaker, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Williams, Wojahn, Wolf, Zimmerman—75.

Excused: Representatives Harris, Julin, Leland, Thompson, Whetzel—5.

House Bill No. 9 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 9 was placed on final passage.

Debate ensued, Representative Goldsworthy speaking in favor of passage of the bill, and Representative Bluechel speaking against it.

POINT OF INQUIRY

Mr. Anderson yielded to question by Mr. Kalich.

Mr. Kalich: "Eric, I have been around here for several terms now. I have been busy on other things and have never known your feelings. I'd like to know if you are for this bill."

Mr. Anderson: "Thank you, Representative Kalich. I sure am for this bill. To answer my colleague over there, this money, ladies and gentlemen of the House, was voted by the people of the State of Washington for veterans. This money belongs to the veterans and nobody else, believe it or not. I ask you, please vote for this bill because it has been a long, dry, hard run."

Further debate ensued, Representative Marzano speaking in favor of passage of the bill, and Representative Curtis speaking against it.

Mr. Anderson demanded the previous question and the demand was not sustained.

POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Mr. Goldsworthy, in the Appropriations meeting we asked Legislative Budget for the impact, as far as the present benefits, that veterans do receive from the federal government. Could you tell me some of those, or do you have that list?"

Mr. Goldsworthy: "I don't have that exact information. To answer your question as to the economic impact on the state of a veterans' bonus, the Budget Committee did not go into this particular phase of your question."

Mr. Zimmerman: "Well, Representative Goldsworthy, what I was referring to were the remarks that listed the thirty different things they do receive as present Vietnam benefits, including: compensation for service connected disabilities; pensions for nonservice disability; widow's pension; children's pension; war orphans; home loans; vocational rehabilitation (service connected thirty percent); education (\$130 for a single person, \$155 for a married person and \$10 for each child); dental care if applied for within six months;

widows and wives benefits; parents dependency; hospitalization; insurance; headstones and flags; aid and attendance of total disabled; housebound benefits; \$1,600 grant toward auto for loss of limbs; home grant, \$10,000; out-patient treatment; apprentice training and on-the-job training; discharge corrections; peacetime service connected pension; burial entitlement; widows' benefits; soldier's home entitlement; civil service—job preference; reemployment rights; and unemployment compensation (entitled to one year from date of discharge). This is for the Vietnam veteran. The Korean veterans have a few more items that I won't take time to read."

Further debate ensued, Representatives Lynch, Hawley and Kirk speaking in favor of passage of the bill, and Representatives Scott and Brown speaking against the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 9, and the bill passed the House by the following vote: Yeas, 75; nays, 19; excused, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Grant, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, North, O'Brien, O'Dell, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Schumaker, Shipoch, Smythe, Spanton, Sprague, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—75.

Voting nay: Representatives Bluechel, Brown, Chapin, Clarke (George W.), Curtis, Gladder, Hatfield, Kopet, Kuehnle, Morrison, Murray, Newhouse, Pardini, Richardson, Scott, Shera, Swayze, Veroske, Wanamaker—19.

Excused: Representatives Harris, Julin, Leland, Thompson, Whetzel—5.

Engrossed House Bill No. 9, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, Engrossed House Bill No. 9 was ordered transmitted immediately to the Senate.

SENATE JOINT RESOLUTION NO. 6, by Senators Walgren, Bailey, Atwood, Keefe, Twigg and Cooney:

Deleting prohibition against lotteries.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of Senate Joint Resolution No. 6 on second reading, and the resolution was ordered placed on the second reading calendar immediately following House Bill No. 60.

HOUSE BILL NO. 60, by Representatives McCaffree and Kiskaddon:
Relating to revenue and taxation.

MOTION

On motion of Mr. Wolf, Substitute House Bill No. 60 was substituted for House Bill No. 60, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 60 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 60 was placed on final passage.

Representatives Pardini and Hurley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 60, and the bill passed the House by the following vote: Yeas, 93; nays, 1; excused, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representative Newhouse—1.

Excused: Representatives Harris, Julin, Leland, Thompson, Whetzel—5.

Substitute House Bill No. 60, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE JOINT RESOLUTION NO. 6, by Senators Walgren, Bailey, Atwood, Keefe, Twigg and Cooney:

Deleting prohibition against lotteries.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of Senate Joint Resolution No. 6 on second reading, and the resolution was ordered placed on the second reading calendar immediately following House Bill No. 62.

HOUSE BILL NO. 62, by Representatives McCaffree and Kiskaddon:
Relating to revenue and taxation.

MOTION

On motion of Mrs. McCaffree, Substitute House Bill No. 62 was substituted for House Bill No. 62, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 62 was read the second time.

Mr. Wolf moved adoption of the following amendment by Representatives Wolf and Curtis:

On page 2, section 2, line 2, after "82.04" and before the comma insert the following: "(not including 82.04.250)"

Debate ensued, Representative Wolf speaking in favor of adoption of the amendment, and Representatives Bagnariol, Clarke (George W.) and Kiskaddon speaking against it.

POINT OF INQUIRY

Mr. Kiskaddon yielded to question by Mr. Curtis.

Mr. Curtis: "You said something about the fiscal impact. Do you know what the fiscal impact of this amendment would be?"

Mr. Kiskaddon: "Representative Curtis, I am sorry I don't have the actual amount. It would be a substantial decrease in the amount of revenue that would be in the package."

Mr. Curtis: "What is the total decrease, regardless of where it comes from, local or state, by the entire bill?"

Mr. Kiskaddon: "The Department of Revenue's estimates, based on the generation of no increased new business or the increase of any inventory in the state, said that there would be a net credit without the passage of tax reform of about \$11.5 million and net new revenue with the numbers that are in the bill now of about \$7.5 million revenue. So there

would be a net loss in the next biennium of approximately \$4 million based on the assumption of no increased business activity."

Mr. Curtis: "If I understand your statement then, in essence, the bill means a total net revenue loss of \$4 million in the next biennium without retailing taken out, and probably even a greater loss with our amendment if it hangs. Is that correct?"

Mr. Kiskaddon: "There would be a greater loss with your amendment if it stays in the bill, yes."

Mr. Curtis: "Would it be further safe to say then that the retailing segment is subsidizing, so to speak, the manufacturing end of it—the Boeing Company?"

"I think your silence speaks more eloquently than your words."

Further debate ensued, Representatives Curtis, Gladder and Wolf speaking in favor of adoption of the amendment, and Representatives McCaffree, Murray and Sawyer speaking against the amendment.

The amendment by Representatives Wolf and Curtis to Substitute House Bill No. 62 was lost.

On motion of Mr. Newhouse, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 62 was placed on final passage.

Representative Hatfield spoke against passage of the bill.

The Speaker called on Mr. Newhouse to preside.

Mr. Whetzel appeared at the bar of the House.

Representatives Kiskaddon, Copeland and McCaffree spoke in favor of passage of the bill, and Representatives Grant, Pardini, Curtis and Wolf spoke against it.

Mr. Kink demanded the previous question and the demand was sustained.

The Speaker resumed the Chair.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 62, and the bill passed the House by the following vote: Yeas, 53; nays, 42; excused, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Berentson, Bledsoe, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Copeland, Cunningham, DeJarnatt, Farr, Goldsworthy, Hausler, Hawley, Hoggins, Hubbard, Juelling, King, Kink, Kirk, Kiskaddon, Leckenby, Litchman, Mahaffey, Marsh, Martinis, McCaffree, McCormick, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Perry, Rosellini, Saling, Savage, Sawyer, Shipoch, Spanton, Swayze, Wanamaker, Whetzel, Mr. Speaker—53.

Voting nay: Representatives Ackley, Amen, Backstrom, Beck, Benitz, Bluechel, Bottiger, Bozarth, Clark (Newman H.), Conway, Curtis, Evans, Flanagan, Fleming, Gallagher, Gladder, Grant, Hatfield, Hurley, Jastad, Jolly, Kalich, Kopet, Kuehnle, Lynch, Marzano, May, Mentor, Moon, Pardini, Randall, Richardson, Schumaker, Scott, Shera, Smythe, Sprague, Veroske, Williams, Wojahn, Wolf, Zimmerman—42.

Excused: Representatives Harris, Julin, Leland, Thompson—4.

Substitute House Bill No. 62, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

MOTION FOR RECONSIDERATION

Mr. Bottiger, having given notice on the preceding day, moved that the House do now reconsider the vote by which Senate Bill No. 15 failed to pass the House.

Debate ensued, Representative Charette speaking against the motion to reconsider, and Representative Bottiger speaking in favor of the motion.

Mr. Chapin demanded the previous question and the demand was not sustained.

Further debate ensued, Representatives Sawyer, Ackley and Savage speaking in favor of the motion to reconsider, and Representative Charette again speaking against the motion. The motion by Mr. Bottiger to reconsider Senate Bill No. 15 was carried.

Mr. Leland appeared at the bar of the House.

RECONSIDERATION

The Speaker declared the question before the House to be final passage of Senate Bill No. 15.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 15, and the bill passed the House by the following vote: Yeas, 56; nays, 40; excused, 3.

Voting yea: Representatives Ackley, Adams, Backstrom, Bagnariol, Beck, Bledsoe, Bluechel, Bottiger, Brown, Chapin, Clark (Newman H.), Clarke (George W.), DeJarnatt, Evans, Farr, Fleming, Gallagher, Hoggins, Hubbard, Jastad, Jueling, Kalich, King, Kiskaddon, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, McCormick, Mentor, Moon, Morrison, Murray, Newhouse, O'Dell, Perry, Randall, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Mr. Speaker—56.

Voting nay: Representatives Amen, Anderson, Barden, Benitz, Berentson, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Conway, Copeland, Cunningham, Curtis, Flanagan, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hurley, Jolly, Kink, Kirk, Kopet, Kuehnle, Mahaffey, Marzano, May, McCaffree, Merrill, North, O'Brien, Pardini, Richardson, Rosellini, Saling, Zimmerman—40.

Excused: Representatives Harris, Julin, Thompson—3.

MOTION FOR RECONSIDERATION

Mr. Wolf, having given notice on the preceding day, moved that the House do now reconsider the vote by which Engrossed Substitute House Bill No. 33 failed to pass the House.

The motion was carried.

RECONSIDERATION

The Speaker declared the question before the House to be final passage of Engrossed Substitute Senate Bill No. 33.

MOTIONS

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

On motion of Mr. Bledsoe, the House recessed until 8:00 p.m.

EVENING SESSION

The Speaker (Mr. Newhouse presiding) called the House to order at 8:00 p.m.

The Clerk called the roll and all members were present except Representatives Harris, Kink, Litchman, McCaffree, Perry, Sawyer and Wojahn. Representative Harris was excused.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Harris, Kink, Litchman, McCaffree, Perry, Sawyer and Wojahn.

On motion of Mr. Bledsoe, the absent members were excused and the House proceeded with business under the Call of the House.

MOTION

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

SECOND READING

HOUSE BILL NO. 273, by Representatives Richardson and Kuehnle:
Pertaining to the business and occupation tax as applied to real estate brokers.
The bill was read the second time.

Mrs. McCaffree appeared at the bar of the House.

Mr. Shera moved adoption of the following amendment by Representatives Shera and Bagnariol:

On page 1, section 1, line 24 after "transaction." insert a new section as follows:
"NEW SECTION. Sec. 2. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

Upon every person engaging within the state as an insurance broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of one percent.

The measure of the tax on insurance commissions earned by the insurance broker shall be the gross commission earned by the particular insurance brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where an insurance commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the taxes provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction."

Representatives Shera and McCaffree spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Shera, the following amendment by Representatives Shera and Bagnariol was adopted:

On page 2, section 2, lines 3 and 4, after "82.04.275," in line 3 and before "of this" in line 4 strike "section 1" and insert "sections 1 and 2"

Renumber the remaining sections consecutively.

On motion of Mrs. McCaffree, the following amendment by Representatives Shera and Bagnariol to the title was adopted:

On page 1, line 4 of the title, after "adding" in line 3 and before "to chapter" in line 4 strike "a new section" and insert "two new sections"

House Bill No. 273 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 273 was placed on final passage.

Representative McCaffree spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 273, and the bill passed the House by the following vote: Yeas, 91; nays, 2; excused, 6.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown,

Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Gallagher, Grant—2.

Excused: Representatives Harris, Kink, Litchman, Perry, Sawyer, Wojahn—6.

Engrossed House Bill No. 273, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 253, by Representatives Lynch, Sprague and Goldsworthy:

Authorizing increases in tuition and incidental fees for institutions of higher education. The bill was read the second time.

MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of House Bill No. 253 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

SUBSTITUTE SENATE BILL NO. 28, by Committee on Natural Resources, Fisheries and Game:

Increasing hunting and fishing fees.

The bill was read the second time.

Mr. Zimmerman moved adoption of the following amendment:

On page 7, section 9, line 10, before "dollars" strike "twenty" and insert "twenty-five"

Debate ensued, Representatives Zimmerman and Marsh speaking in favor of adoption of the amendment, and Representatives Flanagan, Smythe and Schumaker speaking against it.

The amendment by Mr. Zimmerman to Substitute Senate Bill No. 28 was lost.

Mr. Ceccarelli moved adoption of the following amendment:

On page 9, after line 11, insert the following:

"Sec. 16. Section 77.32.230, chapter 36, Laws of 1955, as last amended by section 2, chapter 94, Laws of 1961, and RCW 77.32.230 are each amended to read as follows:

Any bona fide resident of this state who is [blind or who is a veteran of the Spanish-American War, or any person] sixty-five or more years of age [who is an honorably discharged veteran of the United States military or naval forces having a service-connected disability] and who has been a resident of this state for [five years] one year, upon the making of an affidavit to such effect, shall be given a state hunting and fishing license free of charge upon application therefor.

A special license authorizing fishing only shall be given to the blind."

Renumber the remaining section.

Representatives Litchman and Sawyer appeared at the bar of the House.

Debate ensued, Representatives Ceccarelli, King and Rosellini speaking in favor of adoption of the amendment, and Representatives Zimmerman and Haussler speaking against it.

Mr. Chapin demanded the previous question and the demand was sustained.

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

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Ceccarelli to Substitute Senate Bill No. 28, and the amendment was lost by the following vote: Yeas, 30; nays, 65; excused, 4.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Bottiger, Brouillet, Ceccarelli, Chatalas, Conner, DeJarnatt, Farr, Fleming, Gallagher, Grant, King, Litchman, Marsh, Marzano, May, McCormick, Moon, O'Brien, Randall, Rosellini, Savage, Sawyer, Shinpoch, Sprague, Williams—30.

Voting nay: Representatives Amen, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Flanagan, Gladder, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Martinis, McCaffree, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—65.

Excused: Representatives Harris, Kink, Perry, Wojahn—4.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 28 was placed on final passage.

The Speaker resumed the Chair.

Representative Flanagan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 28, and the bill passed the House by the following vote: Yeas, 71; nays, 24; excused, 4.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jolly, Julin, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Rosellini, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Zimmerman, Mr. Speaker—71.

Voting nay: Representatives Bozarth, Conner, Conway, Farr, Gallagher, Gladder, Grant, Hurley, Jastad, Jueling, Kalich, King, Kuehnle, Litchman, Martinis, Marzano, Richardson, Saling, Savage, Sawyer, Schumaker, Shinpoch, Williams, Wolf—24.

Excused: Representatives Harris, Kink, Perry, Wojahn—4.

Substitute Senate Bill No. 28, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 226, by Committee on Highways:

Assigning state route numbers to state highways.

Committee recommendation: Majority, do pass with the following amendments:

On page 2 of the title, line 18, after "and RCW" and before "chapter 13" strike "47.16.190," and insert "47.16.180; repealing section 47.16.190,"

On page 2 of the title, line 33, after "RCW 47.20.060;" at the end of the line, insert "repealing section 47.20.070, chapter 13, Laws"

On page 3 of the title, line 16, after "RCW 47.20.140;" and before "repeal—" insert "repealing section 47.20.150, chapter 13, Laws of 1961 and RCW 47.20.150;"

On page 3 of the title, strike all of line 30 as it begins with "in section 47.20.210," and ends with "as last amended" and insert "ing section 47.20.210, chapter 13, Laws of 1961 as amended by section 10, chapter 3, Laws of 1963 ex. sess. and RCW 47.20.210; repealing section 47.20.220, chapter 13, Laws of 1961 as last amended"

On page 4 of the title, line 18, from the beginning of the line, and before "chapter 13," strike ".30," and insert ".320."

On page 56, section 178, line 24 after "by section" and before "ex. sess." strike "8, chapter 281, Laws of 1969" and insert "10, chapter 3, Laws of 1963"

The bill was read the second time.

On motion of Mr. Leland, the committee amendments were adopted.

Mr. Ackley moved adoption of the following amendment:

On page 59, section 180, line 14, insert:

"The interim committee on highways shall conduct a study and shall propose to the next session of the legislature legislation whereby all state primary and secondary highways shall be identified by name rather than by route number."

The amendment by Mr. Ackley to Substitute Senate Bill No. 226 was lost.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 226 as amended by the House was placed on final passage.

Representative Leland spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Leland yielded to question by Mr. Hoggins.

Mr. Hoggins: "Mr. Leland, can you assure me, and those who are interested in retaining Highway 99 on the state system, that there is nothing in this act that will remove Highway 99 as it now exists as part of the state system from the state system?"

Mr. Leland: "Yes, I can assure you that was the testimony of both the Highway Department and Mr. Garlington of the Attorney General's staff. I might say as further evidence that Mr. Beck thought he had lost ten miles of highway, but when he got through checking with the department and Mr. Garlington he realized he hadn't. I can assure you there is not one iota of change from the existing situation."

POINT OF INQUIRY

Mr. Cunningham yielded to question by Mr. Ackley.

Mr. Ackley: "Mr. Cunningham, I have on my desk (and I think all the members do) an amendment to this bill which is a twenty-five page amendment by Representatives Scott and Cunningham. Apparently, it was overlooked on second reading. Since quite a bit of time was spent on this, were there reasons that you withdrew it?"

Mr. Cunningham: "We discovered there were more complications than we thought we would have on this and that we probably didn't have the time to process it satisfactorily. So we withdrew the amendment, although I still like the idea."

The Speaker: "I have the broken arm, Mr. Ackley—not Mr. Cunningham."

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 226 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representative Ackley—1.

Excused: Representatives Harris, Kink, Perry, Wojahn—4.

Substitute Senate Bill No. 226 as amended by the House, having received the

constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Wolf, the House advanced to the tenth order of business.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

RECONSIDERATION

The Speaker declared the question before the House to be Engrossed Substitute House Bill No. 33 on third reading and final passage.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 33, by Committee on Appropriations:
Making appropriations.

Representative Bledsoe spoke in favor of passage of the bill.

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

Representative O'Brien spoke against passage of the bill.

Representatives Perry, Kink and Wojahn appeared at the bar of the House.

PERSONAL PRIVILEGE

Mr. Chatalas: "Point of personal privilege, Mr. Speaker. I would like you to extend us the courtesy of having a fifteen-minute recess."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Newhouse, Mr. Conner was excused from further proceedings under the Call of the House.

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 33.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 33, and the bill passed the House by the following vote: Yeas, 51; nays, 46; excused, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Goldsworthy, Hatfield, Hawley, Hoggins, Hubbard, Julin, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—51.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, DeJarnatt, Fleming, Gallagher, Gladder, Grant, Haussler, Hurley, Jastad, Jolly, Juelling, Kalich, King, Kink, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Spanton, Sprague, Thompson, Williams, Wojahn—46.

Excused: Representatives Conner, Harris—2.

Engrossed Substitute House Bill No. 33, having received the constitutional majority,

was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Bledsoe, all bills passed during the evening session were ordered transmitted immediately to the Senate.

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

On motion of Mr. Newhouse, the House reverted to the ninth order of business.

SECOND READING

HOUSE BILL NO. 232, by Representative Murray:
 Repealing B & O exemption as to financial institutions.
 The bill was read the second time.

MOTION

On motion of Mr. Bledsoe, further consideration of House Bill No. 232 was deferred, and the bill was ordered placed at the end of today's second reading calendar.

ENGROSSED SENATE BILL NO. 85, by Senators Atwood, Foley and Mardesich:
 Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.

Committee recommendation: Majority, do pass with the following amendments:

On page 3, section 4, line 27, after "on" delete "*one-twentieth*" and insert "*one-fortieth*"

On page 4, section 5, line 16, after "of" and before "*of a*" on line 17, delete "*one-twentieth*" and insert "*one-fortieth*"

The bill was read the second time.

On motion of Mr. Kopet, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 85 as amended by the House was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 85 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Chapin, Conner, Harris, Juelling, North—5.

Engrossed Senate Bill No. 85 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE JOINT RESOLUTION NO. 6, by Senators Walgren, Bailey, Atwood, Keefe, Twigg and Cooney:

Deleting prohibition against lotteries.

The resolution was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Joint Resolution No. 6 was placed on final passage.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Chapin, Conner and Harris.

On motion of Mr. Bledsoe, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be final passage of Senate Joint Resolution No. 6.

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

Debate ensued, Representatives Bagnariol, Perry, Moon and Leland speaking in favor of passage of the resolution, and Representative Murray speaking against it.

Mr. Bledsoe demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Resolution No. 6 and the resolution failed to pass the House by the following vote: Yeas, 51; nays, 45; excused, 3.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Brouillet, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Copeland, DeJarnatt, Fleming, Gallagher, Grant, Hatfield, Hawley, Hubbard, Hurley, Jastad, Jolly, Kalich, King, Kink, Kuehnle, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Shimpoch, Spanton, Sprague, Thompson, Wanamaker, Williams, Wojahn—51.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Clarke (George W.), Conway, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Haussler, Hoggins, Jueling, Julin, Kirk, Kiskaddon, Kopet, Leckenby, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Whetzel, Wolf, Zimmerman, Mr. Speaker—45.

Excused: Representatives Chapin, Conner, Harris—3.

Senate Joint Resolution No. 6, having failed to receive the constitutional majority, was declared lost.

MOTIONS

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

On motion of Mr. Bledsoe, the House deferred further consideration of the second reading calendar and the bills were ordered placed on tomorrow's second reading calendar.

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

On motion of Mr. Newhouse, the House adjourned until 10:00 a.m., Saturday, February 7, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWENTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, February 7, 1970.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

REPORTS OF STANDING COMMITTEES

February 6, 1970.

SENATE BILL NO. 7, deferring retired persons' property taxes, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives McCaffree, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Ceccarelli, Charette, Grant, Haussler, Hurley, Marzano, Moon, North, Pardini, Randall, Wojahn.

MINORITY recommendation: Do not pass. Signed by Representatives Bluechel, Brown, Hatfield, Murray.

Passed to committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

February 6, 1970.

Mr. Speaker: The Senate has passed:
ENGROSSED SENATE BILL NO. 19,
ENGROSSED SENATE BILL NO. 206,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 6, 1970.

Mr. Speaker: The Senate has passed:
ENGROSSED HOUSE BILL NO. 6,
HOUSE BILL NO. 72,
HOUSE BILL NO. 118,
HOUSE BILL NO. 140,
ENGROSSED HOUSE BILL NO. 164,
ENGROSSED HOUSE BILL NO. 237,
ENGROSSED HOUSE BILL NO. 251,
ENGROSSED HOUSE BILL NO. 295,

and the same are herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 6, 1970.

Mr. Speaker: The President has signed SENATE BILL NO. 107, and the same is herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 6, 1970.

Mr. Speaker: The President has signed:
SENATE BILL NO. 27,
SENATE BILL NO. 67,
SENATE BILL NO. 126,
SENATE BILL NO. 243,
SENATE BILL NO. 277,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 6, 1970.

Mr. Speaker: The President has signed SENATE CONCURRENT RESOLUTION NO. 6, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 6, 1970.

Mr. Speaker: The President has signed HOUSE JOINT RESOLUTION NO. 6, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 19, by Senators Dore, Gissberg, Mardesich and Stortini:

An Act relating to child care centers; making an appropriation; and declaring an emergency.

Referred to Committee on Public Health and Welfare.

ENGROSSED SENATE BILL NO. 206, by Senators Sandison, Ryder and Wilson:

An Act relating to community colleges; amending section 7, chapter -- (HB 41), Laws of 1970 ex. sess. and RCW 28.85.350; amending section 19, chapter -- (HB 41), Laws of 1970 ex. sess. and RCW 28B.50.350; amending section 32, chapter 8, Laws of 1967 ex. sess. as amended by section 1, chapter 238, Laws of 1969 ex. sess. and RCW 28.85.320; amending section 28B.50.320, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 238, Laws of 1969 ex. sess. and RCW 28B.50.320; declaring an emergency; and providing for the expiration of a section hereof.

Referred to Committee on Higher Education.

The Speaker called on Mr. Wolf to preside.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-28, by Representatives Brown, Smythe, Zimmerman, Copeland and Haussler:

WHEREAS, It is uncertain whether or not the voters of the State will approve the tax reform measures enacted by the 1969 Session; and

WHEREAS, The solutions to the continuing financial needs of local government considered and adopted by this 1970 Special Session are temporary in nature; and

WHEREAS, There is a need to search for and find permanent solutions to the problems of local government financing;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council is authorized and directed to undertake a comprehensive study of local government operational and capital financial needs, the adequacy of local and state sources of revenue to serve those needs, and possible permanent solutions. The Legislative Council shall make a preliminary report of its findings, conclusions and recommendations resulting from its study to the 1971 Regular Legislative Session, and shall make such further reports to subsequent Regular Legislative Sessions as may be necessary.

Mr. Brown moved adoption of the resolution.

Representatives Brown, Hoggins and Whetzel spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-29, by Representatives Sprague, Leckenby, Brown, Barden, Zimmerman, Clark (Newman H.), Brouillet, DeJarnatt, Charette, Thompson and Merrill:

WHEREAS, The increase of toxic automobile exhaust from internal combustion engines producing increased pollution of the air we breath is a source of growing concern to the citizens of the State of Washington; and

WHEREAS, In the metropolitan areas of our State, seventy percent of the air pollution is caused directly by the emission of the exhaust from internal combustion engines; and

WHEREAS, The dangers to the environment of our nation and of the world have been studied and analyzed, and the critical nature of the problems associated with the unregulated proliferation of internal combustion engines has been frequently noted in scientific articles and private research studies, as well as legislative and congressional inquiries; and

WHEREAS, The solution of these problems involves commerce among the states to a

degree that no state individually can attack the problems in a comprehensive manner, both because of constitutional restrictions and because of financial limitations to study reasonable and effective alternate modes of propulsion that could supplant internal combustion engines as the principal source of energy for the privately owned automobile; and

WHEREAS, President Richard M. Nixon has called the attention of the government and the people to the need for saving our environment; and

WHEREAS, Congress has made a significant first step toward reducing air pollution from internal combustion engines in passing the Air Quality Act of 1967 and the Clean Air Act of 1969; and

WHEREAS, The United States Congress alone can appropriate sufficient resources to solve this critical problem both by requiring automobile manufacturers to install even more effective anti-pollutive devices on all vehicles and by encouraging and stimulating research into imaginative methods of producing low cost motors using other methods of propulsion;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the President of the United States request the Congress for such legislation as is necessary to implement a program for the research and development of "smogless cars," and that the Commerce Committee of both the Senate and the House of Representatives of the Congress continue to foster methods of combating this most serious national problem.

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to President Richard M. Nixon, to Secretary Robert Finch, Secretary of Health, Education and Welfare, to Senator Warren G. Magnuson, Chairman of the Senate Commerce Committee, and to Representative Harley O. Staggers, Chairman of the House Interstate and Foreign Commerce Committee.

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

HOUSE RESOLUTION NO. 70-30, by Representatives Conner and Savage:

WHEREAS, On August 12, 1905, Mrs. Mary Tozier, then Miss Mary Woods, of Port Angeles, Washington, rescued Mr. E. Olsson, Mr. J. Ellis, and Mr. E. Fleming from drowning in the waters of Port Angeles Bay; and

WHEREAS, Those men were sailors assigned to the United States ship, John Paul Jones, a destroyer; and

WHEREAS, Those men had capsized in a small sailboat and had been in the cold water for over an hour when rescued; and

WHEREAS, Mrs. Tozier and her father rowed to the three men and pulled them from the water; and

WHEREAS, The unselfish act of Mrs. Tozier was responsible for saving the lives of the three men; and

WHEREAS, This heroic act of sixty-five years past has yet to be officially recognized; and

WHEREAS, This action of Mrs. Mary Tozier symbolizes those qualities which should be recognized and encouraged;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Mrs. Mary Tozier be commended for her courage and heroism and be publicly acclaimed for unselfish actions in the hope that others will follow her outstanding example.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this resolution to Mrs. Mary Tozier and her family.

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

HOUSE RESOLUTION NO. 70-32, by Representatives Bledsoe, Chatalas, DeJarnatt, Wolf, Gladder and Kopet:

WHEREAS, Each state has gone its separate way in the licensing of persons engaged in certain occupations and professions and has, for the most part, enacted licensure laws different from those of other states; and

WHEREAS, The Department of Motor Vehicles, through its Business and Professions Administration, has recently completed a beginning study on the feasibility of implementing interstate reciprocity agreements for a number of professions and occupations commonly covered under state licensure laws;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council, through its State Government Committee, make a thorough study of the licensure laws of this state pertaining to occupations and professions and how these laws might best be changed in order to facilitate reciprocal licensure agreements with other states; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives provide a copy of this Resolution to the governing bodies of the Council of State Governments, the National Legislative Conference, the National Conference of Commissioners on Uniform State Laws and the National Governors Conference; and, in addition, provide a copy to the chief administrator of professional and occupational licensure laws in the member states of the Western Conference of the Council of State Governments and the member states of the Council of Occupational Licenses;

AND BE IT FURTHER RESOLVED, That the Legislative Council make a report on

this study and any recommendations arising therefrom to the Forty-second Session of the Legislature.

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

HOUSE RESOLUTION NO. 70-33, by Representatives Anderson, Charette, Hawley, Mahaffey, Kirk and King:

WHEREAS, The continuous growth and improvement of the fisheries industry of the State of Washington is of vital importance to the state and to all of its citizens; and

WHEREAS, New experiments and projects in the fields of education and vocational training are necessary to provide greater opportunities for the young adults of this State so that they can continue to become better and more useful citizens; and

WHEREAS, The State of Washington has always been interested in improving the welfare of its fisheries industry and providing for increased education and vocational training for its young adults; and

WHEREAS, In the past, there has been a lack of organized education and vocational training for young adults of this State in preparation for employment in the fisheries industry; and

WHEREAS, The Sea Resources Project in the community of Chinook in Pacific County has successfully provided the education and vocational training necessary for a young man to become a qualified member of the fisheries industry; and

WHEREAS, Many young men from Ilwaco and Naselle High Schools have already benefited from the training given by the Sea Resources Project;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That all those responsible for the success of the Sea Resources Project be commended for their dedication, cooperation, and generosity in ensuring the success of the project, including the residents of Long Beach Peninsula, Naselle-Grays River Valley School District and Ocean Beach School District, the participants in the project and especially its president, Ted Holway, and its secretary, Mrs. Jackie Prest, Phil Medgard and the State Department of Vocational Education, Al Lasater and the State Department of Fisheries, Louis Bruno, State Superintendent of Public Instruction, and other contributors, such as the Crown Zellerbach Corporation, the Weyerhaeuser Company, and the United States government.

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to each of the aforementioned parties.

Mr. Anderson moved adoption of the resolution.

Representatives Anderson, Hawley and Mahaffey spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-34, by Representatives Smythe, Thompson, Zimmerman and O'Dell:

WHEREAS, Legislative and executive branches of the state government have long recognized the value of citizen participation in recreational activities, this recognition being expressed in plans and programs for development of presently owned recreational facilities, and the development of new facilities; and

WHEREAS, Taxpayers have been continually urged to support the taxes necessary to finance these programs; and

WHEREAS, Taxpayers have always supported taxes necessary to finance recreational programs and/or any other commitments of a responsible government; and

WHEREAS, The Legislature finds the present state tax system to be incongruous in that it requires our citizens to carry a tax burden to finance recreational facilities and at the same time discourages citizen participation in the use of these facilities through the imposition of inequitable and unreasonable personal property taxes; and

WHEREAS, Administrative costs and revenue reductions are to be carefully considered so that the delicate balance of financial stability of each county is not disturbed;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Department of Revenue conduct an intensive study to determine the impact on each county if our taxpaying citizens were to be exempt from paying personal property tax on boats, campers, sports equipment, firearms, hobby collections and all tools and machinery held for the improvement or maintenance of their residence or place of abode if such property is held for his or her exclusive benefit and not for sale or commercial use; and

BE IT FURTHER RESOLVED, That the Department of Revenue report on the results of the study to the Forty-second Legislature.

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

POINT OF INQUIRY

Mrs. McCaffree yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative McCaffree, in the first place, these resolutions express the legislative intent of this body and are more important than some people think.

According to my understanding at the present time, the items listed—sports equipment, firearms, hobby collections, tools and machinery for maintenance of residence or place of abode—are not now assessed by the county assessor. On the other hand, boats are assessed, and I believe we collect taxes for campers. Boats can include up to 70 or 80 foot yachts that have a very large value. According to my understanding, now they are exempt about 80 percent and pay about 20 percent of the personal property taxes on that. I wonder if we want to exempt this kind of thing out from under the personal property tax?"

Mrs. McCaffree: "Representative Flanagan always asks a question and answers it himself. This is a very gray area as Representative Smythe has pointed out. There are many inequities. Each county assessor has interpreted the \$300 personal property tax exemption as covering many of these things such as firearms, hobby equipment, sports equipment, etc. However, since we passed the law in 1967 requiring people to list their own personal property, many assessors have begun to pick up some of these. There is a great inequity, but it is one of the problems that the Revenue and Tax Committee of the Legislative Council has started to look into. Hopefully by the time we get through the next session, we will have some more information. I think this is a good resolution that the Department of Revenue take a look at the fiscal impact of this particular personal property tax and see what the impact would be so that we will have a better idea."

The resolution was adopted.

HOUSE RESOLUTION NO. 70-35, by Representatives Bluechel, Thompson, Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bottiger, Brouillet, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Julin, Kalich, Kirk, Kiskaddon, Kopet, Kuehnl, Leckenby, Leland, Lynch, Mahaffey, Marsh, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Sawyer, Schumaker, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Wanamaker, Whetzel, Williams, Wolf, Wojahn and Zimmerman:

WHEREAS, The State of Washington unequivocally favors condominium development on National Forest lands in order for existing and future recreational complexes to become more economically viable by providing all facilities necessary to serve the broad public interest; and

WHEREAS, The United States Forest Service of the Department of Agriculture has taken exception to this issue, and in its efforts to evaluate, within its current policy structure, condominium development on their lands, has issued a preliminary report on the "Performance of Condominiums for Public Accommodations on National Forest Ski Areas"; and

WHEREAS, The State of Washington feels that the questions to which the study was directed were lacking in scope, and so preconditioned the study results that any subsequent acceptance or further action by the Forest Service, resulting in a policy statement, would strongly indicate a totally negative response to the condominium development question; and

WHEREAS, The probability of such a negative policy interpretation, supported by a mere perfunctory contract report on performance without due consideration of additional germane elements, would preempt for all time the potential for condominium development on Forest Service lands in the State of Washington and elsewhere, thus creating a situation contrary to the desires of the State and establishing an inexpedient precedent for future similar issues; and

WHEREAS, This question is of grave concern to the State of Washington since a significant portion of the lands within the State, including most of the major existing and potential ski areas, are under the direct control of the Forest Service; and

WHEREAS, The policy interpretation and administration of these lands is a critical and intricate procedure in which the State has no voice regardless of the positive or negative impacts on the State resulting from said administration;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That we do hereby request the Secretary of Agriculture to take action or direct that action be taken through the Chief of the United States Forest Service, to immediately and more thoroughly review and evaluate all conditions, questions, and policies relating to condominium development on Forest Service lands, and that this be accomplished with the direct involvement of all agencies on various government levels who can objectively and collectively determine whether or not this is in fact within the broad public interest, and further that this be accomplished prior to any final disposition of the Forest Service preliminary or subsequent report or policy statement.

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the Honorable Clifford M. Hardin, Secretary of Agriculture of the United States, as well as to each member of Congress from the State of Washington, and to the Governors of each of the fifty states so that they, too, may take whatever action they deem appropriate either individually, through legislative process, or governors' conference resolutions.

Mr. Bluechel moved adoption of the resolution.

Representatives Bluechel, Thompson and Leckenby spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-36, by Representatives Beck, Copeland and O'Brien:

WHEREAS, The Puget Sound Governmental Conference commissioned a study of regional airport facilities; and

WHEREAS, That study proposes a regional airport district to be comprised of the counties of King, Pierce, Snohomish and Kitsap; and

WHEREAS, The study proposes that the airport district be the operating agency for a regional international airport and approximately seventy satellite airports; and

WHEREAS, The study shows that air traffic will continue to increase in momentous proportions over a period of years because the Puget Sound area is both a desirable and strategic location; and

WHEREAS, Increased air traffic will have a significant impact on surface transportation of all kinds and especially on highways; and

WHEREAS, Air and surface transportation are of paramount importance to the people of this State; and

WHEREAS, The Legislature, in its official capacity, has not been apprised of the contents of the report made to the Puget Sound Governmental Conference;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Joint Committee on Highways is authorized and requested to undertake a study of the report on the proposed regional airport district and the effects such a district would have on surface transportation and highways of this State.

BE IT FURTHER RESOLVED, That the results of the study be presented to the Forty-second Session of the Legislature for its consideration.

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

HOUSE RESOLUTION NO. 70-37, by Representatives Zimmerman and Murray:

WHEREAS, The number of publications, departmental journals, newsletters and annual or biennial reports produced and printed by the state departments has substantially increased in recent years, along with the associated costs; and

WHEREAS, Current legislation is vague and inconsistent as to requirements of the various departments of state government to submit annual and biennial reports to the Legislature; and

WHEREAS, Currently produced annual and biennial reports frequently contain repeated historical data without change from year to year, information available in other printed sources, and detailed statistical information far in excess of that necessary to report accomplishments or indicate the size and scope of operations; and

WHEREAS, There is substantial duplication of material contained in various publications, information bulletins and annual and biennial reports;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Governor be charged with making a comprehensive review of the procedures, policies, and regulations associated with the publishing of all state and departmental publications and annual reports and that this review be aimed at eliminating nonessential publications, consolidating publications and identifying new approaches which would improve the overall effectiveness of these publications.

BE IT FURTHER RESOLVED, That the findings and recommendations of such review shall be presented to the Speaker of the House of Representatives prior to the 1971 Regular Session of the Legislature, for distribution to the respective members thereof; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Governor.

Mr. Murray moved adoption of the resolution.

Mr. Ackley moved adoption of the following amendment:

On page 1, line 1, after "number of" and before "publications" insert "House floor resolutions and"

Representative Ackley spoke in favor of adoption of the amendment, and Representatives Murray and Charette spoke against it.

The amendment by Mr. Ackley to House Resolution No. 70-37 was lost.

Representatives Murray, Clark (Newman H.) and Gladder spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-38, by Representatives Leckenby and Perry:

WHEREAS, The Pacific Northwest Ports of Puget Sound, State of Washington, have been historically closer to the Orient over great circle routings than any other United States ports in the contiguous forty-eight states; and

WHEREAS, The Seattle-Tacoma International Airport now shares this unique position as an aerial port for movement of passengers and cargo; and

WHEREAS, Air passenger transportation has already largely replaced sea transportation and air cargo and air mail transportation is growing faster than any other segment of the explosive air transportation industry; and

WHEREAS, The potential for air transportation of passengers and mail and cargo between the United States and the Orient is virtually untapped and will undergo unprecedented long range growth and development, by the most conservative predictions; and

WHEREAS, Air transportation is undergoing rapid technological change which now, as never before, and in the future will encourage passenger, mail and cargo transportation over the shortest, most economical, great circle distance between the major aerial ports of the United States mainland and the Orient; and

WHEREAS, President Nixon recently recommended that the Civil Aeronautics Board eliminate from consideration competitive air service between Seattle/Tacoma and Tokyo, the shortest and most direct route linking major cities on the United States mainland with the Orient;

NOW, THEREFORE, BE IT RESOLVED, By this House of Representatives, That this body go on record as favoring a policy that franchises for both United States domestic and foreign-flag carriers should be approved and issued to promote the greatest possible competition over the shortest, most economical route for passengers, mail and cargo between the United States mainland and the Orient. This is the route between Seattle-Tacoma International Airport and Tokyo, Japan, and other major oriental air gateways.

AND BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to Richard M. Nixon, President of the United States, William Rogers, Secretary of State, John Volpe, Secretary of Transportation, the Members of the Civil Aeronautics Board and each member of Congress from the State of Washington.

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

HOUSE RESOLUTION NO. 70-39, by Representatives King, Zimmerman and Brouillet:

WHEREAS, The children of our State are of paramount importance; and

WHEREAS, Some of our children are emotionally and neurologically handicapped; and

WHEREAS, These children with learning disabilities face serious problems in our schools; and

WHEREAS, Proper planning and placement of these children will allow them to develop their potential capacities; and

WHEREAS, Some of our sister states, including California, have developed legislation to aid these children; and

WHEREAS, Kindergarten screening programs should be investigated; and

WHEREAS, The need for teachers and administrators to have instruction on emotionally and neurologically handicapped children should be studied; and

WHEREAS, The need for elementary school teachers to be trained electically in currently established methods of teaching reading, writing and arithmetic to these children should be studied; and

WHEREAS, The need for legislation making these children eligible for vocational rehabilitation should be investigated;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Joint Committee on Education, in cooperation with the Superintendent of Public Instruction, is authorized and directed to undertake a study of the current practices of our schools in dealing with emotionally and neurologically handicapped children.

BE IT FURTHER RESOLVED, That the Joint Committee on Education in cooperation with the State Superintendent of Public Instruction study the laws of our sister states, especially those of California, and make recommendations concerning legislation which our State needs in order to develop a comprehensive program for emotionally and neurologically handicapped children.

BE IT FURTHER RESOLVED, That the results of the studies and the recommendations be presented to the next Regular Session of the Legislature for its consideration.

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

The resolution was adopted.

POINT OF INQUIRY

Mr. King yielded to question by Mrs. Kirk.

Mrs. Kirk: "When you say that the school teachers are to be trained electically, does this mean that these school teachers are going to give the youngsters shock treatments?"

Mr. King: "I noticed that word, too. I called my secretary and asked her to look it up in the dictionary. She said it wasn't in the dictionary so she called Bill Drafting. According to them it means 'appropriately or aptly trained'."

SPEAKER'S PRIVILEGE

The Speaker (Mr. Wolf presiding) observed in the south gallery Ted Campbell and the Lower Columbia Singers. This is a group of thirty-two young people from Longview.

HOUSE RESOLUTION NO. 70-40, by Representatives Wojahn, Kopet, Kirk and Brouillet:

WHEREAS, The optimum nutritional status of the people of the State of Washington is essential for the maintenance of the public health; and

WHEREAS, The Legislature should be informed regarding the nutrition of all the people within the geographic boundaries of this State; and

WHEREAS, Such information and study is worthy of concentrated investigation and evaluation, which can only be done by an efficient and dedicated group knowledgeable and experienced in the field of nutrition;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council, in cooperation with the Departments of Health, Public Instruction and Public Assistance or their statutory successors, is authorized and directed to undertake an interim study of the nutritional status of the people of this State and to report to the next Legislature its recommendations for improvements.

On motion of Mrs. Wojahn, the resolution was adopted.

HOUSE RESOLUTION NO. 70-41, by Representatives Chatalas, Conner, Moon, Charette, Bozarth, Backstrom, Merrill, O'Brien, Thompson, Kalich, Conway, Farr, Williams, Copeland, Grant and Jastad:

WHEREAS, The delta of the Nisqually River and adjacent salt water area is one of the last unspoiled natural areas of Puget Sound, the Nisqually River is one of the few nonpolluted rivers in the entire United States; and

WHEREAS, This area, comprised of approximately 4,000 acres, one-quarter of which is already owned by the State Game Department, is one of the few river delta waterfowl areas on the entire Pacific Coast and is vital to the preservation of the steelhead fishing industry and recreation; and

WHEREAS, Development of the Nisqually River Estuary will benefit all of the citizens of the State of Washington by increasing shore birds, migratory waterfowl and fish numbers of the entire Pacific Northwest and will have great impact on the State of Washington's unique outdoor recreational facilities; and

WHEREAS, Development for wildlife on southern Puget Sound is critically needed to replace previous losses resulting from concentrated industrial development in other basins throughout the State; and

WHEREAS, This area is important as a scientific laboratory for marine biology and evolutionary changes with unique and exceptional scientific, educational, scenic, historical, and recreational values where scientists, students and sportsmen can learn firsthand of the basics of nature, hunting and fishing;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council is authorized and directed to undertake an interim study of the Nisqually Delta Area, in cooperation with Dr. Dixy Lee Ray of the Pacific Science Center and Dr. Gordon Alcorn of the University of Puget Sound, for the purpose of determining a program for development of the area for a wildlife and game preserve for the citizens of the State of Washington; and

BE IT FURTHER RESOLVED, That the results of the study, the recommendations of the Legislative Council, and appropriate legislation drafted pursuant thereto shall be presented to the next Regular Session of the Legislature for consideration.

Mr. Chatalas moved adoption of the resolution.

Mr. Bottiger moved adoption of the following amendment to the resolution:

On page 1, line 6 of the paragraph beginning "NOW, THEREFORE, BE IT RESOLVED" after "preserve" and before "for the citizens" insert "not inconsistent with the industrial development of said delta"

Representative Bottiger spoke in favor of adoption of the amendment.

The amendment was adopted on a rising vote.

Representative Chatalas stated that the amendment was damaging to the resolution but he urged the House to vote in favor of the resolution because a study by Dr. Dixy Lee Ray and Dr. Gordon Alcorn and their findings would be most important.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-42, by Representatives Backstrom, Marsh, Chatalas, Shera, Curtis, Kopet, Goldsworthy, Saling and Wolf:

WHEREAS, It is a paramount legislative responsibility to set state policy and determine agency appropriations; and

WHEREAS, In order to set state policy and make appropriations it is necessary for the Legislature to be appraised as to whether the policies established by the Legislature and the legislative intent are being adhered to by the various agencies of state government; and

WHEREAS, It is a well recognized fact that performance and management audits are a valuable device for legislative review and scrutiny of agency performance and conformity with legislative policy and intent; and

WHEREAS, It is important to assure greater independence and relevance to the audit function and to strengthen the legislative intent relative to the executive branch of government, thereby preserving and restoring a meaningful balance of power in state government; and

WHEREAS, It is a well recognized fact that if performance auditing has any validity it must be a legislative responsibility and function; and

WHEREAS, Scrutinizing and handling of public funds and the preoccupation of following the trail of cash has become the primary source of attention of state auditors; and

WHEREAS, It is obvious that such an audit is not sufficient to meet the needs of the Legislature for an objective appraisal of executive performance; and

WHEREAS, Recent disclosures concerning the state stipend program have indicated that the need for a detailed review of agency operations is absolutely necessary;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Budget Committee shall conduct a study to determine the requirements and statutory authority necessary to implement a legislative post auditing system, including the finances, positions, requisite legislation, and any other items considered necessary, and shall report such findings to the Forty-second Legislature, with appropriate recommendations and legislation.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall transmit a copy of this Resolution to the Legislative Budget Committee.

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

The Speaker (Mr. Wolf presiding) declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Newhouse, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

February 7, 1970.

SENATE BILL NO. 58, restricting use of waterfront lands and providing for the acquisition of scenic easements, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

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

"NEW SECTION. Section 1. The legislature finds and declares that the seacoast tidal beaches of the state of Washington are a unique and valuable natural resource profoundly affected by changes in physical and ecological factors; that our expanding population will increase the use and development of the seacoast tidal beaches; that many of the tidal beaches are in private ownership; that unrestricted construction on the privately owned or publicly owned tidelands is not in the best public interest; and that therefore, coordinated planning is necessary in order to protect the public interest associated with the seacoast tidal beaches while, at the same time, recognizing and protecting private property rights consistent with the public interest.

It is therefore declared to be the policy of this state that it is in the public interest to protect the seacoast tidal beaches as herein provided and that the seacoast tidal beaches be managed so as to plan for and foster all reasonable and appropriate uses. In all such uses the provisions of this act shall be construed and administered so as to minimize any resultant damage to the ecology and the environment of the seacoast tidal beaches and their adjoining upland and to minimize the interference with the public's use of the waters over such tidelands. Uses which are unique to or particularly dependent upon the seacoast tidal beaches are to be preferred over uses which can be located elsewhere.

NEW SECTION. Sec. 2. As used in this act, unless the context otherwise requires:

(1) 'Review board' shall mean a board consisting of three members: The governor, or his duly appointed representative; the commissioner of public lands, or his duly appointed representative; and for the purposes of establishing seacoast tidal beach guidelines, a representative chosen by the Washington state association of counties; and for all other purposes, a representative chosen by the public agency directly involved, or if no unit of local government is directly involved, then a representative of local government with zoning authority over the adjacent upland area;

(2) 'Construction' shall mean erection of any permanent structure valued at more than two hundred fifty dollars; or any activity which interferes with the normal public use of the tidal water at any stage of the tide or otherwise materially alters the seacoast tidal beach;

(3) 'Harbor areas' shall mean those areas so designated by the harbor line commission in accord with Article XV of the state Constitution or by legislative action;

(4) 'Department' shall mean the department of environmental quality;

(5) 'Department plan' shall mean plans adopted by the department in lieu of public planning and regulations or any amendments or modifications thereto;

(6) 'Local governments' shall mean counties, incorporated cities and towns, port districts and any other political subdivision or public corporation which contain within their boundaries any seacoast tidal beaches subject to this act;

(7) 'Ordinary high water mark' for the purpose of this act for tidal waters will be found by examining the bed and banks, and ascertaining where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as well as in respect to the nature of the soil itself as these conditions exist on the effective day of this act or as they may naturally change thereafter;

(8) 'Person' shall mean an individual, partnership, corporation, association, organization, cooperative, municipal corporation, or agency of state or local government, however designated;

(9) 'Public agency' shall mean a unit of local government, including a port district or a state agency;

(10) 'Public planning and regulations' shall mean regulations adopted by public agencies to govern use of the seacoast tidal beaches pursuant to this act, and any amendments or modifications thereto;

(11) 'Seacoast tidal beaches' shall mean the tidal area between the ordinary high water mark and the line of extreme low tide; which boundaries shall extend across the beds of navigable rivers contained therein;

(12) 'State agency' shall mean any officer or any administrative or organizational branch of state government, regardless of its particular official designation;

(13) 'Seacoast tidal beach guidelines' shall mean the guidelines adopted pursuant to section 7 of this act.

As used in this act, the singular shall include the plural and any gender shall include all others.

NEW SECTION. Sec. 3. This act shall apply to: (1) the seacoast tidal beaches from the mouth of the Columbia River northward to Cape Flattery and from Cape Flattery to Point Wilson, and (2) the seacoast tidal beaches surrounding and included within the Puget Sound Basin, including Hood Canal, the San Juan Islands and the eastern seacoast tidal beaches of Puget Sound extending to the Canadian border.

NEW SECTION. Sec. 4. The provisions of this act, with respect to all publicly owned seacoast tidal beaches along with any privately owned portion of the seacoast tidal beach adjoining landward across the legal boundary of the abutting uplands, shall be administered by the public agency otherwise holding, managing and administering such public beaches; and, with respect to seacoast tidal beaches in other private ownership, shall be administered by the department, except that the area between the ordinary high water mark and the inner harbor line shall be administered by the public agency administering the abutting harbor area if there are improvements authorized in the abutting or adjacent harbor area. The public agencies administering the seacoast tidal beaches shall consult with one another relative to permitted use along common boundaries and may mutually agree to assign responsibilities acquired under this act to one another.

NEW SECTION. Sec. 5. Until such time as the appropriate public agency adopts public planning and regulations, new construction may be started on the seacoast tidal beaches only after issuance of a written permit by the administering agency. Permits shall be issued upon application for the purposes of (1) construction necessary to protect real or personal property; (2) construction of the normal protective bulkhead common to the single family residence in the immediate area; (3) appropriate construction associated with harbor areas; (4) aids to public navigation; (5) construction that the public agency determines will be in conformance with both the probable and alternative public planning and regulations for the area consistent with the policy declared in section 1.

Application for permits under this section shall be made upon forms furnished by the appropriate public agency and shall be accompanied by evidence that the applicant has complied with the state hydraulics code, RCW 75.20.100, and is otherwise duly authorized to conduct the activity proposed upon the property affected.

The appropriate public agency shall require the applicant to give notice to owners of adjacent seacoast area real property or to the general public by publication twice in a newspaper of general circulation within the county in which said property is located in such form as the agency may prescribe and shall conduct a public hearing whenever there appears to be sufficient concern.

The exclusive remedy for a person feeling aggrieved from the granting of a permit on the seacoast tidal beaches under this section, or for a person feeling aggrieved from the denial or a permit on the privately owned seacoast tidal beaches under this section, shall be to demand a hearing before the review board, within thirty days of the granting or denial of said permit, which hearing shall be considered a contested case under chapter 34.04 RCW.

Any person feeling aggrieved by a final decision of the review board may appeal to the superior court as provided in RCW 34.04.130.

NEW SECTION. Sec. 6. Within one and one-half years following the effective date of this act the department shall establish seacoast tidal beach guidelines to implement the policy declared in section 1 of this act. To establish such guidelines public hearings shall be held by the department in the county seat of each county in which there are seacoast tidal beaches and the procedures for establishing rules and regulations under the Administrative Procedures Act, chapter 34.04 RCW shall be followed. When the guidelines have been established and adopted by the department they shall become effective only upon approval of the review board, and following such approval, only after adjournment of the next regular or extraordinary session of the legislature: **PROVIDED,** That such guidelines shall be null and void and of no effect if both houses of the legislature, by majority vote, disapprove such guidelines.

NEW SECTION. Sec. 7. Within one and one-half years following the adoption of seacoast tidal beach guidelines, the appropriate public agencies shall develop and adopt public planning and regulations for the seacoast tidal beaches. Such planning and regulations shall be reasonably consistent with the guidelines as adopted by the department and approved as provided in this act.

Any public planning and regulations on areas between the ordinary high water mark and the inner harbor line, adopted pursuant to this act, shall not restrict construction for those uses that exist or are authorized in current leases on the abutting harbor area.

The department may cooperate with and assist all appropriate agencies or units of government, and private individuals or organizations, in obtaining, developing and financing new plans, studies, and surveys. State agencies and officials of local governments shall cooperate fully with each other and the department in furthering the purposes of this act.

Subject to the requirements for the establishment and adoption of seacoast tidal beach guidelines by the department, the department with the approval of the review board and the legislative council may amend, modify or rescind guidelines from time to time, as necessary.

NEW SECTION. Sec. 8. Any public agency that has completed its proposed public planning and regulations pursuant to this act shall submit such plans or regulations to the department for review prior to final adoption by said public agency. The department shall, if supported by the review board, require modification of any proposed public planning and regulation so as to be reasonably consistent with the seacoast tidal beach guidelines and shall recommend appropriate changes. The public agency shall then have sixty days to adopt the department's recommendations or to make other revisions designed to correct the conflicts and resubmit the plans to the department.

If any public agency fails to complete and implement public planning and regulations within the one and one-half year period specified, or to modify its plans or regulations as provided in this act within an additional ninety days, the department shall make department plans subject to the approval of the review board which the public agency shall then enforce or, if such public agency declines or fails to enforce the provisions of the department's plan, the department shall enforce said provisions.

The department may extend the time for compliance with this section by not more than ninety days if it finds that the public agency is making all reasonable efforts to comply in the shortest possible time.

NEW SECTION. Sec. 9. The superior court of Thurston county or of the county within which the seacoast tidal beaches are located shall have jurisdiction of suits commenced under this act, including jurisdiction to restrain any violation of the public planning and regulations. The attorney general at the request of the department, any state agency, or the prosecuting attorney or municipal attorney at the request of the local government, shall seek injunctive, declaratory, or other civil relief necessary to enforce this act.

If a private citizen has requested the attorney general to enforce this act, and the attorney general has declined to do so, the private citizen may institute an appropriate civil suit to enforce this act in the name of the state, and if he prevails, may be entitled to his reasonable attorney's fee from the defendant. If the defendant prevails, the defendant may be entitled to his reasonable attorney's fee from the plaintiff.

NEW SECTION. Sec. 10. Any person who violates any provision of this act shall be liable for all damages to public or private property arising from such violation, and for the cost of restoring the affected area to its condition prior to the violation. Private persons, the department and other state agencies through the attorney general and local governments through the appropriate legal officer, may sue under this section on their own behalf. The court may, as an alternative to the awarding of the cost of restoration, compel the violator to restore the affected area under such terms or conditions as it may order. The court may award reasonable attorney's fees to the prevailing party.

NEW SECTION. Sec. 11. Any person who erects any structure or otherwise materially alters any portion of the seacoast tidal beaches in violation of any provision of this act or rules or regulations adopted hereunder, shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than one hundred nor more than twenty-five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or both. The fine for the third and all subsequent violations in any five-year period shall not be less than one thousand nor more than ten thousand dollars.

NEW SECTION. Sec. 12. For the purposes of administering this act the department may enter into contracts with, or receive funds from, the state of Washington or any of its

agencies or subdivisions, from the federal government, or from any other public or private agency, person, or organization.

NEW SECTION. Sec. 13. The department may acquire fee title or any lesser interest in real property from any person by purchase, gift, lease, exchange or condemnation pursuant to chapter 8.04 RCW if it determines that such property is needed to further the policy of this act and is otherwise unavailable, provided that a decision to condemn under authority of this act must be concurred in by the review board: PROVIDED, HOWEVER, That in all cases where condemnation is instituted under authority of this act, for less than fee simple title the owner shall have the right to demand the condemnation of his entire property interest. Title to property acquired pursuant to this section shall be taken in the name of the state, and the property itself shall be managed and administered by the appropriate state agency as determined by law, or in the absence of such determination, as designated by the governor. After soliciting public bids, the department may lease improved or unimproved real property on such terms as it deems best in the public interest in order to carry out the purposes of this act.

NEW SECTION. Sec. 14. All appropriate state agencies and local governments shall review administrative and management policies, regulations, contracts, and plans affecting adjacent lands or resources under their respective jurisdictions that may in any way involve the seacoast area subject to this act, and shall work individually, with each other, and with the department to implement the policy of this act. Particular attention shall be given to scheduled road construction, water impoundments and diversions, dredgings and similar activities.

NEW SECTION. Sec. 15. The department is authorized to be the official representative of the state of Washington to the United States and its agencies, the Dominion of Canada, the state of Oregon, the Province of British Columbia, and other interested states, organizations and individuals, in the field of seacoast tidal beach use policy, but shall keep other Washington state agencies, concerned with seacoast tidal beach management, fully informed relative to such representation.

NEW SECTION. Sec. 16. The department may reimburse local governments and other state agencies from funds appropriated to the department for that purpose by the legislature, or funds otherwise received by the department, for up to seventy-five per centum of the local government's cost of developing public planning and regulations, comprehensive plans and zoning ordinances for the seacoast. State funds so made available may be treated as matching funds by the local governments, with the consent of the department, for the purposes of federal programs.

NEW SECTION. Sec. 17. This act is exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.

NEW SECTION. Sec. 18. The chairman of the review board shall be appointed by the members thereof, and he shall conduct the board's meetings in accordance with such rules as the board may prescribe.

NEW SECTION. Sec. 19. The review board shall meet at such times and at such places as necessary to carry out the purposes of this act. For such member, who is not otherwise employed by the state or some subdivision thereof, such member shall receive compensation in the amount of twenty-five dollars per day, together with mileage and per diem allowance as authorized for other state employees in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 20. In matters submitted to the review board for review or approval other than for the review of the granting or denial of a permit under section 5 herein, it shall be the responsibility of the director of the department to accompany such requests with a statement of the background occasioning the request together with the department's proposal for dealing with the same. The review board shall submit to the director in writing their decision on each matter presented.

NEW SECTION. Sec. 21. In addition to the establishment of the guidelines authorized in section 7 of this act the department shall conduct a comprehensive study of the private and public use and management of the seacoast uplands, particularly as such use and management relates to the adjacent seacoast tidal beaches. This study shall be conducted so as to include consultation with all interested parties, including local governments, state agencies, federal agencies and private groups. The department shall further at all times coordinate its study with the legislative council. The results of the study, and any recommendations, shall be presented to the legislature within one year of the effective date of the seacoast tidal beaches guidelines.

NEW SECTION. Sec. 22. If any provision of this act, or its application to any person or legal entity or circumstances, is held invalid, the remainder of the act, or the application of the provision to other persons or legal entities or circumstances, shall not be affected.

NEW SECTION. Sec. 23. If the department of environmental quality is not created by the legislature prior to the effective date hereof, the powers and functions given to the department by this act shall be vested in such agency as is designated by the governor, until the department of environmental quality is created.

NEW SECTION. Sec. 24. This act shall not affect any of the provisions of the state fisheries laws (Title 75 RCW), the state water pollution control laws (Title 90 RCW), the state game laws (Title 77 RCW), and shall be cumulative and nonexclusive.

NEW SECTION. Sec. 25. Nothing in this act shall be construed to prejudice any public or private rights that now exist, or hereafter may be established in the seacoast tidal beaches. Nothing in this act shall be construed to prohibit the exercise of any rights granted

under the provisions of chapter 24, Laws of 1895, chapter 25, Laws of 1895, and chapter 165, Laws of 1919.

NEW SECTION. Sec. 26. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions, and shall take effect immediately.

NEW SECTION. Sec. 27. This act shall be known and cited as the 'Seacoast Management Act of 1970' and shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 28. There is appropriated to the department of environmental quality from the general fund, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of sections 7 and 21 of this act."

In line 1 of the title after "lands" strike the remainder of the title and insert: "including areas subject to marine water flowage, and providing for improved planning of the use thereof, and the protection and preservation thereof for the public benefit; adding a new chapter to Title 43 RCW; making an appropriation; providing penalties; and declaring an emergency."

Signed by Representatives Flanagan, Chairman, Veroske, Vice Chairman, Anderson, Beck, Benitz, Berentson, Jolly, Julin, Kiskaddon, Leland, McCormick, Martinis, Newhouse, Schumaker, Smythe, Thompson, Wanamaker, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

MOTION

On motion of Mr. Newhouse, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The Speaker (Mr. Newhouse presiding) called the House to order at 2:00 p.m.

The Clerk called the roll and all members were present except Representatives Adams, Chapin, Conner, Harris, Haussler, Kalich, Litchman, McCormick, Merrill and Shinpoch. Representatives Adams, Chapin, Conner, Harris, Haussler, Kalich, Merrill and Shinpoch were excused.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Newhouse presiding) stated that the pages had asked to perform a song and requested the Sergeant at Arms to conduct them to the bar of the House.

The pages sang "Where Have All the Representatives Gone?"

The Sergeant at Arms conducted them to the rear of the House chamber.

The Speaker (Mr. Newhouse presiding) declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Wolf, the House advanced to the fifth order of business.

SENATE AMENDMENTS TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 13 with the following amendments:

On page 1, section 1, beginning on line 11, strike all of the material through page 5, section 7, line 22 and insert the following:

"**NEW SECTION. Section 1.** That portion of the proviso contained in chapter 282, Laws of 1969, ex. sess. (pages 2718, 2719, Pamphlet Edition, Statute Law Committee, Volume 8) dealing with the reimbursement factor for school districts of certain descriptions reading as follows:

'For school districts judged remote and necessary by the state board of education and enrolling fewer than 250 students in grades 9-12 and for nonhigh districts judged remote and necessary by the state board of education and for schools by the state board of education within a district and which enroll fewer than 100 students:'

is hereby suspended.

NEW SECTION. Sec. 2. During the current fiscal period ending June 30, 1971 the reimbursement factor applicable to school districts enrolling fewer than 250 students in

grades 9-12 and for nonhigh districts which are judged remote and necessary by the state board of education and which enroll fewer than 100 students shall be in accordance with the weighting factor submitted by the superintendent of public instruction to the 40th legislature.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately."

On page 1, line 1, of the title, after "education;" strike all of the material through line 9 and insert "suspending a proviso; and declaring an emergency.", and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

Mr. Goldsworthy moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 13 and that the Senate be asked to recede therefrom.

The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 23 with the following amendments:

On page 1, section 1, line 20 after "RCW 26.36.030" insert "and RCW 26.36.060"

On page 1, section 1, line 21 after "section" and before the period, insert "PROVIDED, HOWEVER, That this section shall not apply to attorneys performing legal services in connection with adoptions", and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Farr, the House concurred in the Senate amendments to Engrossed House Bill No. 23.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 23 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 23 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 0; absent or not voting, 14.

Voting yea: Representatives Ackley, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—85.

Absent or not voting: Representatives Adams, Backstrom, Bledsoe, Chapin, Conner, DeJarnatt, Harris, Haussler, Kalich, Litchman, McCormick, Merrill, Scott, Shinpoch—14.

Engrossed House Bill No. 23 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed HOUSE BILL NO. 103 with the following amendment:

On page 1, section 1, line 14, after "court", strike all of the material down to and including "dollars" on line 16 and insert "[, which shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed fifty dollars] *If the justice court is operating under the provisions of chapters 3.30 through 3.74 RCW, the small claims department of that court shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed two hundred dollars. If the justice court is not operating under the provisions of chapters 3.30 through 3.74 RCW, the small claims department of that court shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed one hundred dollars.*", and the same is herewith transmitted. JERRY HAGAN, Assistant Secretary.

MOTION

On motion of Mr. Clarke (George W.), the House concurred in the Senate amendment to House Bill No. 103.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 103 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 103 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 0; absent or not voting, 15.

Voting yea: Representatives Ackley, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Hawley, Hoggins, Hurley, Jastad, Jolly, Juelling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—84.

Absent or not voting: Representatives Adams, Backstrom, Bledsoe, Chapin, Conner, DeJarnatt, Harris, Haussler, Hubbard, Kalich, Litchman, McCormick, Merrill, Scott, Shinpoch—15.

House Bill No. 103 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 5, 1970.

Mr. Speaker: The Senate has passed SUBSTITUTE HOUSE BILL NO. 129 with the following amendment:

On page 3, section 3, line 9, before "paid" strike "have" and insert "has", and on line 11, after "thereto," and before "paid" strike "have" and insert "has", and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Hoggins, the House concurred in the Senate amendment to Substitute House Bill No. 129.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 129 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 129 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 0; absent or not voting, 15.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Marsh, Martinis, Marzano, May, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—84.

Absent or not voting: Representatives Adams, Bledsoe, Bottiger, Chapin, Conner, DeJarnatt, Harris, Haussler, Kalich, Litchman, Mahaffey, McCormick, Merrill, Scott, Shinpoch—15.

Substitute House Bill No. 129 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed **SUBSTITUTE HOUSE BILL NO. 169** with the following amendments:

On page 1, section 1, line 7, strike all the matter beginning on line 7, down through "misdemeanor" on line 11 and insert:

"Any person who injures or kills by shooting or poisoning any horse, mule, cattle, sheep, swine, or goat without the permission of the owner thereof and who does not commit grand larceny as defined by RCW 9.54.090 shall be guilty of a gross misdemeanor"

On page 1, section 2, beginning on line 12, strike all of section 2.

On page 1, line 2 of the title, strike "adding a new section to chapter 15.80 RCW;" and the same is herewith transmitted. **SIDNEY R. SNYDER**, Secretary.

MOTION

Mr. Amen moved that the House do not concur in the Senate amendments to Substitute House Bill No. 169 and that the Senate be asked to recede therefrom.

The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

February 5, 1970.

Mr. Speaker: The Senate has passed **ENGROSSED HOUSE BILL NO. 201** with the following amendments:

On page 3, section 3, line 14, after "means every" strike "bus" and insert "motor vehicle designed for the purpose of carrying passengers"

On page 3, section 3, line 16, after "agricultural," and before "religious" strike "business."

On line 1 of the title following "Relating to" strike "speed limits" and insert "the regulation of motor vehicles", and the same is herewith transmitted. **SIDNEY R. SNYDER**, Secretary.

MOTION

Mr. Leland moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 201 and that the Senate be asked to recede therefrom.

The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

February 5, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 304 with the following amendments:

On page 2, section 3, line 12 of the engrossed bill strike all of subsection (1) and insert the following:

"(1) Seven cents shall be distributed between the state, cities, and counties under the provisions of RCW 46.68.090 and 46.68.100 [, as amended in section 8 of this 1967 amendatory act] : *PROVIDED, That from the effective date of this act through June 30, 1976, six and seven-eighths cents shall be distributed between the state, cities, and counties under the provisions of RCW 46.68.090 and 46.68.100.*"

On page 2, section 3, line 22 of the engrossed bill, strike all of subsection (4) and insert the following:

"(4) One-quarter cent shall be paid to the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.60.350 : *PROVIDED, That from the effective date of this 1970 amendatory act through June 30, 1976, three-eighths of one cent shall be paid into the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.060.350.*"

On page 3, section 4, line 9 of the engrossed bill strike all of subsections (1), (2), and (3) on lines 9 through 18 of the engrossed bill and insert the following:

"(1) To the cities and towns of the state sums equal to ten and four-tenths percent of the net tax amount to be paid monthly as the same accrues : *PROVIDED, That from the effective date of this 1970 amendatory act through June 30, 1976, there shall be paid to the cities and towns of the state sums equal to ten and fifty-nine hundredths percent of the net tax amount to be paid monthly as the same accrues;*

(2) To the counties of the state sums equal to thirty-two and five-tenths percent of the net tax amount to be paid monthly as the same accrues : *PROVIDED, That from the effective date of this 1970 amendatory act through June 30, 1976, to the counties of the state there shall be paid sums equal to thirty-three and nine hundredths percent of the net tax amount to be paid monthly as the same accrues;*

(3) To the state, to be expended as provided by RCW 46.68.130, sums equal to fifty-seven and one-tenth percent of the net tax amount to be paid monthly as the same accrues : *PROVIDED, That from the effective date of this 1970 amendatory act through June 30, 1976, to the state there shall be paid to be expended as provided by RCW 46.68.130, sums equal to fifty-six and thirty-two hundredths percent of the net tax amount to be paid monthly as the same accrues.*"

On page 4, section 7, line 29, after "ferries" and before the period, insert "*: PROVIDED, That the state highway commission shall issue design and performance specifications calling for design, construct and performance bids and shall report their progress with the same to the joint committee on highways before entering into any other contracts for construction of said ferries*"

On page 4, section 8, line 30, strike section 8. Renumber section 9 and section 8. Renumber following section consecutively., and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Leland, the House concurred in the Senate amendments to Engrossed House Bill No. 304.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 304 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 304 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 73; nays, 14; absent or not voting, 12.

Voting yea: Representatives Ackley, Anderson, Backstrom, Bagnariol, Barden, Beck, Berentson, Bluechel, Bottiger, Bozarth, Brown, Ceccarelli, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Hatfield, Hawley, Hoggins, Jolly, Juelling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—73.

Voting nay: Representatives Amen, Benitz, Brouillet, Charette, Gladder, Goldsworthy, Grant, Hubbard, Hurley, Jastad, Kuehnle, Marzano, Richardson, Sawyer—14.

Absent or not voting: Representatives Adams, Bledsoe, Chapin, Conner, DeJarnatt, Harris, Haussler, Kalich, Litchman, McCormick, Merrill, Shinpoch—12.

Engrossed House Bill No. 304 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

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

MOTION FOR RECONSIDERATION

Mr. Swayze, having given notice on the preceding day, moved that the House do now reconsider the vote by which Engrossed Substitute Senate Bill No. 80 passed the House.

Representatives Swayze and Charette spoke in favor of the motion.
The motion was carried.

MOTION

On motion of Mr. Wolf, the rules were suspended and Engrossed Substitute Senate Bill No. 80 was returned to second reading for the purpose of amendment.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 80, by Committee on State Government:

Establishing a state-wide drug control unit with the board of pharmacy.

MOTION

On motion of Mr. Newhouse, the House deferred further consideration of Engrossed Substitute Senate Bill No. 80 on second reading, and the bill was ordered placed on Monday's second reading calendar.

SENATE BILL NO. 58, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

Restricting use of waterfront lands and providing for the acquisition of scenic easements.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendments see Reports of Standing Committees, following Resolutions, today's Journal.)

The bill was read the second time.

Representative Flanagan moved adoption of the amendment and spoke in favor of its adoption.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 42,
HOUSE BILL NO. 46,
HOUSE BILL NO. 63,
HOUSE BILL NO. 66,
HOUSE BILL NO. 126,
HOUSE BILL NO. 293,
SENATE BILL NO. 27,
SENATE BILL NO. 67,
SENATE BILL NO. 107,
SENATE BILL NO. 126,
SENATE BILL NO. 243,
SENATE BILL NO. 277,
SENATE CONCURRENT RESOLUTION NO. 6.

MOTIONS

Mr. Newhouse moved that the House defer further consideration of today's second reading calendar and the bills be placed on Monday's calendar in the following order: Senate Bill No. 58, Engrossed Substitute Senate Bill No. 80, House Bill No. 253, and House Bill No. 232.

The motion was carried.

On motion of Mr. Newhouse, the House advanced to the twelfth order of business.

On motion of Mr. Newhouse, the House adjourned until 11:00 a.m., Monday, February 9, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

TWENTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 9, 1970.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Leland, Rosellini, Smythe and Thompson. Representative Smythe was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Walter A. MacArthur of the First United Methodist Church of Olympia.

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

The Speaker called on Mr. Newhouse to preside.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Newhouse presiding) observed in the north gallery students from Ferndale and asked them to stand and be recognized.

The Speaker observed in the north gallery a group of students from Woodstock Junior High School in Lakewood and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Camas High School and asked them to stand and be recognized.

The Speaker observed in the north gallery sixty students from Lake City Elementary School in Tacoma and asked them to stand and be recognized.

PERSONAL PRIVILEGE

Mr. Leckenby: "Point of personal privilege, Mr. Speaker. I would like to make a short announcement concerning some activities at noon today. The Tyee High School band from the Highline District will be playing in the rotunda. This group of sixty students is earning money to go on a five-country tour in Europe for five weeks. They have raised all but \$9,500 of the \$48,000 needed. They are here to play for us today to show what kind of troupe they will be in representing our state and country in Europe. I hope many of us will have an opportunity to hear them. Thank you."

SPEAKER'S PRIVILEGE

The Speaker (Mr. Newhouse presiding): "The Speaker would like to announce for the benefit of visitors in the gallery that today's schedule will not include a great deal of House floor action because at the end of last week we completed action on most bills. Now most business conducted will result in conference committees, and there will be very little for visitors to see. For that reason the House will be in session for short periods only most of today and tomorrow."

MOTION

On motion of Mr. Wolf, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The Speaker (Mr. Newhouse presiding) called the House to order at 2:00 p.m.

The Clerk called the roll and all members were present except Representatives Julin, Perry and Smythe. Representative Smythe was excused.

The Speaker resumed the Chair.

MESSAGES FROM THE SENATE

February 7, 1970.

Mr. Speaker: The President has signed:
 SENATE BILL NO. 15,
 SUBSTITUTE SENATE BILL NO. 28,
 SENATE BILL NO. 61,
 SENATE BILL NO. 66,
 SENATE BILL NO. 81,
 SENATE BILL NO. 101,
 SENATE BILL NO. 129,
 SENATE BILL NO. 132,
 SENATE BILL NO. 141,
 SENATE BILL NO. 145,
 SENATE BILL NO. 164,
 SENATE BILL NO. 179,
 SENATE BILL NO. 311,

and the same are herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 9, 1970.

Mr. Speaker: The President has signed:
 HOUSE BILL NO. 42,
 HOUSE BILL NO. 46,
 HOUSE BILL NO. 63,
 HOUSE BILL NO. 66,
 HOUSE BILL NO. 126,
 HOUSE BILL NO. 293,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

SENATE AMENDMENT TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 5 with the following amendment:

On page 1, line 8, starting with "Real" strike all the matter down to and including the period after "individuals" on line 32, on page 2 and insert the following:

"Real or personal property owned and used by a nonprofit corporation in connection with the operation of a sheltered workshop for handicapped persons, and used primarily in connection with the manufacturing and the handling, sale, or distribution of goods constructed, processed, or repaired in such workshops or centers.

NEW SECTION. Sec. 2. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

Unless a different meaning is plainly required by the context, the following term as hereinafter used in this chapter shall have the following meaning:

'Sheltered workshop' means rehabilitation facility, or that part of a rehabilitation facility operated by a nonprofit corporation, where any manufacture or handiwork is carried on and which is operated for the primary purpose of (1) providing gainful employment or rehabilitation services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for handicapped individuals.

NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to the gross sales or gross income received by nonprofit organizations from the operation of 'sheltered workshops'. For the purposes of this section, 'sheltered workshops' mean rehabilitation facilities, or that part of rehabilitation facilities, where any manufacture or handiwork is carried on and which is operated for the primary purpose of (1) providing gainful employment or rehabilitation services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for handicapped individuals."

and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Kiskaddon, the House concurred in the Senate amendment to Engrossed House Bill No. 5.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 5 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 5 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Spanton, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Julin, Smythe, Thompson—3.

Engrossed House Bill No. 5 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 7, 1970.

Mr. Speaker: The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 33 with the following amendments:

On page 2, section 1, delete line 28 and insert the following: "mainder of the 1969-71 biennium and that of this \$560,000 the sum of \$50,000, or so much thereof as may be necessary, shall be made available for the purpose of planning pilot programs in environmental education at the Northwest Outdoor Laboratory on Whidbey Island; and, the sum of \$90,000, or so much thereof as may be necessary, shall be made available for conducting pilot programs in environmental education at the Cispus Educational Center near Randle: PROVIDED, That such sums shall be available only through contractual agreements with the Superintendent of Public Instruction and such agreements shall be filed with the Legislative Budget Committee: PROVIDED FURTHER, That for purposes of distributing general fund appropriation for general apportionment, through the school equalization formula, the amount of adjusted local property tax revenues computed for any school district shall not exceed the amount of the revenues that would be produced using the previous year's indicated ratio by more than five percent: \$1,150,000.00"

On page 3, section 1, between lines 10 and 11 insert the following:

"CANAL COMMISSION

General Fund Appropriation for the period of July 1, 1970 through	
June 30, 1971	\$ 33,142.00
General Fund — Harbour Improvement Account appropriation for the	
period July 1, 1970 through	
June 30, 1971	\$ 10,000.00"

On page 3, section 1, between lines 24 and 25 insert the following:

“DEPARTMENT OF INSTITUTIONS HEADQUARTERS

General Fund Appropriation: PROVIDED, That \$92,000 shall be allocated from the amounts appropriated in chapter 282, Laws of 1969 ex. sess. from the Department of Institutions Headquarters appropriation \$ 92,000.00”

On page 3, section 1, between lines 27 and 28 insert the following:

“STATE AUDITOR

General Fund Appropriation for salaries and wages \$ 59,162.00”

On page 4, section 1, line 5, after “1970” insert the following: “: PROVIDED FURTHER, That from the effective date of this act through June 30, 1971, \$300,000 or as much thereof as necessary is appropriated to the general assistance program, and shall be used to pay medical costs of indigent prisoners of county and city jails or juvenile facilities in accordance with eligibility standards to be developed by the Department.”

On page 4, section 1, line 18, strike “\$4,800,000.00” and insert, “\$16,800,000.00”

On page 7, section 2, line 2, after the word “funds” insert the following: “: PROVIDED, That the sum of \$10,000.00, or so much thereof as may be necessary, shall be expended on the establishment and operation of a vocational and technical training center at Paine Field.”

On page 7, after line 11, insert the following new sections:

“NEW SECTION. Sec. 3. There is hereby appropriated from the general fund to the State Board for Community College Education the sum of \$13,000 or so much thereof as is deposited in the state general fund from the pending sale to Bonneville Power Administration of the following described real property and any fixtures thereon, whichever amount is the lesser, for construction, repairs, remodeling, land acquisition, equipment and other capital improvements for Peninsula Community College district number 1:

A 10.24 acre parcel of land in the S½ NE¼ NW¼ of Section 14, Township 30 North, Range 6 West, Willamette Meridian, Clallam County, Washington, described further in the official offer of the State Board for Community College Education to convey the property to the Bonneville Power Administration, dated January 8, 1970, and on file in the offices of the State Board.

NEW SECTION. Sec. 4. There is hereby appropriated from the general fund to the State Board for Community College Education the sum of \$950,000 or so much thereof as is deposited in the state general fund from the pending sale to the City of Seattle of the following described real property and any fixtures thereon, whichever amount is the lesser, for construction, repairs, remodeling, land acquisition, equipment and other capital improvements for Seattle Community College district number 6:

All of Block numbered 11 of Hill Tract Addition to the City of Seattle, King County, Washington; bounded on the East by 19th Avenue, on the South by Main Street, on the West by 18th Avenue, and on the North by the imaginary center line of Washington Street, extended Easterly to its intersection with 19th Avenue.”

Renumber the remaining sections consecutively.

On page 11, section 4, between lines 21 and 22 insert the following:

“CHARLES KEVIS in full settlement for medical expenses and loss of personal property \$ 129.75”

In NEW SECTION. Sec. 4, on page 12, between lines 22 and 23, insert the following:

“MARGARET SCHEIBER for refund of moneys paid into Judges’ Retirement Fund by Judge Virgil V. Scheiber, deceased, as full settlement \$ 6,959.86”

On page 16, section 4, between lines 16 and 17, insert the following:

“LEGISLATIVE COUNCIL

General Fund Appropriation: PROVIDED, That the amount herein appropriated shall be used to study health care costs including but not restricted to hospital costs \$ 20,000.00”

On page 16, section 4, between lines 16 and 17 insert the following:

“SENATE EXPENSES

General Fund Appropriation \$ 150,000.00”

On page 16, section 5, line 18, after “is” strike all of the material through “expenses:” on line 29 and insert the following: “directed to allocate by July 1, 1970, from his general fund appropriation, \$2,000,000.00 for urban, racial and disadvantaged programs and the State Superintendent is authorized to allocate an additional \$4,463,000.00 for such racial, urban, and disadvantaged programs: PROVIDED, That the current level of per weighted pupil guarantee shall not be reduced by reason of the provisions of this section.”

On page 17, section 7, line 29, after the word “this” and before “or” strike the word “bill” and insert the word “act”, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTIONS

Mr. Bledsoe moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 33 and that the Senate be asked to recede therefrom.

Mr. O'Brien moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 33.

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

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Julin, Perry and Smythe.

On motion of Mr. Bledsoe, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the motion by Mr. O'Brien that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 33.

Debate ensued, Representative Bledsoe speaking against the motion, and Representative Sprague speaking in favor of concurring in the Senate amendments.

Representatives Julin and Perry appeared at the bar of the House.

MOTION

Mr. Barden moved that the House defer further consideration of the motion by Mr. O'Brien and that the motion be placed on tomorrow's calendar at the top of the fifth order of business.

Representative Barden spoke in favor of the motion.

POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Beck.

Mr. Beck: "Mr. Goldsworthy, there is an item here—an increase in the special appropriation to the Governor of \$12 million. It is my understanding that this is going into the Governor's contingency fund."

The Speaker: "Mr. Beck, I would think that your remarks are not appropriate at this point. We are discussing the motion by Mr. Barden. I really don't think your question has any bearing on that particular motion."

Mr. Beck: "I will pose the question then at the appropriate time."

The Speaker declared the question before the House to be the motion by Mr. Barden that the House defer further consideration of the motion by Mr. O'Brien and that the motion be placed on tomorrow's calendar at the top of the fifth order of business.

The motion was lost.

The Speaker declared the question before the House to be the motion by Mr. O'Brien that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 33.

Representative Fleming spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Mr. O'Brien that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 33, and the motion was lost by the following vote: Yeas, 40; nays, 58; excused, 1.

Voting yea: Representatives Ackley, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Fleming, Gallagher, Grant, Hurley, Jastad, Jolly, Kalich, King, Leckenby, Litchman, Marsh, Marzano, May, McCaffree,

McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Sprague, Thompson, Williams, Wojahn-40.

Voting nay: Representatives Adams, Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Juelling, Julin, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Martinis, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker-58.

Excused: Representative Smythe-1.

The motion by Mr. O'Brien having been defeated, the Speaker stated that the motion by Mr. Bledsoe was sustained.

SENATE AMENDMENTS TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 51 with the following amendments:

On page 2, section 1, line 5, strike subsection (6).

On page 2, section 2, line 26, strike subsection (a). Redesignate subsections "(b)" and "(c)" as "(a)" and "(b)".

On page 3, section 5, line 29, after "RCW 90.48.330" strike all the matter down to and including "conduct" on page 3a, line 3.

On page 3a, section 5, line 3 after line 3 add a new section as follows and renumber the remaining sections consecutively:

"NEW SECTION. Sec. 6. There is added to chapter 133, Laws of 1969 ex. sess. and to chapter 90.48 RCW a new section to read as follows:

Any person owning oil or having control over the same which enters the waters of the state in violation of section 2 of this 1970 amendatory act shall be strictly liable, without regard to fault, for the damages to persons or property, public or private, caused by such entry. In any action to recover such damages, said person shall be relieved from strict liability, without regard to fault, if he can prove that the oil to which the damages relate entered the waters of the state by causes set forth in section 2, subsection (3) of this 1970 amendatory act."

On page 7, add sections following section 9 as follows:

"Sec. 10. Section 11, chapter 216, Laws of 1945 as amended by section 6, chapter 13, Laws of 1967 and RCW 90.48.035 are each amended to read as follows:

The commission shall have the authority to, and shall promulgate, amend, or rescind such rules and regulations as it shall deem necessary to carry out the provisions of this chapter, including but not limited to rules and regulations relating to standards of quality for waters of the state and for substances discharged therein *in order to maintain the highest possible standards of all waters of the state in accordance with the public policy as declared in RCW 90.48.010* [as such substances relate to the characteristics of the receiving waters].

Sec. 11. Section 13, chapter 139, Laws of 1967 ex. sess. and RCW 90.48.142, are each amended to read as follows:

Any person who violates any of the provisions of this chapter, or fails to perform any duty imposed by this chapter, or violates an order or other determination of the commission or the director made pursuant to the provisions of this chapter, including the conditions of a waste discharge permit issued pursuant to RCW 90.48.160, and in the course thereof causes the death of, or injury to, fish, animals, vegetation or other resources of the state, or otherwise causes a reduction in the quality of the state's waters below the standards set by the commission, thereby damaging the same, shall be liable to pay the state damages in an amount equal to the sum of money necessary to restock such waters, replenish such resources, and otherwise restore the stream, lake or other water source to its condition prior to the injury, as such condition is determined by the commission. Such damages shall be recoverable in an action brought by the attorney general on behalf of the people of the state of Washington in the superior court of the county in which such damages occurred: PROVIDED, That if damages occurred in more than one county the attorney general may bring action in any of the counties where the damages occurred. Any money so recovered by the attorney general shall be transferred to either the state game fund [for] or the department of fisheries to use for food fish or shellfish management purposes and propagation, or to any other agency of the state having jurisdiction over the resource damaged and for which said moneys were recovered, as appropriate: PROVIDED, That the agency receiving such money shall utilize not less than one-half of said money on activities or projects within the county where the action was brought by the attorney general. No action shall be authorized under this section against any person operating in compliance with the conditions of a waste discharge permit issued pursuant to RCW 90.48.160.

Sec. 12. Section 14, chapter 139, Laws of 1967 ex. sess. and RCW 90.48.144 are each amended to read as follows:

Every person who:

(1) Violates the terms or conditions of a waste discharge permit issued pursuant to [RCW 90.48.160] RCW 90.48.180, or

(2) Conducts a commercial or industrial operation without a waste discharge permit as required by RCW 90.48.160, or

(3) Violates the provisions of RCW 90.48.080, shall incur, in addition to any other penalty as provided by law, a penalty in the amount of one hundred dollars a day for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty herein provided for shall become due and payable when the person incurring the same receives a notice in writing from the director of the commission describing such violation with reasonable particularity and advising such person that the penalty is due. The director may, upon written application therefor, received within fifteen days, and when deemed in the best interest to carry out the purposes of this chapter, remit or mitigate any penalty provided for in this section or discontinue any prosecution to recover the same upon such terms as he in his discretion shall deem proper, and shall have authority to ascertain the facts upon all such applications in such manner and under such regulations as he may deem proper. If the amount of such penalty is not paid to the commission within fifteen days after receipt of notice imposing the same, or application for remission or mitigation has not been made within fifteen days after the violator has received notice of the disposition of such application, the attorney general, upon the request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any other county in which such violator may do business, to recover such penalty. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided. All penalties recovered under this section shall be paid into the state treasury and credited to the general fund.

Sec. 13. Section 6, chapter 71, Laws of 1955 as amended by section 20, chapter 13, Laws of 1967 and RCW 90.48.210 are each amended to read as follows:

The issuance or termination of a permit, the denial of an application for a permit, or the modification of the conditions or the terms of a permit shall be deemed to be an order for purposes of [RCW 90.48.130] RCW 90.48.135."

Renumber the remaining sections consecutively.

In line 10 of the title after "RCW 90.48.340;" and before "adding new sections" insert: "amending section 11, chapter 216, Laws of 1945 as amended by section 6, chapter 13, Laws of 1967 and RCW 90.48.035; amending sections 13 and 14, chapter 139, Laws of 1967 ex. sess. and RCW 90.48.142 and 90.48.144; amending section 6, chapter 71, Laws of 1955 as amended by section 20, chapter 13, Laws of 1967 and RCW 90.48.210;" and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

Mr. Zimmerman moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 51.

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

Representative Leland spoke against the motion.

The Speaker called on Mr. Wolf to preside.

Representatives Thompson, Moon, Bledsoe and Hurley spoke in favor of the motion by Mr. Zimmerman to concur in the Senate amendments to Engrossed Substitute House Bill No. 51, and Representatives Flanagan, Julin, Newhouse, Perry and Berentson spoke against the motion.

Mr. Newhouse demanded the previous question and the demand was not sustained.

Representatives Bottiger and Sprague spoke in favor of the motion.

The Speaker resumed the Chair.

ROLL CALL

The Clerk called the roll on the motion by Representative Zimmerman that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 51, and the motion was carried by the following vote: Yeas, 60; nays, 38; excused, 1.

Voting yea: Representatives Ackley, Adams, Anderson, Bagnariol, Barden, Beck, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conway, Cunningham, DeJarnatt, Farr, Fleming, Grant, Haussler, Hubbard, Hurley, Jastad, Jolly, Kalich, King, Kirk, Kiskaddon, Leckenby, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, North, Randall, Rosellini, Savage, Sawyer, Scott, Shinpoch, Sprague, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman—60.

Voting nay: Representatives Amen, Backstrom, Benitz, Berentson, Clark (Newman H.), Conner, Copeland, Curtis, Evans, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Hawley, Hoggins, Jueling, Julin, Kink, Kopet, Kuehnle, Leland, Lynch, Morrison, Newhouse, O'Brien, O'Dell, Pardini, Perry, Richardson, Saling, Schumaker, Shera, Spanton, Swayze, Veroske, Mr. Speaker—38.

Excused: Representative Smythe—1.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 51 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 51 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 69; nays, 29; excused, 1.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Barden, Beck, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Cunningham, DeJarnatt, Farr, Flanagan, Fleming, Grant, Harris, Haussler, Hoggins, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kirk, Kiskaddon, Leckenby, Litchman, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Murray, North, O'Brien, Randall, Rosellini, Savage, Sawyer, Scott, Shera, Shinpoch, Sprague, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman—69.

Voting nay: Representatives Amen, Benitz, Berentson, Copeland, Curtis, Evans, Gallagher, Gladder, Goldsworthy, Hatfield, Hawley, Hubbard, Kink, Kopet, Kuehnle, Leland, Lynch, Morrison, Newhouse, O'Dell, Pardini, Perry, Richardson, Saling, Schumaker, Spanton, Swayze, Veroske, Mr. Speaker—29.

Excused: Representative Smythe—1.

Engrossed Substitute Senate Bill No. 51 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed HOUSE BILL NO. 162 with the following amendment:

Beginning on line 3, strike all of the material and insert:

“NEW SECTION. Section 1. It shall be unlawful for any person, singly or in concert with others, to wilfully interfere by force or violence with any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

NEW SECTION. Sec. 2. It shall be unlawful for any person, singly or in concert with others, to wilfully intimidate by threat of force or violence any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

NEW SECTION. Sec. 3. The crimes defined in this act shall not apply to school administrators or teachers who are engaged in the reasonable exercise of their disciplinary authority.

NEW SECTION. Sec. 4. Any person guilty of violating this act shall be deemed guilty of a gross misdemeanor and, upon conviction thereon, shall be fined not more than \$500.00, or imprisoned in jail not more than six months or both such fine and imprisonment.

NEW SECTION. Sec. 5. SEVERABILITY. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section, or part of this act, such judgment or decree shall not affect, impair, invalidate or nullify the remainder of this act, but the effect thereof shall be confined to the clause, sentence, paragraph, section or part of this act so adjudged to be invalid or unconstitutional.”, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTIONS

Mr. Clarke (George W.) moved that the House do not concur in the Senate amendment to House Bill No. 162 and that the Senate be asked to recede therefrom.

Mr. Sprague moved that the House do concur in the Senate amendment to House Bill No. 162.

Representative Clarke (George W.) spoke against the motion to concur in the Senate amendment.

The motion by Mr. Sprague was lost.

The motion to concur having been defeated, the Speaker stated that the motion by Mr. Clarke (George W.) was sustained.

PERSONAL PRIVILEGE

Mr. Newhouse: “I rise to a point of personal privilege. Mr. Speaker, ladies and gentlemen: I ask for the privilege of inserting in the record a statement in answer to a little paragraph which appeared in the Washington State Labor Council Reports some two weeks ago concerning an amendment to House Bill No. 53, which said: ‘A “nay” vote was recorded for Representative Irving Newhouse on the Vocational Rehabilitation amendment to House Bill No. 53, *when he wasn't even on the House floor.* The amendment failed, 48-48. Had this vote not been improperly registered, the amendment would have passed, 48-47.’

“I have a rather lengthy statement. I will not read it. I want to place it in the record to prove that the statement in that journal is a lie. I would like a few people who have evidence to back me up. Mr. Morrison, Mr. Bledsoe and Mr. Curtis, for instance, might substantiate my statement as they have seen it.”

STATEMENT FOR THE JOURNAL

On January 26th a paragraph appeared on our desks in the Washington State Labor Council Reports dated January 23rd that was inaccurate to the point of libel. At that time I informed in no uncertain terms the instigator of all that trash, Mr. Joe Davis, of the fact that he was in error and told him where he could verify my statements. The next two issues of that scurrilous publication have since appeared and no retraction has been made. I want to take this opportunity to set the record straight.

On January 19th Representative Morrison and I were excused to participate in a forum. When we returned shortly after 1:00 p.m., the House was engaged in lively debate on the fate of Vocational Rehabilitation. Representative Morrison took his place in the House Chamber, but I was stopped in the wings by a reporter for the Seattle Times. When the vote in question came up, I stepped into the bar of the House and called to my seatmate, “Stu, vote me ‘no’” — a legal and common practice under House rules. Several members, and particularly the reporter, can verify these facts. Mr. Davis has charged that one of a limited number of members in arm's reach of my voting button voted me illegally. He has lied and has not the courage or honesty to change the record publicly.

I would further like to say that I consider the annual reports of the United Labor Lobby called “Labor Looks at the 41st Session of the Legislature,” published under the name of the same Mr. Davis as chairman, is fully as inaccurate and misleading. Procedural votes, “mickey mouse” votes and amendments and false innuendos are used to try to make his people look good and the more responsible members look the opposite. I recognize full well his right to evaluate the Legislature and individual legislators as he sees fit. I guess my greatest complaint is that he doesn't publish this hogwash in my district. It would have the effect of doing my campaigning for me.

I am proud that so far I've always been able to anticipate his “mickey mouse” votes and still have a 100% record. But I do feel that in these reports he represents more the labor leader than the best interests of the workingman.

PERSONAL PRIVILEGE

Mr. Morrison: “Point of personal privilege, Mr. Speaker. I would like to have the record show that I have read the statement being submitted by Mr. Newhouse, and I will vouch for its accuracy.”

PERSONAL PRIVILEGE

Mr. Curtis: "Point of personal privilege. I, too, have read the statement by Representative Newhouse. As an individual who was here on the floor during the incident mentioned, and heard Representative Newhouse ask his seatmate to vote him, and saw him standing in the wings of the House, I would like to also validate his authenticity."

PERSONAL PRIVILEGE

Mr. Bledsoe: "Point of personal privilege, Mr. Speaker. We have insisted in our caucus repeatedly that no one from our side of the aisle (and hopefully no one from the other side of the aisle but most specifically from our side of the aisle where our caucus does have binding control) shall be voted when they are not present. We have stated this repeatedly. I would have been derelict in my duty had I done the unthinkable thing and cast a vote for my seatmate when he was not in fact available on the floor. Representative Newhouse stepped from the wings where he was in conversation with an individual. He asked me to vote him. I did so. I would not have done so had he not been able to fulfill his requirements."

PERSONAL PRIVILEGE

Mr. Veroske: "Point of personal privilege. I would like my name to appear in the journal also in support of Representative Newhouse."

MOTION

On motion of Mr. Wolf, the House advanced to the ninth order of business.

SECOND READING

SENATE BILL NO. 58, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

Restricting use of waterfront lands and providing for the acquisition of scenic easements.

The House resumed consideration of Senate Bill No. 58 on second reading.

MOTION

On motion of Mr. Bledsoe, further consideration of Senate Bill No. 58 was deferred, and the bill was ordered placed at the end of today's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 80, by Committee on State Government:

Establishing a state-wide drug control unit with the board of pharmacy.

MOTION

On motion of Mr. Wolf, the House deferred reconsideration of Engrossed Substitute Senate Bill No. 80, and the bill was ordered placed on today's calendar immediately following House Bill No. 253.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTIONS

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

On motion of Mr. Bledsoe, Senate Bill No. 58 was moved from the bottom of today's second reading calendar to the top of the calendar.

SENATE BILL NO. 58, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

Restricting use of waterfront lands and providing for the acquisition of scenic easements.

The House resumed consideration of Senate Bill No. 58 on second reading. The Speaker stated the question before the House to be the committee amendment.

(For Committee Amendment see Journal for Twenty-Seventh Day, February 7, 1970.)

Mr. Clark (Newman H.) moved adoption of the following amendment by Representatives Clark (Newman H.) and Hawley:

Amend the amendment by the Committee on Natural Resources as follows: On page 1, section 1, line 11, after "property rights" and before the period strike "consistent with the public interest"

Representative Clark (Newman H.) spoke in favor of the amendment to the committee amendment, and Representative Julin spoke against it.

The amendment by Representatives Clark (Newman H.) and Hawley to the committee amendment to Senate Bill No. 58 was not adopted.

Mr. Cunningham moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 1, section 1, line 15, after "appropriate uses" and before the period insert ": PROVIDED, Such uses shall include, but shall not be limited to, tourism, commercial development of ports and industry, residential development, agriculture, education, recreation, scientific investigation and facilities, forests, conservation and maintenance of natural beauty, and spawning grounds and habitats for fish, shellfish, waterfowl, and other wildlife"

Debate ensued, Representative Cunningham speaking in favor of adoption of the amendment, and Representatives Leland and Julin speaking against it.

The amendment by Mr. Cunningham to the committee amendment was not adopted.

Mr. Clark (Newman H.) moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 1, section 2, line 27, and page 2, line 1, after "and" and before "a representative" strike "for the purposes of establishing seacoast tidal beach guidelines,"

Representative Clark (Newman H.) spoke in favor of adoption of the amendment, and Representative Julin spoke against it.

The amendment by Mr. Clark (Newman H.) to the committee amendment was not adopted.

Mr. Cunningham moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 3, section 4, line 29, after "public beaches" and before "and," insert ": PROVIDED, That the granting of permits under section 5 herein shall be administered by the department, or if such department is not created, then in such agency as is designated by the Governor"

Representatives Cunningham and Chapin spoke in favor of adoption of the amendment to the committee amendment, and Representatives Leland and Julin spoke against it.

The amendment to the committee amendment by Representative Cunningham was not adopted.

Mr. Whetzel moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 4, section 5, line 9, after "application" and before "for" insert "after the public agency makes a finding that the new construction is necessary to the health, safety or welfare of the public and consistent with the policy declared in section 1 and"

Representative Whetzel spoke in favor of the amendment to the committee amendment, and Representatives Leland, Julin and Clarke (George W.) spoke against the amendment.

The amendment by Mr. Whetzel to the committee amendment to Senate Bill No. 58 was not adopted.

MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of Senate Bill No. 58 on second reading, and the bill was ordered placed at the end of today's second reading calendar.

HOUSE BILL NO. 253, by Representatives Lynch, Sprague and Goldsworthy:
 Authorizing increases in tuition and incidental fees for institutions of higher education.
 The House resumed consideration of House Bill No. 253.

On motion of Mrs. Lynch, the following amendment was adopted:

On page 10, beginning on line 22, following section 8, add three new sections as follows:

"Sec. 9. Section 2, chapter 263, Laws of 1969 ex. sess. and RCW 28.90.110 are each amended to read as follows:

The commission shall select a chairman from among its members by a majority vote [: PROVIDED, That said chairman shall not also be the chairman of the council on higher education].

Sec. 10. Section 2, chapter 263, Laws of 1969 and RCW 28B.81.020 are each amended to read as follows:

The commission shall select a chairman from among its members by a majority vote [: PROVIDED, That said chairman shall not also be the chairman of the council on higher education].

NEW SECTION. Sec. 11. Notwithstanding any other provision of this 1970 amendatory act, section 9 hereof shall only be effective until chapter 223, Laws of 1969 ex. sess. becomes effective, at which time section 9 hereof will become void and of no effect and section 10 hereof will become effective."

On motion of Mrs. Lynch, the following amendment to the title was adopted:

On page 1, line 11 of the title after ".400:" insert "amending section 2, chapter 263, Laws of 1969 ex. sess. and RCW 28.90.110 and 28B.81.020;"

House Bill No. 253 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 253 was placed on final passage.

Debate ensued, Representatives Lynch, Bledsoe, DeJarnatt, Sprague and Hoggins speaking in favor of passage of the bill, and Representatives King, Jueling, Litchman and Sawyer speaking against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 253, and the bill passed the House by the following vote: Yeas, 66; nays, 33; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Backstrom, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Harris, Hatfield, Hawley, Hoggins, Julin, Kalich, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Lynch, Mahaffey, McCaffree, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker-66.

Voting nay: Representatives Ackley, Anderson, Bagnariol, Brouillet, Ceccarelli, Chatalas, Conner, Gallagher, Grant, Haussler, Hubbard, Hurley, Jastad, Jolly, Jueling, King, Leland, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shipoch, Wojahn-33.

Engrossed House Bill No. 253, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RECONSIDERATION

ENGROSSED SUBSTITUTE SENATE BILL NO. 80, by Committee on State Government:

Establishing a state-wide drug control unit with the board of pharmacy.
The House resumed consideration of Engrossed Substitute Senate Bill No. 80.

Mr. Swayze moved adoption of the following amendment:

Following the enacting clause on page 1, line 4, strike the remainder of the bill and insert the following:

NEW SECTION. Section 1. There is hereby created in the Washington state patrol a drug control assistance unit.

NEW SECTION. Sec. 2. The drug control assistance unit shall:

(1) Provide laboratory services for the purpose of analyzing drug and narcotic evidence and evidence relating to any crime when requested by any of the law enforcement agencies of the state; and

(2) Establish a record system to coordinate with all law enforcement agencies in the state a comprehensive system of information concerning violations of the narcotic and drug laws.

NEW SECTION. Sec. 3. The chief of the Washington state patrol may employ such criminalists, chemists, clerical and other personnel as are necessary for the conduct of the affairs of the drug control assistance unit.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act are added to chapter 8, Laws of 1965 and to chapter 43.43 RCW.

NEW SECTION. Sec. 5. To carry out the provisions of this act there is appropriated to the Washington state patrol from the general fund for the biennium ending June 30, 1971, the sum of fifty thousand dollars, or so much thereof as shall be necessary."

Representatives Swayze, Charette and Spanton spoke in favor of adoption of the amendment, and Representative Ceccarelli spoke against it.

POINT OF INQUIRY

Mr. Swayze yielded to question by Mr. King.

Mr. King: "When we were discussing this bill earlier, the arguments were made that the drug problems in this state were of a state-wide nature. People were traveling from one city to another. It was suggested that what was needed was an agency on the state level to move quickly into the community, with people not well known in the community, to reach the people who were distributing drugs. In your opinion, does the addition of the words 'when requested by any of the law enforcement agencies of the state' interfere at all with the state-wide war against misuse of drugs?"

Mr. Swayze: "I do not believe so, Representative King. I think we will continue to use, as now, people who can infiltrate in these areas—people at the local level. We had a lot of debate originally on this bill about how in the world you could use big, 6 ft. 2, state patrolmen and infiltrate in these groups. I don't think that was intended. I think you will find if you discuss this matter with local law enforcement people that they don't use their own people to go into the community and do underground work. They use informers—people who fit within those groups already—to get most of their information. I think they do this ninety percent, or more, of the time, so I don't think this bill will have any impact at all on that practice."

Representative Cunningham spoke in favor of adoption of the amendment.

The amendment by Representative Swayze to Engrossed Substitute Senate Bill No. 80 was adopted.

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

On page 1, line 1 of the title following "government;" strike the remainder of the title and insert "creating in the Washington state patrol a drug control assistance unit; adding new sections to chapter 8, Laws of 1965 and to chapter 43.43 RCW; and making an appropriation."

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 80 as amended by the House was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 80 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 8; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden,

Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kuehne, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Marzano, May, McCaffree, McCormick, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Ackley, Ceccarelli, Gallagher, Jastad, Kopet, Martinis, Merrill, Swayze—8.

Absent or not voting: Representative Bottiger—1.

Engrossed Substitute Senate Bill No. 80 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

- HOUSE BILL NO. 5,
- HOUSE BILL NO. 6,
- HOUSE BILL NO. 23,
- HOUSE BILL NO. 72,
- HOUSE BILL NO. 103,
- HOUSE BILL NO. 118,
- SUBSTITUTE HOUSE BILL NO. 129,
- HOUSE BILL NO. 140,
- HOUSE BILL NO. 164,
- HOUSE BILL NO. 237,
- HOUSE BILL NO. 251,
- HOUSE BILL NO. 295,
- HOUSE BILL NO. 304,
- SENATE BILL NO. 15,
- SUBSTITUTE SENATE BILL NO. 28,
- SENATE BILL NO. 61,
- SENATE BILL NO. 66,
- SENATE BILL NO. 81,
- SENATE BILL NO. 101,
- SENATE BILL NO. 129,
- SENATE BILL NO. 132,
- SENATE BILL NO. 141,
- SENATE BILL NO. 145,
- SENATE BILL NO. 164,
- SENATE BILL NO. 179,
- SENATE BILL NO. 311.

MOTION

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

PERSONAL PRIVILEGE

Mr. Moon: "Representative DeJarnatt, knowing you are a coach, we would be interested in hearing about a record that was set in the 60-yard dash at the CYO Invitational Track Meet held in Seattle, Saturday, February 7, 1970."

The Speaker: "Mr. DeJarnatt, would you care to answer?"

Mr. DeJarnatt: "I will force myself, Mr. Speaker. Thank you, Mr. Speaker, and thank you, Representative Moon. Well, this kid has a rather unpronounceable last name. He is of

the lineage of the senior Representative from the 18th District and the Good Lord did endow him with a strong pair of legs. And I'd like to think that his mother and father had something to do with it, too. It certainly was a proud moment for me when my son, Steve, broke the tape. I hope he will do the same in Pullman at the end of May."

The Speaker: "We certainly want to congratulate you and your son on his achievement."

MOTION

On motion of Mr. Newhouse, the House adjourned until 10:00 a.m., Tuesday, February 10, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

THIRTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 10, 1970.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Copeland presiding). The Clerk called the roll and all members were present except Representative Shera who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Robert Porteous of the First Baptist Church of Lacey.

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

MOTION

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

The Speaker (Mr. Copeland presiding) called on Mr. May.

Mr. May: "Thank you, Mr. Speaker. Ladies and gentlemen of the House: Several weeks ago the legal beagle sitting behind me (he was the legal eagle last year, but this is the year of the dog) copied many of the sayings that have been dropped around here promiscuously during this session. He asked me to make up a poem about them. I couldn't decide whether to call it the Homely Homilies, the Simple Similes, or the Slaying Sayings, so I settled on just Barn Sweepings. First he asked that it be a masterpiece of literature. I looked that up in the dictionary, and there were seven categories of literature. The only category this poem will fit into is 'any kind of printed matter.' It goes this way:

When I left my home on the Ellensburg range,
To go to Olympia where the lingo was strange,
I didn't savy law talk, nor the House lore,
And used homely expressions out on the House floor.

Those smart lawyer guys give me real dirty looks,
For they couldn't find precedence in their barrister books.
Some of the solons thought it was real screwy,
When I gave with a range cry that sounded like "Whooee."

Another saying that they thought was nuts,
When I used the expression, "Flush out the guts."
"Run for the Ark, boys,"; also, "We're at the wall,"
Sayings that I used when under the call.

Some other sayings that I like to flout,
Is "Head 'em up, boys" and then "Move 'em out."
"Rope the leader" and "Shoot from the hip,"
And "That is the thrust" is another good quip.

"Screw your hats down, gents" and "Take a deep seat,"
"Stay out of the kitchen if you can't stand the heat."
Another wisecrack that I knew wouldn't fail,
Was the one about the "snake that swallowed his tail."

"Full tilt" was the theme of the session gone by,
And we will all have "Bench marks" when we Sine Die.
This session's been fast and really quite tame,
But our Journal's content will ne'er be the same.

The Speaker (Mr. Copeland presiding): "Mr. Bledsoe, if you feel your motives have been slightly impugned, the Chair will grant you time to respond."

Mr. Bledsoe: "Mr. Speaker, and especially Bill: You're listening, aren't you? Well, all right, it hasn't hurt us to come down to barnyard talk a little bit. It sounds kind of ridiculous when you hear it all said in one clutter like that. I would probably be able to do a better job of defending myself, but this is a bad day."

MOTION

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

MESSAGES FROM THE SENATE

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 40, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 45, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 49, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 55, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendments to SENATE BILL NO. 60, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 85, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 95, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.
Mr. Speaker: The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 99, and has passed the bill as amended by the House.
SIDNEY R. SNYDER, Secretary.

February 9, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 105, and has passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

February 9, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 226, and has passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

February 9, 1970.

Mr. Speaker: The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 294, and has passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

February 9, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to SENATE BILL NO. 324, and has passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

February 10, 1970.

Mr. Speaker: The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 13, and asks the House for a conference thereon, and the President has appointed as members of the conference committee: Senators Wilson, Ridder and Huntley.

SIDNEY R. SNYDER, Secretary.

February 10, 1970.

Mr. Speaker: The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 169, and asks the House for a conference thereon, and the President has appointed as members of the conference committee: Senators Wilson, Donohue and Woodall.

SIDNEY R. SNYDER, Secretary.

February 10, 1970.

Mr. Speaker: The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 201, and asks the House for a conference thereon, and the President has appointed as members of the conference committee: Senators Washington, Woodall and Cooney.

SIDNEY R. SNYDER, Secretary.

MOTIONS

On motion of Mr. Bledsoe, the House granted the request of the Senate for a conference on Engrossed House Bill No. 13.

On motion of Mr. Bledsoe, the House granted the request of the Senate for a conference on Substitute House Bill No. 169.

On motion of Mr. Bledsoe, the House granted the request of the Senate for a conference on Engrossed House Bill No. 201.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery eighth grade students from St. Margaret's School in Seattle and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Mann Junior High School in Tacoma and asked them to stand and be recognized.

The Speaker observed in the south gallery students from Lincoln Middle School in Mount Vernon and asked them to stand and be recognized.

The Speaker (Mr. Copeland presiding) declared the House to be at ease.

The Speaker (Mr. Copeland presiding) called the House to order.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) appointed Representatives Flanagan, Hubbard and Haussler as members of the Conference Committee on Engrossed House Bill No. 13.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) appointed Representatives Amen, Benitz and Jolly as members of the Conference Committee on Substitute House Bill No. 169.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) appointed Representatives Leland, Beck and Berentson as members of the Conference Committee on Engrossed House Bill No. 201.

MESSAGES FROM THE SENATE

February 9, 1970.

Mr. Speaker: The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 1, and asks the House to recede therefrom, and said bill together with the House amendments thereto are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Wolf, the House refused to recede from its amendments to Engrossed Senate Bill No. 1 and asked the Senate for a conference thereon.

MESSAGES FROM THE SENATE

February 9, 1970.

Mr. Speaker: The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 133, and asks the House to recede therefrom, and said bill together with the House amendments thereto are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. O'Dell, the House refused to recede from its amendments to Engrossed Substitute Senate Bill No. 133 and asked the Senate for a conference thereon.

MESSAGES FROM THE SENATE

February 9, 1970.

Mr. Speaker: The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 139, and asks the House to recede therefrom, and said bill together with the House amendments thereto are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Wolf, the House refused to recede from its amendments to Engrossed Substitute Senate Bill No. 139 and asked the Senate for a conference thereon.

MESSAGES FROM THE SENATE

February 9, 1970.

Mr. Speaker: The Senate refuses to concur in the House amendments to SENATE BILL NO. 191, and asks the House to recede therefrom, and said bill together with the amendments thereto are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Kopet, the House receded from its amendments to Senate Bill No. 191.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. Copeland presiding) stated the question before the House to be the final passage of Senate Bill No. 191 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 191 without the House amendments, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berenison, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman—94.

Absent or not voting: Representatives Backstrom, Bledsoe, Fleming, McCormick, Mr. Speaker—5.

Senate Bill No. 191 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

February 9, 1970.

Mr. Speaker: The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 317, and asks the House to recede therefrom, and said bill together with the amendment thereto is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Wolf, the House refused to recede from its amendment to Engrossed Senate Bill No. 317 and asked the Senate for a conference thereon.

MESSAGES FROM THE SENATE

February 9, 1970.

Mr. Speaker: The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 318, and asks the House to recede therefrom, and said bill together with the House amendment thereto is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Wolf, the House refused to recede from its amendment to Engrossed Senate Bill No. 318 and asked the Senate for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) appointed Representatives Flanagan, Julin and Gallagher as members of the Conference Committee on Engrossed Senate Bill No. 1.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) appointed Representatives Clarke (George W.), O'Dell and Sawyer as members of the Conference Committee on Engrossed Substitute Senate Bill No. 133.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) appointed Representatives Zimmerman, Newhouse and Moon as members of the Conference Committee on Engrossed Substitute Senate Bill No. 139.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-43, by Representatives North and Merrill:

WHEREAS, Each county and city within the State of Washington is empowered to enact ordinances and resolutions containing codes relative to the construction of buildings and thereby control design of said facilities and the methods and materials of their construction; and

WHEREAS, Various agencies of the State of Washington are empowered by statutory provisions to enact codes and regulations relative to construction of buildings and thereby control the design of said facilities and the methods and materials of their construction; and

WHEREAS, The federal government and the federal Advisory Commission on Intergovernmental Relations have taken preliminary action to encourage the individual states to analyze and review the building codes and regulations now enforced by the State, its agencies, and political subdivisions toward the end of accomplishing desirable uniformity in codes and regulations; and

WHEREAS, There are varying codes, having been adopted in different years, and regulations now being enforced by the political subdivisions and agencies of the State of Washington thus creating inconsistent application of building standards; and

WHEREAS, There are numerous indications of the need to study the entire scope of building codes, regulations, and enforcement policies;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Municipal Interim Committee of the Legislature study the entire scope of building codes and regulations and their enforcement, and report the results of its study as proposed legislation to the Governor, the Legislative Council and the Legislature as a whole on or before January 1, 1971.

BE IT FURTHER RESOLVED, That the Municipal Committee shall appoint an Advisory Committee which shall consist of eleven members interested in the varied aspects of construction and design, to be nominated by the appropriate generally recognized trade association, professional society, building trades council, associations of local governments, and local government officials as follows: One member from the general building construction industry; one member from the architectural profession; one member from the engineering profession; one member from the electrical construction industry; one member from the plumbing and mechanical construction industry; two members representing county government, one of whom shall be a member of a county legislative body; one member representing employees in the building trades; and two members representing city government, one of whom shall be a mayor or member of a city legislative body, and one member representing building code enforcement officials; and

BE IT FURTHER RESOLVED, That the Municipal Committee and the Advisory Committee so appointed are authorized to counsel with officials, and such private or public agencies as the committee shall so decide, and that the committees be authorized to meet throughout the State to gather all pertinent information; and

BE IT FINALLY RESOLVED, That all persons normally and/or conceivably interested in building codes be given written notice of each hearing or meeting, such notice to be given no later than seven days prior to the hearing or meeting date.

On motion of Mrs. North, the resolution was adopted.

HOUSE RESOLUTION NO. 70-44, by Representatives O'Dell and Zimmerman:

WHEREAS, Those Americans who have served their country through active duty in the Armed Forces of the United States are among our most esteemed citizens; and

WHEREAS, But for their steadfastness America would have fallen, a victim of the oppressor's heel; and

WHEREAS, These men deserve special care and consideration by virtue of their service; and

WHEREAS, In order to be admitted to a Veterans' Administration Hospital a veteran must attest to the so-called "Pauper's Oath"; and

WHEREAS, An annual income statement must be submitted for purposes of qualification for a veteran's pension, regardless of the age a veteran attains; and

WHEREAS, Social Security and other retirement benefits must now be considered as income for the purpose of qualification for a veteran's pension, regardless of the age of the veteran;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Congress of the United States be, and hereby is, memorialized to amend the laws of the land concerning veterans and veterans' affairs so as to eliminate the so-called "Pauper's Oath" as a prerequisite to entrance by a veteran into a Veterans' Administration Hospital. The Congress of the United States is further requested to eliminate the annual income statement when the veteran reaches the age of seventy-two years and to exempt Social Security and other retirement benefits from consideration as income after the veteran reaches the age of seventy-two years.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives submit copies of this Resolution to the Honorable Richard M. Nixon, President of the United States, to the Speaker of the House of Representatives of the United States, to the President of the Senate of the United States, and to each member of Congress from the State of Washington.

On motion of Mr. O'Dell, the resolution was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) appointed Representatives Backstrom, Wolf and Pardini as members of the Conference Committee on Engrossed Senate Bill No. 317.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) appointed Representatives Backstrom, Wolf and Pardini as members of the Conference Committee on Engrossed Senate Bill No. 318.

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The President has signed:

HOUSE BILL NO. 5,
HOUSE BILL NO. 23,
HOUSE BILL NO. 103,
SUBSTITUTE HOUSE BILL NO. 129,
HOUSE BILL NO. 304,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 10, 1970.

Mr. Speaker: The President has signed:

HOUSE BILL NO. 6,
HOUSE BILL NO. 72,
HOUSE BILL NO. 118,
HOUSE BILL NO. 140,
HOUSE BILL NO. 164,
HOUSE BILL NO. 237,
HOUSE BILL NO. 251,
HOUSE BILL NO. 295,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 10, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 169, and said bill together with the report of the Conference Committee are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

REPORT OF CONFERENCE COMMITTEE

February 10, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 169, providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters, have had the same under consideration, and we recommend that the House concur in the Senate amendments.

Signed by Senators Wilson, Donohue and Woodall; Representatives Amen, Benitz and Jolly.

MOTION

On motion of Mr. Amen, the report of the Conference Committee on Substitute House Bill No. 169 was adopted.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. Copeland presiding) declared the question before the House to be the final passage of Substitute House Bill No. 169 with the Senate amendments.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 169 with the Senate amendments, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent or not voting, 6.

Voting yea: Representatives Ackley, Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurlley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, May, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Wojahn, Wolf, Zimmerman—93.

Absent or not voting: Representatives Anderson, Kink, Mahaffey, McCormick, Williams, Mr. Speaker—6.

Substitute House Bill No. 169 with the Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 80, and asks the House to recede therefrom, and said bill together with the House amendments thereto are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Wolf, the House refused to recede from its amendments to Engrossed Substitute Senate Bill No. 80 and asked the Senate for a conference thereon.

MOTION

On motion of Mr. Newhouse, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The Speaker (Mr. Copeland presiding) called the House to order at 2:00 p.m.

The Clerk called the roll and all members were present except Representative Sawyer who was excused.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery a group of eighty students from Camas High School and asked them to stand and be recognized.

The Speaker observed in the south gallery a group from the Clover Park Vocational School in Tacoma and asked them to stand and be recognized.

The Speaker observed in the north gallery students from Mountlake Elementary School in the 43rd District and asked them to stand and be recognized.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-45, by Representatives Brouillet and Whetzel:

WHEREAS, The status of married and pregnant women attending public schools is a concern to school authorities in the State of Washington; and

WHEREAS, No study has been made of the extent of the problem of married and pregnant women in the schools of the State; and

WHEREAS, An experimental project dealing with this problem is now being conducted in the City of Seattle; and

WHEREAS, It is undesirable to remove women from educational processes simply because they are married and pregnant;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Joint Committee on Education, with the cooperation of the State Office of Public Instruction, be directed to study the extent of the problem of married and pregnant women in the schools of the State; the present policies of school districts related to pregnancy cases; the medical, day care and other services provided for pregnant students; the responsibilities of the State as they relate to this problem; and the need to provide alternatives to the regular school curriculum for these women.

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to the Executive Secretary of the Joint Committee on Education and to the State Superintendent of Public Instruction.

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

HOUSE RESOLUTION NO. 70-46, by Representatives Evans, Amen, Bozarth, Brouillet, Ceccarelli, Chatalas, Goldsworthy, Hurley, Jastad, Jolly, Kink, Kopet, Kuehne, Litchman, May, McCormick, Morrison, Pardini, Richardson, Saling, Sprague, Wolf and Gladder:

WHEREAS, The Boy Scouts of America plays an important role in the development of the boys of this country and especially those of the State of Washington; and

WHEREAS, February 8, 1970, marks the sixtieth anniversary of Scouting in this country; and

WHEREAS, The Pacific Northwest has a greater percentage of its boys enrolled as members of the Boy Scouts of America than any other region of this country; and

WHEREAS, The states of Washington and Idaho last summer joined together to host the 1969 Boy Scout Jamboree at Farragut, Idaho, attended by more than 38,000 scouts and leaders; and

WHEREAS, Many school districts in the State of Washington, pursuant to authority granted to them by this legislature in chapter 64, Laws of 1969 ex. sess., provided buses for the thousands of Scouts needing transportation to the Farragut Jamboree; and

WHEREAS, The theme of the Boy Scouts of America for this last decade in our country's second century is "America's Manpower Begins with Boy Power"; and

WHEREAS, The people of the State of Washington recognize the contributions Scouting has made to the State and its boys;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the week of February 7th through February 13th be recognized as Boy Scout Week and that those who have worked so hard to make Scouting a success in this State and elsewhere be commended, and especially those persons who provided the Scouts with transportation to their Jamboree last summer at Farragut, and the school districts in Spokane County such as Central Valley, Cheney, East Valley, Liberty, Meade, Medical Lake, Riverside, Spokane City and West Valley and the other participating school districts such as Moses Lake, Pasco and Pullman which all provided buses for the Scouts.

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to each of the participating school districts and to the Inland Empire Council of the Boy Scouts of America.

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

HOUSE RESOLUTION NO. 70-47, by Representatives O'Brien and Copland:

WHEREAS, The major industries, including aerospace, forest products and metals companies of the State of Washington are experiencing extensive economic recession; and

WHEREAS, Due to this critical economic situation in which the aerospace industry alone has been forced so far this year to reduce its work force by approximately five thousand employees who are residents of this State; and

WHEREAS, The projected work force reduction for this industry during 1970 is estimated to be about eighteen thousand persons; and

WHEREAS, These payroll reductions are adversely affecting the entire economy of the State, the vitality of state and local government services, and the future orderly growth and development of the State; and

WHEREAS, Other industries within the State are unable to absorb these employment reductions because of their own economic slowdowns and work force reductions;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests members of the United States Congress and the President do everything possible to ease or offset the fiscal and monetary policies causing economic distress to residents of the State of Washington.

BE IT FURTHER RESOLVED, That immediate measures be taken to help provide employment for those who are unemployed; and

BE IT FURTHER RESOLVED, That all steps be taken to restore the economy and to prevent further unemployment within the area; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives and each member of Congress from the State of Washington.

On motion of Mr. O'Brien, the resolution was adopted.

HOUSE RESOLUTION NO. 70-48, by Representatives Lynch, King, Smythe, Brouillet, Williams, Marsh and Goldsworthy:

WHEREAS, The cost of providing an education beyond the high school level has been increasing and is in many cases a severe financial burden to residents of the State of Washington, which the State of Washington is increasingly being asked to participate in; and

WHEREAS, The Legislature of the State of Washington has referred an income tax law to the people; and

WHEREAS, The Senate of the United States, recognizing the benefit of higher education, passed an amendment to the Federal Tax Bill which would have granted a personal deduction to taxpayers who pay for college tuition; and

WHEREAS, The United States Senate's amendment was deleted by the Congressional Conference Committee;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Revenue and Regulatory Agencies Committee of the Legislative Council be authorized to conduct a study of the need for and advisability of providing a personal deduction in the state income tax law, if such law is approved by the people, for persons who pay for tuition for higher education, which includes colleges, universities, vocational education, and adult education, unless or until such time as the United States Congress authorizes a similar deduction for the Federal Income Tax.

BE IT FURTHER RESOLVED, That the results of this study and proposed recommendation, if any, be presented to the members of the Forty-second Legislature prior to January 1, 1971.

On motion of Mrs. Lynch, the resolution was adopted.

HOUSE RESOLUTION NO. 70-49, by Representatives Chatalas, Brouillet, King, McCaffree, Lynch, Newhouse and O'Brien:

WHEREAS, The Constitution of the State of Washington declares that it is a paramount duty of the State to make ample provisions for the education of all children residing within its borders without distinction or preference on account of race, color, caste, or sex; and

WHEREAS, The State's overall educational scheme is greatly enriched and benefited by the existence of independent schools; and

WHEREAS, The mutual existence of independent and public schools brings out the best in each and provides a soundly balanced multiple educational system; and

WHEREAS, Independent schools are experiencing serious financial difficulties due to factors beyond their control and their possible collapse threatens to place an unmanageable additional load upon the already overburdened public schools; and

WHEREAS, The increased demands on special levy and general educational support to meet this need would be increased to impossible proportions; and

WHEREAS, With the passage of House Bill No. 257 of the 1969 Session (Chapter 217, Laws of 1969 ex. sess.) public schools were no longer penalized in the state allocation formula for permitting students from independent schools to share on a part time basis in the utilization of public school activities conducted in public school facilities on a part time basis;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That an immediate study be conducted by the Joint Committee on Education on the feasibility and best legislative program to financially assist children choosing to attend independent

schools. Such programs should not supplant or injure the public schools, but should maintain a healthy educational balance and should permit the independent schools to maintain their separate identity. Such study should include, but not be limited to, a consideration of a voucher system of distribution of state aid which would permit a realistic choice by students and/or parents as to education, public or independent, that the student would participate in under the compulsory attendance law of the State of Washington.

BE IT FURTHER RESOLVED, That the results of such study including any recommendations should be submitted to the members of the Forty-second Legislature prior to January 1, 1971.

Mrs. Lynch moved adoption of the resolution.

Representatives Lynch and Newhouse spoke in favor of adoption of the resolution, and Representative Mahaffey spoke against it.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-50, by Representatives Swayze, Cunningham, Richardson, Bluechel and Leckenby:

WHEREAS, The 1967 Legislature enacted a law dealing with the registration and regulation of lobbyists; and

WHEREAS, Some confusion has arisen with regard to matters that must be reported and as to responsibility for enforcement; and

WHEREAS, House Bill No. 175 was introduced in this Special Session to clarify the law, but those presently administering or affected by the act were not given this opportunity to express their views;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Joint Board of Legislative Ethics undertake an interim study of the lobbyist regulations and statutes and include its findings and recommendations for necessary changes in the next report to the 1971 Legislature.

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

HOUSE RESOLUTION NO. 70-51, by Representatives Lynch and Mentor:

WHEREAS, House Resolution No. 69-91 called upon the Joint Committee on Higher Education to "determine the facts and assist with a timely resolution of sponsorship of the Applied Physics Laboratory in cooperation with the University of Washington and the United States Navy in furtherance of the goal of supporting the national defense effort and of keeping the personnel, equipment and skills of the Applied Physics Laboratory in the State of Washington"; and

WHEREAS, House Resolution No. 69-91 also called upon the Joint Committee on Higher Education to "include the continuation of sponsorship by the University of Washington and the consideration of the desirability and feasibility of creating a state commission composed of citizen members knowledgeable in business and applied marine physics to establish a nonprofit corporation to sponsor the Applied Physics Laboratory and to promote and foster applied physics research projects in the State of Washington, with special emphasis on applied marine physics"; and

WHEREAS, House Resolution No. 69-91 provided that "the results of the study including any proposed legislation be submitted to the Legislature prior to January 1, 1970"; and

WHEREAS, The Joint Committee on Higher Education was not funded, inasmuch as its appropriation was included in the supplemental appropriation bill which did not pass in the closing days of the 1969 Extraordinary Session; and

WHEREAS, The Joint Committee on Higher Education was assisted by a transfer from the Governor's Emergency Fund, but was unable to devote as much time to its delegated duties as a result of the small sums available;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Joint Committee on Higher Education be directed and authorized to continue the studies started pursuant to House Resolution No. 69-91.

BE IT FURTHER RESOLVED, That the results of the study including any proposed legislation be submitted to the Forty-second Legislature prior to the 1971 Session.

On motion of Mrs. Lynch, the resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding): "For the sake of our guests today, you might think this procedure is a little strange. We have saved up all these resolutions over the last week, and this is the afternoon we handle them. Normally our business does not proceed in this fashion, but we try to bunch these together and I am glad you are bearing with us. The reason the Reading Clerk reads the last line is that all the members have copies of the resolutions."

HOUSE RESOLUTION NO. 70-52, by Representatives Curtis, Kopet and Hoggins:

WHEREAS, Public institutions of higher education are of paramount importance to the citizens of our State; and

WHEREAS, The cost of higher education will continue to increase in the foreseeable future; and

WHEREAS, Students at institutions of higher learning must accept more responsibility for the payment of increasing educational costs; and

WHEREAS, This Legislature has increased the tuition fee schedule at our institutions of higher learning; and

WHEREAS, This increase does not yet achieve parity with similar institutions in our sister states, especially those of California, Illinois, Indiana, Michigan, Minnesota, Oregon and Wisconsin; and

WHEREAS, There is a need for a revolving loan fund to be comprised from incidental fees collected by our public institutions of higher learning; and

WHEREAS, A revolving fund could provide loans for full time students;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Budget Committee is authorized and requested to undertake a study of the tuition fee schedule at our public institutions comparing such fees with those of our sister states and to make recommendations concerning the increase of tuition fees.

BE IT FURTHER RESOLVED, That the Legislative Budget Committee in conjunction with the Council on Higher Education is authorized and requested to make a study and recommendations concerning the establishment of a revolving loan fund from incidental tuition fees by our public institutions of higher learning; and

BE IT FURTHER RESOLVED, That the results of the studies and the recommendations be presented to the next Regular Session of the Legislature for its consideration.

POINT OF ORDER

Mr. Ackley: "I don't have this resolution on my desk, nor did I have the previous one. I think you are getting ahead of the papers."

The Speaker (Mr. Copeland presiding): "Thank you for calling that to my attention. If there be no objection, we will defer consideration of House Resolution No. 70-52."

MOTION

On motion of Mr. Wolf, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

February 9, 1970.

ENGROSSED SENATE BILL NO. 206, relating to community colleges, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, following section 4, add new sections as follows:

"Sec. 5. Section 31, chapter 8, Laws of 1967 ex. sess. as amended by section 11, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.310 are each amended to read as follows:

The board of trustees of each community college district shall charge to and collect from each of the students registered therein such general tuition, incidental fees and other fees for quarters other than summer session as follows:

(1) Resident students:

- (a) general tuition fees, fifty dollars per quarter; and
- (b) incidental fees not more than twenty dollars per quarter.

(2) Nonresident students:

- (a) general tuition fees, one hundred fifty dollars per quarter; and
- (b) incidental fees, not more than twenty dollars per quarter.

(3) Tuition and incidental fees consistent with the above schedules will be fixed by the state board for community colleges for summer school students.

(4) The board of trustees shall charge such fees for part time students, ungraded courses, noncredit courses, and short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

Notwithstanding any other provision of this chapter or chapter 28B.15 RCW as now or hereafter amended the college board shall be authorized to permit the boards of trustees of the various community colleges to waive general tuition fees, incidental fees, and any other fees for *needy* students who are enrolled in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate.

The term 'resident students' as used in this section shall mean students who have been domiciled in this state at least one year prior to the commencement of the quarter for which

he registers, federal employees and military personnel, the children and spouses of federal employees and military personnel residing within the state, and staff members of the community college and their children and spouses. The term 'nonresident students' shall mean all students other than resident students.

The term 'general tuition fees' as used in this section shall mean the general tuition fee charged students registered at the community college for quarters other than summer session, which fees shall be used as prescribed in RCW 28.85.320, 28.85.360 and 28.85.370. The term 'incidental fees' as used in this section shall include the fees other than general tuition fees, charged all students registering at the college for quarters other than summer sessions but shall not include fees for correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, laboratory, gymnasium, health fees, or fee charges, rentals and other income derived from any or all revenue-producing lands, buildings and facilities of the colleges heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon or such other special fees as may be established by the board of trustees from time to time.

NEW SECTION. Sec. 6. There is added to chapter 28.85 RCW a new section to read as follows:

For the purpose of RCW 28.85.310, 'needy student' shall mean a student who demonstrates to the board of trustees the financial inability, either through his parents, family and/or personally, to meet the total cost of general tuition fees, incidental fees, and any other fees or any portion of such total for any quarter or semester.

NEW SECTION. Sec. 7. There is added to chapter 28.85 RCW a new section to read as follows:

The state board for community college education shall establish the criteria for the determination of financial need which shall be the basis for the determination by a board of trustees or their designee that a particular applicant is a 'needy student'. In establishing the criteria the state board shall consider the following:

- (1) (a) Assets and income of the student; and/or
- (b) Assets and income of the parents, or other individuals legally responsible for the care and maintenance of the student;
- (2) The cost of attending the community college the student is enrolled in;
- (3) (a) The cost of requirements for the student and the dependent members of his family; and/or
- (b) The cost of requirements for the parents, or other individuals legally responsible for the care and maintenance of the student.

The total of the general tuition fees, incidental fees, and any other fees waived for any quarter or semester shall not exceed the sum of subsections (2) and (3) less subsection (1).

Sec. 8. Section 29, chapter 261, Laws of 1969 ex. sess. and RCW 28B.15.520 are each amended to read as follows:

Notwithstanding any other provision of this chapter or chapter 28B.50 RCW as now or hereafter amended the college board shall be authorized to permit the boards of trustees of the various community colleges to waive general tuition fees, incidental fees, and any other fees for *needy* students who are enrolled in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate.

NEW SECTION. Sec. 9. There is added to chapter 28B.15 RCW a new section to read as follows:

For the purpose of RCW 28B.15.520, 'needy student' shall mean a student who demonstrates to the board of trustees the financial inability, either through his parents, family and/or personally, to meet the total cost of general tuition fees, incidental fees, and any other fees or any portion of such total for any quarter or semester.

NEW SECTION. Sec. 10. There is added to chapter 28B.15 RCW a new section to read as follows:

The state board for community college education shall establish the criteria for the determination of financial need which shall be the basis for the determination by a board of trustees or their designee that a particular applicant is a 'needy student'. In establishing the criteria the state board shall consider the following:

- (1) (a) Assets and income of the student; and/or
- (b) Assets and income of the parents, or other individuals legally responsible for the care and maintenance of the student;
- (2) The cost of attending the community college the student is enrolled in;
- (3) (a) The cost of requirements for the student and the dependent members of his family; and/or
- (b) The cost of requirements for the parents, or other individuals legally responsible for the care and maintenance of the student.

The total of the general tuition fees, incidental fees, and any other fees waived for any quarter or semester shall not exceed the sum of subsections (2) and (3) less subsection (1).

NEW SECTION. Sec. 11. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining sections consecutively.

On page 7, section 6, line 5 of the printed bill, after "1" strike "and 3" and insert "3, 5, 6 and 7"

On page 7, section 6, line 7 of the printed bill, after "1" strike "and 3" and insert "3, 5, 6 and 7"

On page 7, section 6, line 8 of the printed bill after "2" strike "and 4" and insert "4, 8, 9 and 10"

In line 8 of the title after the semicolon after "28B.50.320" strike the remainder of the title and insert "amending section 31, chapter 8, Laws of 1967 ex. sess. as amended by section 11, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.310; amending section 29, chapter 261, Laws of 1969 ex. sess. and RCW 28B.15.520; adding new sections to chapters 28.85 and 28B.15 RCW: declaring an emergency; and providing for effective dates and the expiration of certain sections hereof."

Signed by Representatives Lynch, Chairman, Smythe, Vice Chairman, Adams, Amen, Bluechel, Brouillet, Goldsworthy, King, Kiskaddon, Marsh, Mentor, Thompson, Williams.

MOTION

On motion of Mr. Wolf, the rules were suspended, Engrossed Senate Bill No. 206 was advanced to second reading and read the second time.

With the consent of the House, Mr. Kiskaddon moved adoption of the four committee amendments to the body of the bill at one time, and spoke in favor of the amendments.

Mr. Ackley moved adoption of the following amendment:

Amend the amendment by the Committee on Higher Education as follows: On page 2, section 7, strike the last paragraph of the section.

Representative Ackley spoke in favor of the amendment to the committee amendment, and Representative Kiskaddon spoke against it.

The amendment by Mr. Ackley was not adopted.

The Clerk read the following amendment by Representative Ackley:

Amend the amendment by the Committee on Higher Education as follows: On page 2, section 10, strike the last paragraph of the section.

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

The four committee amendments were adopted.

On motion of Mr. Kiskaddon, the title amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 206 as amended by the House was placed on final passage.

Representative Lynch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 206 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 3; absent or not voting, 12.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Boffiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Grant, Harris, Hatfield, Haussler, Hawley, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kopet, Kuehne, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Perry, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Shipoch, Smythe, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf—84.

Voting nay: Representatives Ackley, Hoggins, Kiskaddon—3.

Absent or not voting: Representatives Bledsoe, Charette, Farr, Goldsworthy, McCaffree, Merrill, O'Brien, Pardini, Sawyer, Spanton, Zimmerman, Mr. Speaker—12.

Engrossed Senate Bill No. 206 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

My vote on Engrossed Senate Bill No. 206 as amended by the House was cast "no" in case there were any problems with the bill and a conference committee was necessary. BILL KISKADDON, 21st District.

EXPLANATION OF VOTE

I wish the record to show the reason for my no vote on Engrossed Senate Bill No. 206 as amended by the House on final passage. I voted "nay" because I questioned the wording of new sections 7 and 10 to accomplish the intent of the amendment. I also wished to be named to a conference committee if one were to be needed. DALE E. HOGGINS, 21st District.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Copeland presiding) observed in the south gallery fifteen Camp Fire Girls from the 36th District and asked them to stand and be recognized.

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

SENATE AMENDMENTS TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed HOUSE BILL NO. 326 with the following amendments:

On page 1, section 1, line 16, after "PROVIDED, That the" insert "notes,"

On page 1, section 1, line 20, after "That the" insert "notes,"

On page 1, section 1, line 22, after "of the" and before "bonds" insert "notes,"

On page 1, section 2, line 23, insert as section 2:

"Sec. 2. Section 35.45.150, chapter 7, Laws of 1965 and RCW 35.45.150 are each amended to read as follows:

In addition to the issuance of bonds and warrants in payment of the cost and expense of any local improvement, any city or town may also issue *and sell* installment notes payable out of the local improvement district fund. [where such notes are to be sold exclusively to another fund of the same municipality as an investment thereof.] Such installment notes may be issued any time after the thirty day period allowed by law for the payment of assessments of any district without penalty or interest, and may bear any denomination or denominations, the aggregate of which shall represent the balance of the cost and expense of the local improvement district which is to be borne by the property owners therein.

Application of local improvement district funds for the reduction of the principal and interest amounts due on any notes herein provided to finance said improvement shall be made not less than once each year beginning with the issue date thereof. *Appropriate notification of such application of funds shall be made by the city treasurer to the registered payees of said notes, except those notes owned by funds of the issuing municipality.* If more than one local improvement installment note is issued for a single district, said notes shall be numbered consecutively. All notes issued shall bear on the face thereof: (1) the name of the payee; (2) the number of the local improvement district from whose funds the notes are payable; (3) the date of issue of each note; (4) the date on which the note, or the final installment thereon shall become due; (5) the rate of interest, not to exceed [eight] *twelve* percent, to be paid on the unpaid balance thereof, and; (6) such manual or facsimile signatures and attestations as are required by state statute or city charter to appear on the warrants of each issuing municipality.

The reverse side of each installment note issued pursuant to this section shall bear a tabular payment record which shall indicate at prescribed installment dates, the receipt of any local improvement district funds for the purpose of servicing the debt evidenced by said notes. Such receipts shall first be applied toward the interest due on the unpaid balance of the note, and any additional moneys shall thereafter apply as a reduction of the principal amount thereof. The tabular payment record shall, in addition to the above, show the unpaid principal balance due on each installment note, together with sufficient space opposite each transaction affecting said note for the manual signature of the city's clerk, treasurer or other properly designated receiving officer of the municipality, *or of any other registered payee presenting said note for such installment payments.*

Whenever there are insufficient funds in a local improvement district to meet any payment of installment interest due on any note herein authorized, a non-interest-bearing defaulted installment interest certificate shall be issued by the city treasurer which shall consist of a written statement certifying the amount of such defaulted interest installment; the name of the payee of the note to whom the interest is due and the number of the local improvement district from whose funds the note and interest thereon is payable. The

certificate herein provided shall bear the manual signature of the city treasurer or his authorized agent. The defaulted installment interest certificate so issued shall be redeemed for the face amount thereof with any available funds in the local improvement guaranty fund.

Whenever at the date of maturity of any installment note issued pursuant to this section, there are insufficient funds in a local improvement district, due to delinquencies in the collection of assessments, to pay the final installment of the principal due thereon, the note shall be redeemed with any available funds in the local improvement guaranty fund for the amount of said final installment.

All certificates and notes issued pursuant to this section are to become subject to the same redemption privileges as apply to any local improvement district bonds and warrants now accorded the protection of the local improvement guaranty fund as provided in chapter 35.54 RCW, and whenever the certificates or notes issued as herein provided for redeemed by said local improvement guaranty fund, they shall be held therein as investments thereof in the same manner as prescribed for other defaulted local improvement district obligations.

Notwithstanding any other statutory provisions, local improvement installment notes authorized by this section which are within the protection of the local improvement guaranty fund law shall be considered legal investments for any available surplus funds of the issuing municipality which now or hereafter may be authorized to be invested in the city's local improvement districts' bonds or warrants *and shall be considered legal investments for all national and state banks, savings and loan institutions, and any and all other commercial banking or financial institutions to the same extent that the local improvement district bonds and coupons issued pursuant to the provisions of this chapter have been and are legal investments for such institutions. Any such local improvement installment notes may be transferred or sold by said city or town upon such terms or conditions and in such manner as the local governing body of said city or town may determine, pursuant to a call for public bid: PROVIDED, HOWEVER, That the same shall not be sold at less than par plus accrued interest."*

Renumber section 2 of the printed bill as section 3 and renumber following sections consecutively.

On line 1 of the title, after "funds;" insert "amending section 35.45.150, chapter 7, Laws of 1965 and RCW 35.45.150;" and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Bledsoe, the House concurred in the Senate amendments to House Bill No. 326.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 326 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 326 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent or not voting, 11.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Bozarth, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Gallagher, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representative Brouillet—1.

Absent or not voting: Representatives Backstrom, Berentson, Flanagan, Gladder, Harris, Litchman, Marzano, Merrill, Moon, Sawyer, Thompson—11.

House Bill No. 326 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Swayze, North and Rosellini as members of the Conference Committee on Engrossed Substitute Senate Bill No. 80.

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 266, and has passed the bill as amended by the House. SIDNEY R. SNYDER, Secretary.

February 10, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 161, and has passed the bill as amended by the House. SIDNEY R. SNYDER, Secretary.

February 10, 1970.

Mr. Speaker: The President has signed:

SENATE BILL NO. 2,
 SENATE BILL NO. 40,
 SENATE BILL NO. 45,
 SENATE BILL NO. 49,
 SUBSTITUTE SENATE BILL NO. 55,
 SENATE BILL NO. 60,
 SENATE BILL NO. 85,
 SENATE BILL NO. 95,
 SUBSTITUTE SENATE BILL NO. 99,
 SENATE BILL NO. 105,
 SUBSTITUTE SENATE BILL NO. 226,
 SUBSTITUTE SENATE BILL NO. 294,
 SENATE BILL NO. 324,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2,
 SENATE BILL NO. 40,
 SENATE BILL NO. 45,
 SENATE BILL NO. 49,
 SUBSTITUTE SENATE BILL NO. 55,
 SENATE BILL NO. 60,
 SENATE BILL NO. 85,
 SENATE BILL NO. 95,
 SUBSTITUTE SENATE BILL NO. 99,
 SENATE BILL NO. 105,
 SUBSTITUTE SENATE BILL NO. 226,
 SUBSTITUTE SENATE BILL NO. 294,
 SENATE BILL NO. 324.

SENATE AMENDMENTS TO HOUSE BILL

February 10, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 26 with the following amendments:

On page 1, section 2, line 20, after "county" and before "or" insert "and zoned accordingly"

On page 3, section 3, line 3, after "assessor," and before "Said" insert "The application shall be accompanied by a reasonable processing fee if such processing fee is established by the city or county legislative authority."

On page 3, section 3, line 9, after "the" and before "calendar" insert "first four calendar months of the"

On page 3, section 3, line 10, after "PROVIDED," strike all of the matter down to and including "PROVIDED FURTHER," in line 11

On page 3, section 4, line 27, after "authority" and before "take" strike "shall" and insert "may"

On page 4, section 4, line 13, after "met" and before the period insert ", including but not limited to the granting of easements"

On page 4, section 4, line 13, if the foregoing amendment is adopted, before the period and after "easements" insert ": AND PROVIDED FURTHER, That the granting or denial of the application for current use assessment is a legislative determination and shall be reviewable only for arbitrary and capricious actions"

On page 4, section 5, line 17, after "application," strike all of the matter down to and including the period following "act" in line 19 and insert "No land shall be considered qualified under this act until an application in regard thereto has been approved by the appropriate legislative authority."

On page 5, section 6, line 4, after "property" and before "is" insert "and improvements"

On page 5, section 7, line 22, after "the" and before the period on line 23 strike "interagency committee for outdoor recreation" and insert "legislative body which originally approved the application"

On page 5, section 7, line 26, after "the" and before "shall" strike "assessors" and insert "county treasurer"

On page 5, section 7, line 27, after "the" and before "years" strike "five" and insert "seven"

On page 5, section 7, line 33, after "the" and before "shall" strike "assessors" and insert "county treasurer"

On page 6, section 7, line 5, after "act" and before the period, insert ": PROVIDED, That agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the state in which event no penalty shall be imposed"

On page 6, section 8, line 10, after "domain," and before "the" insert "or except as a result of a sale to a public body"

On page 6, section 9, line 33, after "extended" and before "tax" on line 1, section 9, page 6a, strike "by the assessor on his" and insert "on the"

On page 7, line 31, beginning with "NEW SECTION," strike all of the matter down to and including the period after "committee" in line 7, sec. 22, page 10.

Remember the remaining sections.

On page 1, beginning on line 1 of the title, after "property;" strike all the matter down through and including "thereof;" on line 3, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed House Bill No. 26.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 26 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 26 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 8; absent or not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jolly, Jueling, Julin, Kalich, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Perry, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Mr. Speaker—82.

Voting nay: Representatives Ackley, Hatfield, Hurley, King, Pardini, Scott, Shinpoch, Zimmerman—8.

Absent or not voting: Representatives Backstrom, Harris, Kink, Leckenby, Litchman, Moon, Sawyer, Sprague, Thompson—9.

Engrossed House Bill No. 26 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION

Mr. Grant served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 26 as amended by the Senate passed the House.

POINT OF ORDER

Mr. Bledsoe: "Point of order, Mr. Speaker. The effect of the gentleman's motion, with the cut-off resolution before us as undisturbed, would be to kill this bill which has been in the process of drafting and preparation for three sessions. That is a privilege that even a person as illustrious as Mr. Grant should not be accorded. I would like to make a motion now if I may be recognized."

MOTION FOR RECONSIDERATION

Mr. Bledsoe, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed House Bill No. 26 as amended by the Senate passed the House.

The Speaker declared the question before the House to be the motion by Mr. Bledsoe that the House do now reconsider the vote by which Engrossed House Bill No. 26 as amended by the Senate passed the House.

The Speaker declared the House to be at ease.

The Speaker (Mr. Newhouse presiding) called the House to order.

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 1 and the House amendments thereto, and the President has appointed as members of the Conference Committee thereon: Senators Durkan, Elicker and Greive.

JERRY HAGAN, Assistant Secretary.

February 10, 1970.

Mr. Speaker: The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 318 and the House amendment thereto, and the President has appointed as members of the Conference Committee thereon: Senators Dore, Ryder and Gissberg.

JERRY HAGAN, Assistant Secretary.

February 10, 1970.

Mr. Speaker: The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 317 and the House amendment thereto, and the President has appointed as members of the Conference Committee thereon: Senators Dore, Ryder and Gissberg.

JERRY HAGAN, Assistant Secretary.

February 10, 1970.

Mr. Speaker: The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 139 and the House amendments thereto, and the President has appointed as members of the Conference Committee thereon: Senators Keefe, Peterson (Lowell) and Lewis (Harry).

JERRY HAGAN, Assistant Secretary.

February 10, 1970.

Mr. Speaker: The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 133 and the House amendments thereto,

and the President has appointed as members of the Conference Committee thereon: Senators Mardesich, Gissberg and Ryder.

JERRY HAGAN, Assistant Secretary.

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

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Backstrom, Chapin, Gladder, Hurley, Kuehnle, May, McCormick and Richardson.

On motion of Mr. Newhouse, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker declared the question before the House to be the motion by Mr. Bledsoe that the House do now reconsider the vote by which Engrossed House Bill No. 26 as amended by the Senate passed the House.

The motion by Mr. Bledsoe was lost.

MESSAGE FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 13, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

REPORT OF CONFERENCE COMMITTEE

February 10, 1970.

MR. SPEAKER:

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 13, changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Signed by Senators Wilson, Ridder and Huntley; Representatives Flanagan, Haussler and Hubbard.

MOTION

On motion of Mr. Wolf, the report of the Conference Committee on Engrossed House Bill No. 13 was adopted and the committee was granted the powers of Free Conference.

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to SENATE BILL NO. 130, and has passed the bill as amended by the House.

JERRY HAGAN, Assistant Secretary.

February 10, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 144, and has passed the bill as amended by the House.

JERRY HAGAN, Assistant Secretary.

SENATE AMENDMENT TO HOUSE BILL

February 10, 1970.

Mr. Speaker: The Senate has passed SUBSTITUTE HOUSE BILL NO. 180 with the following amendment:

On page 8, after line 15, add a new section as follows:

"NEW SECTION. Sec. 9. There is added to chapter 15, Laws of 1961 and to chapter 84.52 RCW a new section to read as follows:

A rural library district may impose, notwithstanding the millage limitations provided for in sections 5 and 7 of this act, a regular property tax levy in an amount equal to that which would be produced by a levy of two mills multiplied by an assessed valuation equal to twenty-five percent of the true and fair value of the taxable property in the rural library district, as determined by the department of revenue's indicated county ratio. For purposes of this section 'regular property tax levy' shall mean a levy subject to the forty mill limitation provided for in Article VII, section 2 of the state Constitution."

Remember the remaining sections consecutively,,
and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mrs. McCaffree, the House concurred in the Senate amendment to Substitute House Bill No. 180.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 180 as amended by the Senate.

Representative Haussler spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Hawley.

Mr. Hawley: "Mr. Haussler, is this the same as that twenty-five percent bill we've been discussing?"

Mr. Haussler: "No, this is entirely different. This merely cuts the millage in half."

Mr. Hawley: "What is the implication of this bill as compared to the twenty-five percent?"

Mr. Haussler: "The twenty-five percent would automatically have let property tax go to twenty-five percent. This would have increased our taxes considerably. This one keeps our taxing approximately where it is now. It cuts the millage in half."

Mr. Hawley: "I'm not satisfied with that answer, but thank you."

POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Beck.

Mr. Beck: "Mr. Haussler, what is the effect of the Senate amendment? I think this has to do with library districts, does it not?"

Mr. Haussler: "As you know, last session we took libraries out from under the freeze. That gave them a little bit more money. Now this gives them the right to get the same amount of money (the same amount of money as the schools) until we see what happens to our tax package."

Representative McCaffree spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 180 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; excused, 8.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jolly, Juelling, Julin,

Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Excused: Representatives Backstrom, Chapin, Gladder, Hurley, Kuehnle, May, McCormick, Richardson—8.

Substitute House Bill No. 180 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 6, 1970.

Mr. Speaker: The Senate has passed HOUSE BILL NO. 158 with the following amendments:

On page 2, line 26, immediately following section 1 add a new section as follows:

"Sec. 2. Section 1, chapter 142, Laws of 1969, 1st ex. sess., and RCW 19.52.080 are each amended to read as follows:

Corporations, Massachusetts trusts, associations, [and] limited partnerships, and persons engaged in the business of lending money or the development or improvement of real estate in the state of Washington may not plead the defense of usury nor maintain any action thereon: PROVIDED, HOWEVER, That this section shall apply only to a transaction which involves an amount in excess of one hundred thousand dollars."

On page 1, line 1, strike the title and insert:

"An Act relating to debtors and lenders; amending section 1, chapter 201, Laws of 1967 and RCW 18.28.010; and amending section 1, chapter 142, Laws of 1969, 1st ex. sess., and RCW 19.52.080."

and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

Mr. Clarke (George W.) moved that the House do not concur in the Senate amendments to House Bill No. 158 and that the Senate be asked to recede therefrom.

The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

February 9, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 21 with the following amendments:

On page 2, section 3, line 6 after "property" and before "shall be deemed" insert ", or consisting of a sale of tangible personal property with respect to which the selling price is five thousand dollars or less and which is to be installed by the seller."

On page 2, section 3, line 18 after "seller" and before "shall be deemed" insert "with respect to which the selling price is in excess of five thousand dollars,"

On page 2, section 3, after line 30 insert a new subsection as follows:

"(8) Persons who are taxable by the state shall include persons required to collect a sales or use tax pursuant to chapters 82.08 and 82.12 RCW."

On page 4, section 7, line 2, after "Sec. 7." and before "the state" strike "Bimonthly" and insert "At least once each calendar quarter"

On page 4, section 7, line 5, after "section" and before "of this" strike "5" and insert "6"

On page 5 add a new section after section 11 to read as follows:

"NEW SECTION. Sec. 12. One million dollars is appropriated from the general fund to the department of revenue for the fiscal biennium ending June 30, 1971 to carry out the provisions of this act: PROVIDED, That if the amount deducted through June 30, 1970 for administration and collection expenses by the department of revenue as provided in section 6 of this act is less than one million dollars, this appropriation shall be reduced to the actual amount deducted for administration and collection expenses."

In line 4 of the title after "82 RCW;" and before "and declaring" insert "making an appropriation;"

and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

Mr. Bledsoe moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 21, and that the Senate be asked to recede therefrom.

The motion was carried.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 10, 1970.

ENGROSSED SENATE BILL NO. 261, enabling inmates of county or city jail detention facilities to receive public assistance, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1 after section 1 insert a new section as follows:

"NEW SECTION. Sec. 2. The department of public assistance is hereby directed to allocate the sum of three hundred thousand dollars or as much thereof as is necessary from the general fund appropriation as provided for in Substitute House Bill No. 33 (Chapter —, Laws of 1970), to be employed to pay medical costs of indigent prisoners of county and city jails or juvenile facilities in accordance with eligibility standards to be developed by the department."

Renumber the remaining sections consecutively.

Signed by Representatives Goldsworthy, Chairman, Saling, Vice Chairman, Bottiger, Brouillet, Chatalas, Copeland, Curtis, Hoggins, Jueling, Julin, King, Kirk, Kopet, Lynch, Mahaffey, Mentor, Merrill, Richardson, Rosellini, Sprague, Zimmerman.

On motion of Mr. Wolf, the rules were suspended, Engrossed Senate Bill No. 261 was advanced to second reading and read the second time.

On motion of Mr. Goldsworthy, the committee amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 261 as amended by the House was placed on final passage.

Representative Lynch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 261 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 2; excused, 8.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hubbard, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representatives Grant, Hoggins—2.

Excused: Representatives Backstrom, Chapin, Gladder, Hurley, Kuehnle, May, McCormick, Richardson—8.

Engrossed Senate Bill No. 261 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

Mr. Speaker, I wish the House Journal to show my reason for voting "no" on final passage of Engrossed Senate Bill No. 261 as amended by the House. I voted "no" for the following reasons:

- (1) This was an extension of the budget outside the supplemental budget;
 - (2) It did not carry a provision to expire if an income tax becomes effective on January 1, 1971.
 - (3) I also wanted to be available for a conference committee position if one is needed.
- DALE E. HOGGINS, 21st District.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE HOUSE BILL NO. 51,
 SUBSTITUTE HOUSE BILL NO. 169,
 HOUSE BILL NO. 326.

MOTION

On motion of Mr. Wolf, the House advanced to the sixth order of business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 8, by Representatives Copeland and Charette:

Limiting special session to thirty-two days.

On motion of Mr. Wolf, the rules were suspended, House Concurrent Resolution No. 8 was advanced to second reading and read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 8 was placed on final passage and adopted.

MOTIONS

On motion of Mr. Bledsoe, all business transacted by the House this evening was ordered transmitted immediately to the Senate.

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

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate has passed:
 SUBSTITUTE HOUSE BILL NO. 60,
 HOUSE BILL NO. 142,
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 10, 1970.

Mr. Speaker: The Senate refuses to recede from its amendments to HOUSE BILL NO. 162, and asks the House for a conference thereon, and the President has appointed as members of said conference committee: Senators Gissberg, Andersen and Knoblauch.
 SIDNEY R. SNYDER, Secretary.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Clarke (George W.), Swayze and Adams as members of the Conference Committee on House Bill No. 162.

MOTIONS

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

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

On motion of Mr. Newhouse, the House adjourned until 10:00 a.m., Wednesday, February 11, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

THIRTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 11, 1970.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

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

MESSAGES FROM THE SENATE

February 10, 1970.
Mr. Speaker: The Senate has passed ENGROSSED SENATE BILL NO. 13, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 10, 1970.
Mr. Speaker: The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 123, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 10, 1970.
Mr. Speaker: The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 8, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 10, 1970.
Mr. Speaker: The President has signed ENGROSSED SUBSTITUTE HOUSE BILL NO. 51, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 10, 1970.
Mr. Speaker: The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 80, and the House amendments thereto, and the President has appointed as members of the Conference Committee thereon: Senators Walgren, Woodall and Day.

SIDNEY R. SNYDER, Secretary.

MOTION

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

RESOLUTIONS

HOUSE RESOLUTION NO. 70-52, by Representatives Curtis, Kopet and Hoggins:

WHEREAS, Public institutions of higher education are of paramount importance to the citizens of our State; and

WHEREAS, The cost of higher education will continue to increase in the foreseeable future; and

WHEREAS, Students at institutions of higher learning must accept more responsibility for the payment of increasing educational costs; and

WHEREAS, This Legislature has increased the tuition fee schedule at our institutions of higher learning; and

WHEREAS, This increase does not yet achieve parity with similar institutions in our sister states, especially those of California, Illinois, Indiana, Michigan, Minnesota, Oregon and Wisconsin; and

WHEREAS, There is a need for a revolving loan fund to be comprised from incidental fees collected by our public institutions of higher learning; and

WHEREAS, A revolving fund could provide loans for full time students;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Budget Committee is authorized and requested to undertake a study of the tuition fee schedule at our public institutions comparing such fees with those of our sister states and to make recommendations concerning the increase of tuition fees.

BE IT FURTHER RESOLVED, That the Legislative Budget Committee is authorized and requested to make a study and recommendations concerning the establishment of a revolving loan fund from incidental tuition fees by our public institutions of higher learning; and

BE IT FURTHER RESOLVED, That the results of the studies and the recommendations be presented to the next Regular Session of the Legislature for its consideration.

The House resumed consideration of House Resolution No. 70-52.

Mr. Curtis moved adoption of the resolution.

Mr. Brouillet moved adoption of the following amendment to the resolution:

On page 1, line 17, after "Legislative Budget Committee" and before "is authorized" insert "in conjunction with the Council on Higher Education"

Representatives Brouillet and Curtis spoke in favor of adoption of the amendment.

The amendment was adopted.

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

On page 1, line 22, after "Legislative Budget Committee" and before "is authorized" insert "in conjunction with the Council on Higher Education"

Representative Curtis spoke in favor of adoption of the resolution as amended.

POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Hoggins.

Mr. Hoggins: "Mr. Brouillet, do you have an amendment prepared for House Resolution No. 70-53, that includes the Legislative Budget Committee?"

Mr. Brouillet: "Mr. Hoggins, I will have. Until about two minutes ago, I hadn't seen House Resolution No. 70-53 this morning. I saw your resolution yesterday morning, however."

House Resolution No. 70-52, as amended, was adopted.

HOUSE RESOLUTION NO. 70-53, by Representatives Sprague and Lynch:

WHEREAS, The public cost for the education of our young in the two universities and the state colleges of the State of Washington is rising;

WHEREAS, The rise in tuitions and fees payable by the student results in hardships for students from families of modest income; a situation resulting in inequality of educational opportunity;

WHEREAS, The proportion of the general fund allocated to the six higher institutions is an ever mounting percentage of general fund appropriations;

NOW BE IT RESOLVED, That the Council on Higher Education study a system of charging tuitions and fees scaled according to the ability to pay of the student or his parents; and that the results of the study and any recommendations be reported to the 1971 legislative session.

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

At the request of Representative Curtis, and there being no objection, the House deferred consideration of House Resolution No. 70-53 until after disposition of the other resolutions.

HOUSE RESOLUTION NO. 70-54, by Representatives Randall, Scott, Bottiger, Haussler, Smythe, Williams, Thompson, Zimmerman, Brown, Beck and Wanamaker:

WHEREAS, The land of this State is one of its most precious natural resources; and
WHEREAS, The use of land is of paramount importance in the face of rapidly changing technological and environmental conditions; and

WHEREAS, House Bill No. 26, relating to "Open Spaces" legislation has narrow application based on tax incentives created by current use assessment practices and limits legislative commitment on "Open Spaces" to such tax incentives; and

WHEREAS, The people of this State have expressed their conviction for the need to develop effective "Open Space" legislation when they approved on November 5, 1968, an amendment to the Constitution of the State of Washington which taxes land according to actual use; and

WHEREAS, The citizens of this State have become increasingly concerned over the use of land whether in urban, rural, agricultural, or recreational areas; and

WHEREAS, There is need for scientific direction in the use of the State's land;
NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council is authorized and requested to undertake a study of the need for a state land use commission and recommend guidelines for the establishment thereof.

BE IT FURTHER RESOLVED, That the results of the study and the recommendations be presented to the next Regular Session of the Legislature for its consideration.

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

HOUSE RESOLUTION NO. 70-55, by Representatives Smythe, Julin, Zimmerman, Evans, Chapin and Berentson:

WHEREAS, The State of Washington is committed to eliminating the pollution that is steadily destroying its resources; and

WHEREAS, The effort to protect the resources of this State from destruction by pollution is a relatively recent one; and

WHEREAS, Immediate solutions to pollution problems are needed very badly; and
WHEREAS, The pollution created by the spillage of oil onto the state's waters is of grave concern and may occur at any time without warning; and

WHEREAS, The State of Washington and its officials must be prepared to alleviate any harm caused by the spillage of oil onto the state's waters;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Department of Environmental Quality, if such be created and, if not, then the Department of Water Resources, make an interim study concerning the creation of a reserve fund to enable the State to finance the immediate cleanup of any oil spillage which occurs on the waters of this State. Said study should determine whether an assessment should be made on the oil industry to finance this fund and the manner in which such assessment should be made; for example, contributions based on volume of business per gallon or per barrel or based on some other measure. Said study should also determine when the fund shall be liable including whether it should have a deductible feature which would make it liable only in a case of major casualty. Said study shall also contain a plan for immediate physical action to be taken to clean up the damage caused by oil spillage on the waters of this State.

BE IT FURTHER RESOLVED, That the results of said study shall be reported to the 1971 Legislature with recommendations based on the findings of said study.

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

HOUSE RESOLUTION NO. 70-56, by Representatives Hurley, Wojahn, McCormick, Kirk, North, McCaffree and Lynch:

WHEREAS, The people of the State of Washington have pride in their State and a great appreciation for its physical beauty; and

WHEREAS, The citizens of Washington desire an appropriate and beautiful residence for their Chief Executive; and

WHEREAS, The governor's mansion should be not only a convenient residence for the Governor and his family but also a place for entertaining official guests of this State; and

WHEREAS, The people of the State of Washington regard their governor's mansion as a monument to our rich heritage and a testament to our hopes for the future;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the State Arts Commission make a study concerning this State's governor's mansion and make recommendations in a report to the 1971 Legislature concerning the best location for the governor's mansion, the possibility of constructing a new one, and the design of the mansion including the architectural style and other matters. In framing said study, the Commission should keep in mind the various purposes for which the State's governor's mansion exists.

On motion of Mrs. Hurley, the resolution was adopted.

HOUSE RESOLUTION NO. 70-57, by Representative Benitz:

WHEREAS, Kermit McKay, was a distinguished public servant for many years; and

WHEREAS, He was employed as a professional engineer at the Hanford Nuclear Facility of the Atomic Energy Commission; and

WHEREAS, He contributed unselfishly of his time and efforts on behalf of the Republican Party and was best known to the public for his participation in the political affairs of this State in the finest tradition of American politics; and

WHEREAS, He served with distinction in the Thirty-third Session of this Legislature; and

WHEREAS, He ably represented constituents of what was formerly the sixteenth district of the House of Representatives; and

WHEREAS, His demise, on February 8, 1970, in San Jose, California, is a great loss;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives in legislative session assembled, That we hereby extend our sympathy to his family on their personal loss at his passing; and the House of Representatives does hereby acknowledge its appreciation and gratitude for Kermit McKay's lifetime work in our professional and political communities; and finally the House of Representatives, speaking for itself and the citizens it represents, does hereby pay tribute to the memory of this steadfast, faithful and able public servant.

BE IT FURTHER RESOLVED, That this Resolution be spread upon the Journal of the House of Representatives and that a copy hereof be transmitted by the Chief Clerk of the House of Representatives to the family of Kermit McKay.

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

HOUSE RESOLUTION NO. 70-53, by Representatives Sprague and Lynch:

(For resolution, see beginning of today's Journal.)

The House resumed consideration of House Resolution No. 70-53.

Mr. Curtis moved adoption of the following amendment by Representatives Curtis and Hoggins:

On page 1, line 8, after "Council on Higher Education" and before "study" insert "in conjunction with the Legislative Budget Committee"

Representatives Curtis and Sprague spoke in favor of adoption of the amendment, and Representative Goldsworthy spoke against it.

The amendment was lost.

The Speaker stated the question before the House to be the adoption of House Resolution No. 70-53.

The resolution was lost on a rising vote.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Elma High School and asked them to stand and be recognized.

MOTION

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

SENATE AMENDMENT TO HOUSE BILL

February 10, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 9 with the following amendment:

On page 2, section 2, line 6, after "by" and before "presidential" insert "duly adopted concurrent resolution of the state legislature, or by", and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Goldsworthy, the House concurred in the Senate amendment to Engrossed House Bill No. 9.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 9 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 9, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 15; absent or not voting, 7.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Bledsoe, Bottiger, Bozarth, Brouillet, Ceccarelli, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, North, O'Brien, Perry, Randall, Rosellini, Saling, Savage, Sawyer, Schumaker, Shipoch, Smythe, Spanton, Sprague, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—77.

Voting nay: Representatives Berentson, Bluechel, Brown, Chapin, Curtis, Gladder, Harris, Kuehnle, Newhouse, Richardson, Scott, Shera, Swayze, Veroske, Mr. Speaker—15.

Absent or not voting: Representatives Benitz, Charette, Clarke (George W.), Kopet, O'Dell, Pardini, Whetzel—7.

Engrossed House Bill No. 9 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Mr. Anderson: "Point of personal privilege. Mr. Speaker, ladies and gentlemen of the House: At this time, I would like to thank some of our colleagues for making the state bonus a law, and especially Representatives Goldsworthy and my seatmate here, 'Bad' Bill Marsh. I think it's a wonderful thing, and I want to thank everyone who voted for it."

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate refuses to concur on the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 146, and asks the House to recede therefrom, and said bill together with the House amendments thereto are herewith transmitted.

JERRY HAGAN, Assistant Secretary.

MOTION

Mr. Swayze moved that the House recede from its amendment to page 120, and refuse to recede from its amendments to page 18, section 10, line 3; page 80, section 66, line 17; page 96, lines 26 and 27; page 111, section 95, line 7 and page 121, section 108, line 3 of Engrossed Substitute Senate Bill No. 146.

The motion was carried.

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 13, and said bill together with the report of the Free Conference Committee are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

February 11, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 13, changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts, have had the same under consideration, and we recommend that the following substitute bill be substituted therefor, and that the substitute bill do pass:

An Act relating to education; amending section 18, chapter 266, Laws of 1947 as amended by section 58, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.200; amending section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as amended by section 130, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.200; suspending a proviso; declaring an emergency; making certain effective dates; and providing for the expiration of a section hereof.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. That portion of the proviso contained in chapter 282, Laws of 1969 ex. sess. (pages 2718, 2719, Pamphlet Edition, Statute Law Committee, Volume 8) dealing with the reimbursement factor for school districts of certain descriptions reading as follows:

"For school districts judged remote and necessary by the state board of education and enrolling fewer than 250 students in grades 9-12 and for nonhigh districts judged remote and necessary by the state board of education and for schools by the state board of education within a district and which enroll fewer than 100 students:" is hereby suspended.

NEW SECTION. Sec. 2. During the current fiscal period ending June 30, 1971 the reimbursement factor applicable to school districts enrolling fewer than 250 students in grades 9-12 and for nonhigh districts which are judged remote and necessary by the state board of education and which enroll fewer than 100 students shall be in accordance with the weighting factor submitted by the superintendent of public instruction to the 40th legislature.

Sec. 3. Section 18, chapter 266, Laws of 1947 as amended by section 58, chapter 176, Laws of 1969 ex. sess. and RCW 28.57.200 are each amended to read as follows:

In case any school district shall have an average daily attendance of fewer than [five] two pupils or shall not have maintained, during the last preceding school year at least the minimum terms of school required by law, the intermediate school district superintendent shall report said fact to the county committee, which committee shall [give consideration to the question of the dissolution of] *dissolve* the school district and [the annexation of] *annex* the territory thereof to some other district or districts. In case any territory is not a part of any school district, the intermediate school district superintendent shall present to the county committee a proposal for the annexation of said territory to some contiguous district or districts.

Sec. 4. Section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as amended by section 130, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.200 are each amended to read as follows:

In case any school district shall have an average enrollment of fewer than [five] two pupils or shall not have maintained, during the preceding school year at least the minimum term of school required by law, the intermediate school district superintendent shall report said fact to the county committee, which committee shall [give consideration to the question of the dissolution of] *dissolve* the school district and [the annexation of] *annex* the territory thereof to some other district or districts. In case any territory is not a part of any school district, the intermediate school district superintendent shall present to the county committee a proposal for the annexation of said territory to some contiguous district or districts.

NEW SECTION. Sec. 5. Notwithstanding any other provision of this 1970 amendatory act, section 3 of this 1970 amendatory act shall only be effective until chapter 223, Laws of 1969 ex. sess. becomes effective, at which time section 3 hereof shall be void and of no effect and section 4 hereof shall become effective.

NEW SECTION. Sec. 6. This 1970 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 7. If any provision of this 1970 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Signed by Senators Ridder and Huntley; Representatives Flanagan, Haussler and Hubbard.

MOTION

Mr. Flanagan moved adoption of the report of the Free Conference Committee on Engrossed House Bill No. 13.

Representatives Flanagan, Haussler, Newhouse and Conner spoke in favor of the motion, and Representatives Bottiger and Saling spoke against it.

POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Barden.

Mr. Barden: "Representative Flanagan, as I understand it, the effect of this conference committee report would be to grant to the remote and necessary school districts more money per pupil than is granted to the urban districts. It is also my understanding that it is your position that it costs considerably more per student to give an equal education in these remote and necessary districts. I wonder if you could explain why it costs more to give an equal education in these smaller schools."

Mr. Flanagan: "Representative Barden, the Superintendent has already previously extended this weighting, of course, to these remote and necessary school districts. I don't necessarily agree that it results in more per pupil because there are certain weightings in the formula for staff experience and culturally disadvantaged programs that most of these schools can't get anything out of at all. Going to the question you raised and going back into the history of it, in 1965 when we changed the school formula over to a straight per pupil amount which included all revenue, both local and state, this really hit the small school districts right in the neck. For example, if you have a high school with 90 pupils in it (and sometimes it is necessary to have them that way) and compare it with a high school of say 800 students, it is just an established fact that it will cost about \$200, \$300 or \$400 per pupil more in that district than it will in the one with 800, even though they are maybe providing not even as good a basic level of education as the larger school. When we changed the formula in 1965, this weighting was established to take care of that economic situation, and it was found after the first year that it was completely inadequate. It just didn't begin to cover it, so the Superintendent of Public Instruction doubled that weighting. Nevertheless it still never really has taken care of that economic situation. That is the hole people leave out when they talk about special levies. They forget the much higher per pupil cost that exists in this kind of district. It has to be taken care of, not only in the special levies, but in the basic formula that distributes the state funds."

POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Flanagan, I was very impressed with the answer that you gave to that question. Now could you answer this, Why shouldn't that rural school district have to try to help itself by passing the average special levy or raise the average dollar amount as all the other places in the state before they get to go in the pot twice?"

Mr. Flanagan: "Because in the basic formula there are not enough funds provided to establish a basic uniform level of educational support in those districts. There simply isn't enough in there, so they are taking additional weight there. Regardless of special levy, they are taking additional weight. They are trying to come up and meet those costs, and the basic distribution doesn't provide it from the state funds."

Representative Hoggins spoke in favor of the motion by Mr. Flanagan.

Mr. Goldsworthy demanded the previous question and the demand was sustained.

The motion by Mr. Flanagan that the House adopt the report of the Free Conference Committee on Engrossed House Bill No. 13 was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE
CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 13 as amended by the Free Conference Committee.

POINT OF ORDER

Mr. Ackley: "Mr. Speaker, I object that I am being required, and all members here who weren't on the conference committee are being required, to vote on a bill which we haven't been allowed to read. It has not been read, and I don't know how we can cast an intelligent vote. I don't have it on my desk. This has been going on the last few days, and I imagine it will continue to go on. I think we should be permitted to have copies on our desks so that we can read before we are asked to vote."

The Speaker: "Will someone hand Mr. Ackley a copy? They were distributed. They were on the desks for quite sometime, Mr. Ackley. I am sorry that you missed yours."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 13 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 82; nays, 16; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bozarth, Brouillet, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Marsh, Martinis, Marzano, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, O'Brien, O'Dell, Pardini, Perry, Richardson, Rosellini, Savage, Sawyer, Schumaker, Shinpoch, Smythe, Spanton, Sprague, Thompson, Veroske, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—82.

Voting nay: Representatives Ackley, Bluechel, Bottiger, Brown, Clark (Newman H.), Grant, Jueling, Mahaffey, May, North, Randall, Saling, Scott, Shera, Swayze, Williams—16.
Absent or not voting: Representative Whetzel—1.

Engrossed House Bill No. 13 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from John R. Rogers High School in Puyallup and asked them to stand and be recognized.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 123, by Committee on Ways and Means:

An Act relating to revenue and taxation; amending section 79, chapter 235, Laws of 1945 and RCW 33.28.040; amending section 82.04.430, chapter 15, Laws of 1961 as last amended by section 11, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.430; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; repealing section 82.04.400, chapter 15, Laws of 1961, section 1, chapter 136, Laws of 1963, section 8, chapter 173, Laws of 1965 ex. sess., section 1, chapter 246, Laws of 1969 ex. sess., and RCW 82.04.400; repealing sections 84.40.270, 84.40.280, 84.40.290, 84.40.300 and 84.40.310, chapter 15, Laws of 1961 and RCW 84.40.270, 84.40.280, 84.40.290, 84.40.300 and 84.40.310; amending section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935, as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.24 RCW; providing an effective date; and declaring an emergency.

MOTION

On motion of Mr. Bledsoe, the rules were suspended, Engrossed Substitute Senate Bill No. 123 was advanced to second reading and read the second time.

POINT OF GENERAL PRIVILEGE

POINT OF INFORMATION

Mr. Bledsoe: "First, if I might, a point of general privilege. We intend to caucus on this revenue measure coming in from the Senate. Following the caucuses and as brief a lunch period as possible, the conferees should make it their personal business to contact their like members in the Senate so the conference reports can proceed. We will be at recess until 2:00, at which time we will come back with some kind of a caucus determination on this

revenue measure from the Senate, proceed to some kind of a vote on the issue, and perhaps even have some conference reports finalized so we can pass them. Beyond that, anybody knows."

MOTION

On motion of Mr. Bledsoe, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 2:00 p.m.

The Clerk called the roll and all members were present except Representative Whetzel who was excused.

SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House former State Representative George P. Sheridan of Tacoma and requested that Representatives Marzano and Wojahn conduct him to a place on the rostrum.

MOTION

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

MESSAGES FROM THE SENATE

February 11, 1970.

Mr. Speaker: The Senate has concurred in the remaining House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 146 (on pages 18, 80, 96, 111, 121) and has passed the bill 47-0, and said bill is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The House having previously receded from its amendment to page 120, Engrossed Substitute Senate Bill No. 146, the Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 146 without the House amendment to page 120.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 146 without the House amendment to page 120, and the bill passed the House by the following vote: Yeas, 88; nays, 6; absent or not voting, 5.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—88.

Voting nay: Representatives Backstrom, Bottiger, Brouillet, Mentor, Moon, Sawyer—6.

Absent or not voting: Representatives Copeland, Curtis, Julin, Savage, Whetzel—5.

Engrossed Substitute Senate Bill No. 146 without the House amendment to page 120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

SPEAKER'S PRIVILEGE

The Speaker observed in the south gallery students from Coupeville High School and asked them to stand and be recognized.

MOTION

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 123, by Committee on Ways and Means:

Relating to revenue and taxation.

The House resumed consideration of Engrossed Substitute Senate Bill No. 123 on second reading.

Mr. Barden moved adoption of the following amendment:

On page 4, section 3, line 7, strike all of section 3 and renumber the remaining sections consecutively.

Representative Barden spoke in favor of adoption of the amendment, and Representative Brouillet spoke against it.

Mrs. Hurley demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Whetzel. On motion of Mr. Wolf, the absent member was excused and the House proceeded with business under the Call of the House.

The Speaker declared the question before the House to be the amendment by Mr. Barden to Engrossed Substitute Senate Bill No. 123.

The amendment was lost.

Mr. Bluechel moved adoption of the following amendment:

On page 4, section 4, line 22, strike sections 5 and 6 and renumber the remaining sections consecutively.

Representative Bluechel spoke in favor of adoption of the amendment.

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

Representatives Wolf and Ceccarelli spoke against adoption of the amendment by Mr. Bluechel, and Representatives Newhouse and Murray spoke in favor of its adoption.

POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Bluechel, I'm on the Revenue and Taxation Committee, and we looked at the 75-cent and 90-cent a gallon tax. You made a statement earlier, and I wish you would clarify it for me. Do I understand that, even if we go to 90-cents a gallon on this proposal, because of a different distribution formula between the state general fund and cities and counties, there will be no additional cash flow to the state general fund under the new formula?"

Mr. Bluechel: "That is correct."

Representative Ackley spoke in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Bluechel to Engrossed Substitute Senate Bill No. 123, and the amendment was lost by the following vote: Yeas, 38; nays, 60; excused, 1.

Voting yea: Representatives Ackley, Amen, Anderson, Benitz, Bluechel, Brown, Chapin, Charette, DeJarnatt, Evans, Fleming, Hatfield, Hoggins, Julin, Leckenby, Lynch, Marsh, May, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Dell, Saling, Savage, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Thompson, Veroske, Wanamaker, Williams, Zimmerman—38.

Voting nay: Representatives Adams, Backstrom, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bottiger, Bozarth, Brouillet, Ceccarelli, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Harris, Haussler, Hawley, Hubbard, Hurley, Jastad, Jolly, Jueling, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Litchman, Mahaffey, Martinis, Marzano, McCaffree, McCormick, Merrill, O'Brien, Pardini, Perry, Randall, Richardson, Rosellini, Sawyer, Schumaker, Swayze, Wojahn, Wolf, Mr. Speaker—60.

Excused: Representative Whetzel—1.

On motion of Mrs. McCaffree, the following amendments were adopted:

On page 5, section 5, after the period on line 14, add the following:

"The effective date of this section is July 1, 1970."

On page 5, section 6, line 22, after "on" strike "March" and insert "July"

On page 5, section 6, line 23, after "after" strike "March" and insert "July"

On page 5, section 6, line 25, after "hand" strike "March" and insert "July"

On page 5, section 6, line 27, after "after" strike "March" and insert "July"

On page 8, section 8, line 10, after "and" and before "shall" insert " , except sections 5 and 6 hereof."

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

On page 7, section 7, line 24 after "agencies" and before "sales" strike "excluding" and insert "including"

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 123 as amended by the House was placed on final passage.

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

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker declared the question before the House to be final passage of Engrossed Substitute Senate Bill No. 123 as amended by the House.

POINT OF INQUIRY

Mrs. McCaffree yielded to question by Mr. Smythe.

Mr. Smythe: "Mrs. McCaffree, on page 2 of the bill, section 2 (and I will read):

"In computing tax there may be deducted from the measure of tax the following items:

"(1) Amounts derived by persons, other than those engaging in banking, loan, security, or other financial businesses, from investments or the use of money as such . . ."

"The question I have is this, In your opinion does this exclude a speculative builder who would be holding contracts on homes and deriving interest therefrom so that he is not involved in paying the tax on that interest?"

Mrs. McCaffree: "Are you talking about a second mortgage and/or second contract?"

Mr. Smythe: "Correct."

Mrs. McCaffree: "This question did come up in our committee, and it was the opinion of the people who were testifying in front of the committee that this builder would not pay and would be exempt from this B & O tax on second mortgages and second contracts. They would pay the B & O tax on their building activities or building income but not any interest that might accrue from second mortgages or second contracts."

Representatives Beck, Bledsoe and Clark (Newman H.) spoke in favor of passage of the bill, and Representatives Pardini, Mahaffey, Fleming, Moon, Shera, O'Brien and Chapin spoke against passage of the bill.

MOTION

Mr. Sprague moved that Engrossed Substitute Senate Bill No. 123 as amended by the House be rereferred to the Committee on Rules and Administration.

Representative Sprague spoke in favor of the motion.
The motion was lost.

The Speaker declared the question before the House to be final passage of Engrossed Substitute Senate Bill No. 123 as amended by the House.

Representative Savage spoke in favor of passage of the bill.
Mr. Newhouse demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 123 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 18; nays, 80; excused, 1.

Voting yea: Representatives Ackley, Beck, Bottiger, Ceccarelli, Clark (Newman H.), DeJarnatt, Fleming, Grant, Leckenby, Leland, Marzano, McCaffree, Perry, Savage, Sprague, Thompson, Williams, Wojahn—18.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Mr. Speaker—80.

Excused: Representative Whetzel—1.

Engrossed Substitute Senate Bill No. 123 as amended by the House, having failed to receive the constitutional majority, was declared lost.

MOTION FOR RECONSIDERATION

Mr. Bledsoe, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed Substitute Senate Bill No. 123 as amended by the House failed to pass the House.

The motion was carried.

PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, will you allow me to make a motion?"

The Speaker: "You'd better test me first."

MOTION

Mr. Charette moved that the House defer reconsideration of Engrossed Substitute Senate Bill No. 123 as amended by the House and that the bill hold its place on the third reading calendar for tomorrow.

The Speaker: "Mr. Charette, I'm afraid that the motion made by Mr. Bledsoe, and which was passed affirmatively by the House, would preclude further action other than to take a roll call on the bill."

POINT OF ORDER

Mr. Charette: "May I speak to that point?"

The Speaker: "Yes, Mr. Charette."

Mr. Charette: "Speaking to the point of order that I raise on that, the motion by Mr. Bledsoe was to immediately reconsider and the majority of the body determined to immediately reconsider. I would assume that the majority of the body could change that if they chose to hold a bill over until tomorrow. The matter was a reconsideration. Now looking again at Reed's Rule 206 and the sections that follow (and speaking to the point of order), the reason for reconsideration of a matter is not to defeat the purpose of the body. And the purpose of the body, at this point, would seem to me to be defeated if the matter were now placed on the third reading calendar and we voted on it immediately."

The Speaker: "I don't think we are tuned in on the same wavelength, Mr. Charette."

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, what happens is that if a motion to reconsider carries, it puts the bill on third reading again for action. So actually the measure is on third reading, and you can either vote for it now on final passage again, or another motion like what was made would be in order to set it over for further consideration until tomorrow. The body can now act any way it sees fit on the bill—either immediately vote on final passage again, or move to set it over to some other time."

POINT OF INFORMATION

Mr. Bledsoe: "Perhaps I am out of order, sir. You reached a rule and I don't want to interfere with your ruling. However, I would like to state that my intent in my motion and the procedure I would hope we would follow would be to establish very definitely the will of this body, and the intent of this body, with this measure which now sits before us with a rather solid downturn by this body. It then said we'd better get back to the drawing board and come up with something different with the deadline cut-off before us. I guess what I'm really doing is speaking against the motion if it should be allowed. With the cut-off before us, it just might be again voted down—you can't tell, Robert."

The Speaker: "Make your point, Mr. Bledsoe."

Mr. Bledsoe: "Am I out of order, sir?"

The Speaker: "No, we're trying to resolve this thing, and anything you might add to help out, I'll listen to."

Mr. Bledsoe: "Well, if it makes you feel any better, Mr. Speaker, I'm on your side. Whatever you want to do, I'm headed in that direction."

The Speaker: "All right. You moved to immediately reconsider. The House affirmed that motion. We have the bill before us, and I would concur with my predecessor, Mr. O'Brien, the matter is before us—we vote."

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, Mr. Charette's motion is in order. You can either approve it or reject it. Then the bill would go on final passage."

The Speaker: "The bill is on final passage now."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

RULING BY THE SPEAKER

The Speaker: "The Speaker will recognize the motion by Mr. Charette."

The Speaker declared the question before the House to be the motion by Mr. Charette to defer reconsideration of Engrossed Substitute Senate Bill No. 123 and hold the bill on the third reading calendar for tomorrow.

Representative Charette spoke in favor of the motion, and Representative Bledsoe spoke against it.

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

ROLL CALL

The Clerk called the roll on the motion by Mr. Charette that the House defer reconsideration of Engrossed Substitute Senate Bill No. 123 as amended by the House, and the bill be placed on tomorrow's third reading calendar, and the motion was lost by the following vote: Yeas, 43; nays, 55; excused, 1.

Voting yea: Representatives Ackley, Adams, Anderson, Backstrom, Bagnariol, Beck, Bottiger, Brouillet, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Conner, DeJarnatt, Fleming, Gallagher, Grant, Haussler, Hurley, Jastad, Jolly, Kalich, King, Kink, Leland, Litchman, Marsh, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Sprague, Thompson, Williams, Wojahn—43.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Chapin, Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Hawley, Hoggins, Hubbard, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Lynch, Mahaffey, Martinis, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Mr. Speaker—55.

Excused: Representative Whetzel—1.

PERSONAL PRIVILEGE

Mr. Moon: "Mr. Speaker, I am pretty upset about this. I think that you people on the other side of the aisle have demonstrated to me today your degree of compromise, and I am extremely disappointed."

POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Fleming.

Mr. Fleming: "Mr. Bledsoe, by referring to this blue page, I assume that you were talking about House Bill No. 232?"

Mr. Bledsoe: "That is correct, sir."

Mr. Fleming: "And by your comments, what you have indicated to me is that the little discussions we've had in the last couple of days are null and void. You don't plan on giving me a chance to help vote for a tax because what you are saying is the money we are talking about is no longer here. If we run with this, you are talking about your budget and not our budget. Is that right, Mr. Bledsoe?"

Mr. Bledsoe: "Let's see if I can keep from getting painted into a corner here, Mr. Fleming. When you say ours and yours, you've got a bit of semantics here. Now this budget could get to be our budget (yours and mine) any time you want to join me and vote for it."

Mr. Fleming: "When you start letting me make some of the decisions as to what is going to be in that budget, I'll help you vote for it. Thank you, Mr. Bledsoe."

The Speaker declared the question before the House to be reconsideration of Engrossed Substitute Senate Bill No. 123 as amended by the House.

ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Engrossed Substitute Senate Bill No. 123 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 22; nays, 76; excused, 1.

Voting yea: Representatives Ackley, Backstrom, Beck, Bottiger, Brouillet, Ceccarelli, Clark (Newman H.), DeJarnatt, Grant, Kalich, Kink, Leckenby, Marzano, McCaffree, Moon, Perry, Savage, Sawyer, Shipoch, Thompson, Williams, Wojahn—22.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Chapin, Charette, Chatalas, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling,

Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Mr. Speaker—76.

Excused: Representative Whetzel—1.

Engrossed Substitute Senate Bill No. 123 as amended by the House, having failed to receive the constitutional majority, was declared lost.

MOTION

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

MESSAGES FROM THE SENATE

February 10, 1970.

Mr. Speaker: The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 33 and adheres to its position, and again requests that the House concur in the Senate amendments, and said bill and the Senate amendments thereto are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

MOTION

Mr. Bledsoe moved that the House insist on its position with respect to the Senate amendments to Engrossed Substitute House Bill No. 33 and ask the Senate for a conference thereon.

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

PARLIAMENTARY INQUIRY

Mr. Amen: "I would like an explanation of what a yes and no vote is on this first."

The Speaker: "A yes vote would return the bill to the Senate with a request for a conference committee."

ROLL CALL

The Clerk called the roll on the motion by Mr. Bledsoe that the House insist on its position with respect to the Senate amendments to Engrossed Substitute House Bill No. 33 and ask the Senate for a conference thereon, and the motion carried by the following vote: Yeas, 65; nays, 33; excused, 1.

Voting yea: Representatives Amen, Bagnariol, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jolly, Jueling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leland, Lynch, Mahaffey, Marsh, Martinis, May, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Spanton, Swayze, Veroske, Wanamaker, Williams, Wolf, Mr. Speaker—65.

Voting nay: Representatives Ackley, Adams, Anderson, Backstrom, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Conner, Fleming, Gallagher, Jastad, Kalich, Leckenby, Litchman, Marzano, McCaffree, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Sprague, Thompson, Wojahn, Zimmerman—33.

Excused: Representative Whetzel—1.

MOTION

On motion of Mr. Bledsoe, the results of the previous motion and all previous business transacted by the House today were ordered transmitted immediately to the Senate.

MESSAGES FROM THE SENATE

February 11, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 206, and has passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

February 11, 1970.

Mr. Speaker: The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 261, and has passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

February 11, 1970.

Mr. Speaker: The President has signed:

SENATE BILL NO. 130,
SENATE BILL NO. 144,
SUBSTITUTE SENATE BILL NO. 161,
SENATE BILL NO. 191,
SENATE BILL NO. 266,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 11, 1970.

Mr. Speaker: The President has signed:

SUBSTITUTE HOUSE BILL NO. 169,
HOUSE BILL NO. 326,

and the same are herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 11, 1970.

Mr. Speaker: The Senate refuses to recede from its amendments to HOUSE BILL NO. 158, and asks the House for a conference thereon, and the President has appointed as members of the conference committee: Senators Connor, Williams and Greive.

SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Bledsoe, the House granted the request of the Senate for a conference on House Bill No. 158.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Chapin, Shera and Bottiger as members of the Conference Committee on House Bill No. 158.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Goldsworthy, Saling and Brouillet as members of the Conference Committee on Engrossed Substitute House Bill No. 33.

MOTION

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

SECOND READING

HOUSE BILL NO. 232, by Representative Murray:
Repealing B & O exemption as to financial institutions.

MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 232, and the bill was placed at the bottom of today's second reading calendar.

SENATE BILL NO. 58, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

Restricting use of waterfront lands and providing for the acquisition of scenic easements.

The House resumed consideration of Senate Bill No. 58 on second reading.

The Speaker declared the question before the House to be the committee amendment striking everything after the enacting clause and inserting new sections.

(For Committee Amendments see Journal of February 7, 1970, Twenty-Seventh Day.)

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

Amend the amendment by the Committee on Natural Resources as follows: On page 1, section 1, line 20, after "tidelands" and before the period insert the following: "PROVIDED, That where such uses may be located elsewhere than the seacoast tidal beaches the provisions of this act shall be construed and administered so as to prevent any substantial and irreparable damage to the ecology and the environment of the seacoast tidal beaches"

Representative Julin spoke in favor of the amendment, and Representative Berentson spoke against it.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Wolf.

Mr. Wolf: "Representative Julin, these just hit my desk and I'm sorry I didn't walk back and ask you. How do you read this: 'That where such uses may be located elsewhere than the seacoast tidal beaches . . . so as to prevent any substantial . . . damage to the ecology . . . of the seacoast tidal beaches'? I don't see anything that this amendment does. Could you tell me what it means?"

Mr. Julin: "Mr. Wolf and members of the House, I personally have some question as to whether or not this particular language adds that much, or makes any substantial change, to the thrust of the bill as it came out of the subcommittee. But it does seem to me it is appropriate inasmuch as it again emphasizes and underlines the purpose and thrust of this particular bill, which is to accommodate construction and use of a beach to the extent practical (if you consider that with the rest of the policy statement) to minimize the irreparable and permanent damage to the environment of our seacoast."

Representative Charette spoke against adoption of the amendment.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Julin, I have, as you well know, followed the development of this bill since its inception, and I have read all your amendments. I find that this is the one critical one, which to me will really raise some hackles. May I ask you this question, sir: Does the Department of Natural Resources (which administers our state land) or their representatives favor the adoption of this amendment?"

Mr. Julin: "The answer that I must give you in this point of time, Representative Newhouse, is no. They do not favor this particular amendment."

Representatives Leland and Thompson spoke against adoption of the amendment, and Representative Chapin spoke in favor of the amendment.

The Speaker called on Mr. Copeland to preside.

Representative Leckenby spoke against adoption of the amendment.

MOTION

Mr. Kink moved that the amendment by Mr. Julin to the committee amendment to Senate Bill No. 58 be laid on the table.

The motion by Mr. Kink was lost on a rising vote.

Representative Clark (Newman H.) spoke against adoption of the amendment.

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

Mr. Julin moved adoption of the following amendment as a substitute to his previous amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 1, section 1, line 20, after "tidelands" and before the period insert the following: "PROVIDED, That where such uses are of a character which could be located elsewhere than the seacoast tidal beaches the provisions of this act shall be construed and administered so as to prevent any substantial and irreparable damage to the ecology and the environment of the seacoast tidal beaches"

MOTION

On motion of Mr. Newhouse, the Speaker and Representatives Bledsoe, Charette and O'Brien were excused from further proceedings under the Call of the House.

Representative Julin spoke in favor of adoption of the amendment, and Representative Leland spoke against it.

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

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

PARLIAMENTARY INQUIRY

Mr. Cunningham: "Point of parliamentary inquiry. I was under the impression there were some additional amendments on the desk to that amendment."

The Speaker (Mr. Copeland presiding): "No sir, this is just the one to page 1. This is an amendment to the amendment. Is that what you are referring to?"

Mr. Cunningham: "We are not accepting the change Mr. Julin has suggested in his amendment?"

The Speaker (Mr. Copeland presiding): "Mr. Julin has about twenty amendments."

Mr. Cunningham: "I mean on the first one."

The Speaker (Mr. Copeland presiding): "Yes, that is the question before the House."

Mr. Cunningham: "What I am asking is: He wanted to make a change in that. Was that considered he could or could not?"

The Speaker (Mr. Copeland presiding): "He substituted his original amendment to the amendment with the new words inserted."

Mr. Cunningham: "Would you read that?"

The Speaker (Mr. Copeland presiding) instructed the Clerk to reread the amendment by Mr. Julin to page 1, section 1, line 20, of the committee amendment to Senate Bill No. 58.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Julin to the committee amendment to Senate Bill No. 58, and the amendment was lost by the following vote: Yeas, 34; nays, 60; excused, 5.

Voting yea: Representatives Ackley, Adams, Bagnariol, Barden, Bluechel, Brown, Ceccarelli, Chapin, Clarke (George W.), Cunningham, DeJarnatt, Flanagan, Fleming, Grant, Hoggins, Julin, King, Kiskaddon, Martinis, Marzano, McCaffree, Merrill, Murray, North, Randall, Rosellini, Scott, Shera, Shinpoch, Sprague, Swayze, Wanamaker, Williams, Wojahn—34.

Voting nay: Representatives Amen, Anderson, Backstrom, Beck, Benitz, Berentson, Bottiger, Bozarth, Brouillet, Chatalas, Clark (Newman H.), Conner, Conway, Copeland, Curtis, Evans, Farr, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hubbard, Hurley, Jastad, Jolly, Juelling, Kalich, Kink, Kirk, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, May, McCormick, Mentor, Moon, Morrison, Newhouse, O'Dell, Pardini, Perry, Richardson, Saling, Savage, Sawyer, Schumaker, Smythe, Spanton, Thompson, Veroske, Wolf, Zimmerman—60.

Excused: Representatives Bledsoe, Charette, O'Brien, Whetzel, Mr. Speaker—5.

MOTION

Mr. Perry moved that Senate Bill No. 58 be indefinitely postponed.

Representative Perry spoke in favor of the motion, and Representatives Chapin and Berentson spoke against it.

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

Representative Clark (Newman H.) spoke in favor of the motion, and Representative Thompson spoke against it.

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

ROLL CALL

The Clerk called the roll on the motion by Mr. Perry to indefinitely postpone Senate Bill No. 58, and the motion was lost by the following vote: Yeas, 21; nays, 73; excused, 5.

Voting yea: Representatives Ackley, Ceccarelli, Chatalas, Clark (Newman H.), Fleming, Grant, Hubbard, Hurley, Jastad, King, Litchman, Martinis, Marzano, May, Perry, Rosellini, Sawyer, Shinpoch, Sprague, Williams, Wojahn—21.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Chapin, Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Jolly, Jueling, Julin, Kalich, Kink, Kirk, Kiskaddon, Kopet, Kuehne, Leckenby, Leland, Lynch, Mahaffey, Marsh, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Randall, Richardson, Saling, Savage, Schumaker, Scott, Shera, Smythe, Spanton, Swayze, Thompson, Veroske, Wanamaker, Wolf, Zimmerman—73.

Excused: Representatives Bledsoe, Charette, O'Brien, Whetzel, Mr. Speaker—5.

POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Chapin.

Mr. Chapin: "Mr. Newhouse, much talk has gone on in the last few minutes about the authority, etc., of this negotiating committee that came up with these amendments that are labeled by Representative Julin. Is it correct that the negotiations conducted by Representative Julin, Representative Thompson, members of the Senate, the Environmental Council, the Department of Natural Resources, and other members of the public were done with the knowledge, consent and approval of the leadership of both parties, to the best of your knowledge?"

Mr. Newhouse: "To the best of my knowledge, this was assigned to Mr. Julin and others with full knowledge of leadership. I think in recognition of the amount of work that Mr. Julin, particularly, and others have done on several bills of very complicated nature that were before this body, at this point I would like to say that I think we owe Mr. Julin a debt of real gratitude for the work he has done."

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

Amend the amendment by the Committee on Natural Resources as follows: On page 1, section 2, line 25, after "consisting of" and before "members" strike "three" and insert "five"

Representative Julin spoke in favor of adoption of the amendment, and Representative Berentson stated he had no objection to this amendment or the remaining amendments.

The amendment was adopted on a rising vote.

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

Amend the amendment by the Committee on Natural Resources as follows: On page 1, section 2, line 27, after "representative;" and before "and" insert "one member who shall be appointed by the director of commerce and economic development; one member who shall be appointed by the interagency committee on outdoor recreation;"

Representative Julin spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Julin, is there any other precedent where an appointee such as the director of commerce and economic development then goes ahead and makes an appointment?"

Mr. Julin: "Representative Pardini, I can't answer as to whether or not there is any precedent for this type of thing. The other members are the Governor or his designee, the department of natural resources director or his designee, and we were simply trying to make it consistent so the director of the department wouldn't necessarily have to be on this review board. He could appoint someone knowledgeable in the area."

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Clark (Newman H.).

Mr. Clark: "Why didn't you put some representative of private ownership of property that has an interest in this to be appointed as at least one member of the five?"

Mr. Julin: "Representative Clark, the identity of the two members was one for the department of government that is interested in commerce and economic development. The other appointee is one for the agency concerned with outdoor recreation. We felt these two appointments would give the review board the necessary balance. I can only say this whole exercise in increasing the size of the board was part of our continuing effort to find an area of support for the whole bill."

Mr. Clark: "May I again ask the same question, which you conceded you would answer, because I don't consider you have answered it at all, and these appointees are representative appointments of the governor and/or elected officials, and not someone to look after the interests of those who own private property adjacent . . ."

Mr. Julin: "Representative Clark, I do not mean to be evasive. As far as the makeup of the board is concerned, I believe we have all basic governmental areas—governmental representatives—and there was no thought in mind at all in excluding private owners or private citizens' participation. This was simply, as I said earlier, an effort to find some area of common ground of agreement."

The amendment by Mr. Julin to page 1, section 2, line 27 of the committee amendment was adopted on a rising vote.

MOTION

On motion of Mr. Wolf, Representative Kalich was excused from further proceedings under the Call of the House.

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

Amend the amendment by the Committee on Natural Resources as follows: On page 2, section 2, line 4, after "involved," and before "if" strike "or" and insert "but"

Mr. Julin moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 4, section 5, line 8, after "be issued" and before "upon" insert "for uses consistent with the policy declared in section 1"

Representative Julin spoke in favor of adoption of the amendment, and Representative Clark (Newman H.) spoke against it.

The amendment was adopted.

Mr. Julin moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 4, section 5, line 11, after "immediate area" insert a period, strike the remainder of the paragraph, and insert the following: "Permits may be issued for uses consistent with the policy declared in section 1 upon application for the purposes of (1) appropriate construction associated with harbor areas; (2) aids to public navigation; (3) construction that the public agency determines will be in conformance with both existing regulations of local government, and the probable public planning and regulations for the area."

Representative Julin spoke in favor of adoption of the amendment, and Representative Clark (Newman H.) spoke against it.

The amendment was lost on a rising vote.

Mr. Chapin moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 4, section 5, line 16, after "in section 1" and before the period, insert "unless it finds that such construction may cause substantial irreparable damage to the seacoast tidal beaches, in which case the granting of a permit shall be discretionary"

Representatives Chapin, Thompson, Swayze and Julin spoke in favor of adoption of the amendment, and Representative Leland spoke against it.

The amendment by Mr. Chapin to the committee amendment was adopted.

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

Amend the amendment by the Committee on Natural Resources as follows: On page 4, section 5, line 23, after "real property" and before "to the" in lines 23 and 24 strike "or" and insert the following: "by mailing such notice to the owner at his address as shown on the records of the county treasurer wherein such property is located, and except as to construction to protect property or a bulkhead common to a single family residence"

Mr. Newhouse moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 4, section 5, lines 23 and 24, after "real property" strike "or to the general public" and insert "by delivery of registered and ordinary mail to the owner's home and"

Representatives Newhouse and Julin spoke in favor of adoption of the amendment to the committee amendment.

The amendment by Mr. Newhouse to the committee amendment was adopted.

The Clerk read the following amendment by Representative Clark (Newman H.):

Amend the amendment by the Committee on Natural Resources as follows: On page 4, section 5, lines 23 and 24, after "real property" strike "or to the general public" and insert "by delivery of registered and ordinary mail to the owner's home and"

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

The Clerk read the following amendment by Mr. Ackley:

Amend the amendment by the Committee on Natural Resources as follows: On page 4, section 5, line 23, after "real property" and before "to the" strike "or" and insert "and"

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

Mr. Thompson moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 5, section 6, line 14, strike "adjournment of the next regular or extraordinary session of" and insert "approval by"

Representative Thompson spoke in favor of adoption of the amendment.

At the request of Representative Leland, the Speaker (Mr. Copeland presiding) instructed the Clerk to reread the amendment.

Representatives Clark (Newman H.) and Bottiger spoke in favor of adoption of the amendment, and Representatives Clarke (George W.) and Julin spoke against it.

Representative Thompson again spoke in favor of adoption of the amendment.

The amendment by Mr. Thompson to the committee amendment to Senate Bill No. 58 was adopted.

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

Amend the amendment by the Committee on Natural Resources as follows: On page 5, section 6, line 15, after "lature" strike the colon, insert a period, and strike the remainder of the paragraph.

STATEMENT FOR THE JOURNAL

I wish to record my reasons for offering my floor amendment to Senate Bill No. 58 which was adopted by the House.

It is my view that the original language, providing for the "guidelines" to become effective unless rejected by the legislature, represented a delegation of legislative authority.

It is perfectly appropriate to formulate seacoast management guidelines by procedures set forth in the bill: under the direction of the executive branch of government, in effect, with public participation.

These guidelines, however, will not have the character of limited rules and regulations.

They will, rather, represent a broad expression of state interest and priorities in seacoast management. This will become the basic law of the state and should be adopted as all our laws are adopted and recorded, as are other such expressions of state policy, in codified law of the State of Washington.

I did not offer this amendment in an attempt to thwart or frustrate the purposes of measure, which I vigorously support.

It is because of my belief in the necessity and importance of state involvement in protection of public interest in the seacoast that I believe in impressing this involvement in this way.

I have confidence that public recognition of this necessity will be reflected in the legislature and enable the adoption of seacoast management guidelines without delay.
ALAN THOMPSON, 18th District.

Mr. Ackley moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 5, section 7, lines 26 and 27, after "that exist" strike "or are authorized in current leases"

Representative Ackley spoke in favor of adoption of the amendment, and Representatives Leland and Julin spoke against it.

The amendment by Mr. Ackley to the committee amendment to Senate Bill No. 58 was not adopted.

Mr. Clark (Newman H.) moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 6, section 8, line 22, after "provisions" and before the period insert ": PROVIDED, That any plan which affects the rights and property of a private owner, notice must be given to such owner ninety days prior to the effective date of the proposed plan and regulations and if not given there shall be no enforcement made or attempted and the plan shall be void"

Representative Clark spoke in favor of adoption of the amendment, and Representative Julin spoke against it.

Representative Clark again spoke in favor of the amendment.

The amendment by Mr. Clark to the committee amendment to Senate Bill No. 58 was not adopted.

Mr. Clark (Newman H.) moved adoption of the following amendment:

Amend the amendment by the Committee on Natural Resources as follows: On pages 8 and 9, strike sections 13, 14, 16 and 17, and renumber the remaining sections consecutively.

SPEAKER'S INQUIRY

The Speaker (Mr. Copeland presiding): "Mr. Clark, am I reading this right? You are striking sections 13, 14, 15, 16 and 17?"

Mr. Clark: "No, 13, 14, 16, and 17. Not 15."

Representative Clark spoke in favor of adoption of the amendment, and Representatives Julin and Leland spoke against it.

Representative Chapin said he would support the amendment if it struck only section 13.

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

Mr. Clark moved adoption of the following amendment as a substitute to his previous amendment:

Amend the amendment by the Committee on Natural Resources as follows: On page 8, strike section 13 and renumber the remaining sections consecutively.

POINT OF INQUIRY

Mr. Chapin yielded to question by Mr. Leland.

Mr. Leland: "Representative Chapin—and I hope all the rest of the legal eagles on the House floor will listen to this—for us poor laymen, can you assure me beyond a shadow of a doubt . . ."

Mr. Chapin: "No."

Mr. Leland: "You're already scared."

Mr. Chapin: "No, I just know better."

Mr. Leland: ". . . that if we remove this section from the bill, that there are no other existing state statutes that would permit them to come in and exercise condemnation under this act?"

Mr. Chapin: "No, Mr. Leland, I am certainly not that familiar with all of the statutes of the State of Washington to be able to give you that guarantee."

Representative Leland spoke against adoption of the amendment, and Representative Clark (Newman H.) spoke in favor of it.

The amendment by Mr. Clark to the committee amendment to Senate Bill No. 58 was adopted on a rising vote.

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

Amend the amendment by the Committee on Natural Resources as follows: On page 8, section 14, line 25, after "diversions" insert "pollution control,"

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

Amend the amendment by the Committee on Natural Resources as follows: On page 10, section 24, line 23, after "nonexclusive," add: "Nor shall this act affect any exploratory work, construction or operation of a thermal power plant by an electric utility in accordance with the requirements of the thermal power plant site evaluation council pursuant to the provisions of that chapter of Title 80 RCW established by Chapter —, Laws of 1970 (ESB No. 49)."

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

Amend the amendment by the Committee on Natural Resources as follows: On page 10, section 25, line 26, after "beaches" and before the period, insert "except to the extent that uses of the seacoast tidal beaches are made in compliance with the provisions of this act or amendments thereto"

Mr. Clark (Newman H.) moved adoption of the following amendment by Representatives Clark and Hawley:

Amend the amendment by the Committee on Natural Resources as follows: On page 10, strike section 26 and renumber the remaining sections consecutively.

Representative Clark spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Leland.

Mr. Leland: "Representative Julin, we had very considerable discussion about this very clause in the ad hoc committee that worked this bill out. It was my understanding that the purpose of the emergency clause was on the assumption that if it passed both houses and the Governor signed it, it would have the effect of immediately lifting the moratorium imposed by the Lake Chelan case. Is my understanding correct for the reason of the emergency clause in this case?"

Mr. Julin: "Representative Leland, your question touches on the primary reason for the emergency clause. This bill does two things. It opens up the door so that things could be going ahead immediately while the guidelines are being developed, and that is precisely why this section is in there."

Representative Perry spoke in favor of adoption of the amendment by Representatives Clark and Hawley to the committee amendment.

The amendment by Representatives Clark and Hawley to the committee amendment to Senate Bill No. 58 was adopted on a rising vote.

The Speaker (Mr. Copeland presiding) declared the question before the House to be adoption of the committee amendment as amended to Senate Bill No. 58.

The committee amendment as amended was adopted.

On motion of Mr. Flanagan, the committee amendment to the title was adopted.

MOTION

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

MOTION

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

MESSAGES FROM THE SENATE

February 11, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 162, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

REPORT OF CONFERENCE COMMITTEE

February 11, 1970.

MR. SPEAKER:

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 162, relating to civil disturbance and providing penalties, have had the same under consideration, and we report that we are unable to agree and wish to request the powers of Free Conference.

Signed by Senators Andersen, Gissberg and Knoblauch; Representatives Clarke (George W.), Swayze and Adams.

MOTION

On motion of Mr. Newhouse, the report of the Conference Committee on House Bill No. 162 was adopted and the committee was granted the powers of Free Conference.

The Speaker (Mr. Copeland presiding) declared the House to be at ease.

The Speaker (Mr. Copeland presiding) called the House to order.

MOTION

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

THIRD READING

SENATE BILL NO. 58, as amended by the House, by Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request):

Restricting use of waterfront lands and providing for the acquisition of scenic easements.

The Speaker and Representatives Bledsoe, Charette and O'Brien appeared at the bar of the House.

The Speaker resumed the Chair.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 58 as amended by the House, and the bill passed the House by the following votes: Yeas, 73; nays, 24; excused, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Jolly, Jueling, Julin, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, McCaffree, McCormick, Mentor, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Smythe, Thompson, Veroske, Wanamaker, Wolf, Zimmerman, Mr. Speaker—73.

Voting nay: Representatives Ackley, Bagnariol, Bottiger, Brouillet, Clark (Newman H.), Conner, Fleming, Gallagher, Grant, Hurley, King, Litchman, Martinis, Marzano, May, Merrill, Perry, Sawyer, Shinpoch, Spanton, Sprague, Swayze, Williams, Wojahn—24.

Excused: Representatives Kalich, Whetzel-2.

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

MOTION

On motion of Mr. Newhouse, the House dispensed with further business under the Call of the House.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 9,
HOUSE BILL NO. 13,
HOUSE BILL NO. 26,
SUBSTITUTE HOUSE BILL NO. 60,
HOUSE BILL NO. 142,
SUBSTITUTE HOUSE BILL NO. 180,
HOUSE CONCURRENT RESOLUTION NO. 8,
SENATE BILL NO. 130,
SENATE BILL NO. 144,
SUBSTITUTE SENATE BILL NO. 161,
SENATE BILL NO. 191,
SENATE BILL NO. 266.

MOTION

On motion of Mr. Newhouse, the House adjourned until 9:00 a.m., Thursday, February 12, 1970.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

THIRTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 12, 1970.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Whetzel who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Daniel Heavener of the St. Luke's Episcopal Church of Sequim.

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

MESSAGES FROM THE SENATE

February 11, 1970.

Mr. Speaker: The Senate has passed:
ENGROSSED HOUSE BILL NO. 253,
SUBSTITUTE HOUSE BILL NO. 312,
SUBSTITUTE HOUSE BILL NO. 318,

and the same are herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 11, 1970.

Mr. Speaker: The President has signed SUBSTITUTE SENATE BILL NO. 146, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 11, 1970.

Mr. Speaker: The President has signed:
SENATE BILL NO. 206,
SENATE BILL NO. 261,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 11, 1970.

Mr. Speaker: The President has signed:
HOUSE BILL NO. 9,
HOUSE BILL NO. 13,
HOUSE BILL NO. 26,
SUBSTITUTE HOUSE BILL NO. 60,
HOUSE BILL NO. 142,
SUBSTITUTE HOUSE BILL NO. 180,

HOUSE CONCURRENT RESOLUTION NO. 8,
and the same are herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 11, 1970.

Mr. Speaker: The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 162, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted. JERRY HAGAN, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

February 11, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 162, relating to civil disturbance and providing penalties, have had the same under consideration, and we recommend that it do pass with the following amendment:

Beginning on line 3, strike all of the material and insert:

"NEW SECTION. Section 1. It shall be unlawful for any person, singly or in concert with others, to interfere by force or violence with any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

NEW SECTION. Sec. 2. It shall be unlawful for any person, singly or in concert with others, to intimidate by threat of force or violence any administrator, faculty member or student of any university, college, community college or public school who is in the peaceful discharge or conduct of his duties or studies.

NEW SECTION. Sec. 3. The crimes defined in this act shall not apply to school administrators or teachers who are engaged in the reasonable exercise of their disciplinary authority.

NEW SECTION. Sec. 4. Any person guilty of violating this act shall be deemed guilty of a gross misdemeanor and, upon conviction thereon, shall be fined not more than \$500.00, or imprisoned in jail not more than six months or both such fine and imprisonment.

NEW SECTION. Sec. 5. SEVERABILITY. If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section, or part of this act, such judgment or decree shall not affect, impair, invalidate or nullify the remainder of this act, but the effect thereof shall be confined to the clause, sentence, paragraph, section or part of this act so adjudged to be invalid or unconstitutional."

Signed by Senators Andersen, Gissberg and Knoblauch; Representatives Clarke (George W.), Swayze and Adams.

MOTION

On motion of Mr. Clarke (George W.), the House adopted the report of the Free Conference Committee on House Bill No. 162.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of House Bill No. 162 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 162 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 77; nays, 3; absent or not voting, 19.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Beck, Berentson, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Schumaker, Scott, Shipoch, Smythe, Spanton, Sprague, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Mr. Speaker—77.

Voting nay: Representatives Ackley, Grant, Wojahn—3.

Absent or not voting: Representatives Backstrom, Bagnariol, Benitz, Bottiger, Chapin, Fleming, Harris, Kalich, King, McCormick, Mentor, Rosellini, Saling, Savage, Sawyer, Shera, Thompson, Whetzel, Williams—19.

House Bill No. 162 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF CONFERENCE COMMITTEE

February 11, 1970.

MR. SPEAKER:

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 139, regulating surface mining, have had the same under consideration, and we report that we are unable to agree and wish to request the powers of Free Conference.

Signed by Senators Keefe, Peterson (Lowell) and Lewis (Harry); Representatives Newhouse, Zimmerman and Moon.

MOTION

On motion of Mr. Newhouse, the report of the Conference Committee on Engrossed Substitute Senate Bill No. 139 was adopted and the committee was granted the powers of Free Conference.

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

MOTION

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

RESOLUTIONS

HOUSE RESOLUTION NO. 70-58, by Representatives Beck, Zimmerman, Veroske, Richardson, Smythe, Kuehnle, Chapin, Evans, Randall and Marsh:

WHEREAS, Kiwanis is an organization of dedicated persons who have on so many occasions provided services and activities for the civic betterment of all of the community; and

WHEREAS, Kiwanis brings a special energy and enthusiasm to the promotion of higher levels of community participation; and

WHEREAS, The Kiwanis organization is particularly concerned with projects and activities which express family unity and cohesion; and

WHEREAS, The family is the basic unit of society, and its preservation and continuation is a matter of vital concern and importance; and

WHEREAS, The Pacific Northwest District of Kiwanis International is now planning activities promoting the family during summer of 1970;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests the Governor to proclaim a state-wide Kiwanis Family Reunion Day on Sunday, August 9, 1970; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Honorable Daniel J. Evans, governor of the State of Washington, and to each active Kiwanis organization in the State.

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

HOUSE RESOLUTION NO. 70-59, by Representatives Hoggins and Richardson:

WHEREAS, The State Board of Education has the power to make rules and regulations to implement its delegated functions; and

WHEREAS, House Bill No. 301 was introduced to provide allocation authority for school construction; and

WHEREAS, The Superintendent of Public Instruction presently allocates either an allocation authority amount or a portion of his appropriation based upon State Board of Education approval of preliminary plans; and

WHEREAS, It would be desirable if the State Board changed the time at which allocation is made to the time at which final district plans are approved; and

WHEREAS, The State Board could, under present administrative policies, guarantee to local districts that they would not lose any of their investment in architectural fees if they proceeded to develop final working drawings without an allocation of state funds since the State Board could guarantee the return of the district investment in architectural fees if the State Board does not approve the project;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That it recommends these procedures be adopted by the State Board of Education.

BE IT FURTHER RESOLVED, That the Forty-second Legislature shall authorize and allocate construction funds at the earliest possible date in January, 1971 to avoid double shifting in existing school facilities.

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

HOUSE RESOLUTION NO. 70-60, by Representatives Randall, Brown and Wojahn:

WHEREAS, Insurance benefits are of paramount importance to the people of this State; and

WHEREAS, Personal liability, property damage and professional malpractice are illustrative of the types of insurance which provide protection for the insured and the injured; and

WHEREAS, Premium costs are increasing rapidly and such costs tend to make insurance coverage prohibitive; and

WHEREAS, Increasing money damage judgments may be a major factor in escalating insurance premium costs; and

WHEREAS, The benefits of insurance must continue to be made available to the people of this State at reasonable costs consistent with adequate coverage;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Judicial Council is authorized and requested to make a study of the contingent legal fee system as it relates to increasing money damage judgments awarded by juries and make recommendations for legislation in this area.

BE IT FURTHER RESOLVED, By the House of Representatives, That the Insurance Commission make a comprehensive study of escalating insurance premiums and costs and recommendations for corrective legislation; and

BE IT FURTHER RESOLVED, That the results of the studies and the recommendations be presented to the next Regular Session of the Legislature.

Mr. Randall moved adoption of the resolution.

Representative Randall spoke in favor of adoption of the resolution.

MOTION

Mr. Charette moved that House Resolution No. 70-60 be referred to the Committee on Judiciary.

Debate ensued, Representative Charette speaking in favor of the motion, and Representatives May and Clark (Newman H.) speaking against it.

The motion by Mr. Charette was lost.

Mr. Charette moved adoption of the following amendment to the resolution:

On page 1, line 14, strike "Judicial Council" and insert "Legislative Council"

Representative Charette spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Charette, you are a member of the Judicial Council, are you not?"

Mr. Charette: "No, I am not a member of the Judicial Council."

Representatives Randall and Bottiger spoke in favor of the amendment.

The amendment by Mr. Charette to House Resolution No. 70-60 was adopted.

Representative Bottiger spoke in favor of adoption of the resolution as amended.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-61, by Representatives Zimmerman, Smythe, Chapin, Shera, Julin, Thompson, Berentson and Evans:

WHEREAS, The State of Washington is committed to eliminating the pollution that is steadily destroying its resources; and

WHEREAS, The effort to protect the resources of this state from destruction by pollution is a relatively recent one; and

WHEREAS, Immediate solutions to pollution problems are needed very badly; and

WHEREAS, The pollution created by the spillage of oil onto the state's waters is of grave concern and may occur at anytime without any warning; and

WHEREAS, The State of Washington and its officials must be prepared to alleviate any harm caused by the spillage of oil onto the state's waters.

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Water Pollution Control Commission or its successor, make an interim study concerning the creation of a reserve fund to enable the state to finance the immediate clean-up of any oil spillage which occurs on the waters of this state. Said study should determine whether an assessment should be made on the oil industry to finance this fund and the manner in which such assessment should be made; for example, contributions based on volume of business per gallon or per barrel or based on some other measure. Said study should also determine when the fund shall be liable including whether it should have a deductible feature which would make it liable only in a case of major casualty. Said study shall also contain a plan for immediate physical action to be taken to clean up the damage caused by oil spillage on the waters of this state.

BE IT FURTHER RESOLVED, That the results of said study shall be reported to the 1971 legislature with recommendations based on the findings of said study.

MOTION

On motion of Mr. Bledsoe, the resolution was referred to the Committee on Rules and Administration.

HOUSE RESOLUTION NO. 70-62, by Representatives Morrison, Grant and Kuehnle:

WHEREAS, The proposed administration costs for operation of the new law enforcement and fire fighters retirement system seem excessively high in comparison with other retirement systems; and

WHEREAS, The March 1, 1970, effective date of this new retirement system necessitates immediate legislative action on the final details of this system as embodied in House Bill No. 74:

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests that the Legislative Budget Committee, during the interim preceding the 1971 Regular Session, investigate the administrative costs of the law enforcement and fire fighters retirement system and report their findings and recommendations to the Forty-second Session of the Legislature.

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

HOUSE RESOLUTION NO. 70-71, by Representatives Wojahn, Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Eldridge, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shipoch, Smythe, Spanton, Sprague, Swayze, Thompson, Veroske, Wanamaker, Whetzel, Williams, Wolf, Zimmerman (by Executive request):

WHEREAS, Members of this august body, prior to this time in this Special Session of the Legislature, have dwelt upon problems dealing with the state's citizens generally, and the practical worth of legislation to remedy such problems; and

WHEREAS, A pause, though momentary, to reflect upon an occasion of worth dealing with the well-being of one closely associated with the business of this chamber should well accord each of us a memory unspoiled by other than our own sincere regard and respect; and

WHEREAS, Miss Gay Keplinger, Administrative Secretary to the Statute Law Committee and the Code Reviser of this State, has been to members of this body and the Senate, not only an efficient, responsive person in the bill drafting process but a loyal friend, personifying the best in public employment; and

WHEREAS, Miss Keplinger, whose youth and vigor belittle the fact of seventeen years employment with the State, has announced her betrothal to Mr. Fred Anderson of Hoquiam, the son of Eric, our fellow contemporary, and his delightful wife, Ida;

NOW, THEREFORE, BE IT RESOLVED, By this House of Representatives, That we, the members of this body, do herewith extend our heartiest congratulations to Miss Keplinger and Mr. Anderson, Mrs. Gerry Keplinger, Gay's mother, and Eric and Ida Anderson, Fred's parents, and in addition thereto, take this opportunity to thank Gay for the unselfish years of devoted help she has given the members of this Legislature and let it be known herewith our wish for years of happiness for her and Fred, thus echoing sentiments throughout this building and indeed, the whole capitol campus and this city.

Mrs. Wojahn moved adoption of the resolution.

Representatives Wojahn and Bledsoe spoke in favor of adoption of the resolution.

The resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker requested that Representatives Copeland, Charette, O'Brien, Wojahn and Bledsoe conduct Miss Gay Keplinger and Representative Anderson to a place on the rostrum.

The Speaker: "Gay, on behalf of the members of the House, particularly those of us who have known you for a good many years and appreciated the fine service you have given us personally and to the State, we have a memento of this occasion and know that you will treasure it always. We wish you the best of luck and extreme happiness. You too, Dad."

Miss Gay Keplinger: "Thank you. Thank you, everybody."

The Speaker observed in the south gallery members of Miss Keplinger's family and asked them to stand and be recognized.

Miss Keplinger and Representative Anderson were escorted from the rostrum.

SPEAKER'S PRIVILEGE

The Speaker requested that Representatives Chatalas and Cunningham conduct Mrs. Mary Lou Writer to a place on the rostrum for a special presentation.

The Speaker: "Mary Lou, on behalf of the members of the House of Representatives, we would like to present to you the original copy of House Joint Memorial No. 3. We know that you will treasure it."

Mrs. Mary Lou Writer: "Thank you very much."

Mrs. Writer was escorted from the rostrum.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced there would be a short meeting immediately of the Appropriations Committee in the Majority Caucus room.

MESSAGES FROM THE SENATE

February 11, 1970.

Mr. Speaker: The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 33, and the President has appointed as members of the Conference Committee thereon: Senators Durkan, Atwood and Dore.

SIDNEY R. SNYDER, Secretary.

REPORT OF CONFERENCE COMMITTEE

February 11, 1970.

MR. SPEAKER:

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 1, creating a department of pollution control, have had the same under consideration, and we report that we are unable to agree and wish to request the powers of Free Conference.

Signed by Senators Durkan, Elicker and Greive; Representatives Flanagan, Julin and Gallagher.

MOTION

On motion of Mr. Newhouse, the report of the Conference Committee on Engrossed Senate Bill No. 1 was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 318, removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people, have had the same under consideration, and we recommend that the Senate concur in the House amendment.

Signed by Senators Ryder and Gissberg; Representatives Backstrom, Wolf and Pardini.

MOTION

On motion of Mr. Newhouse, the House adopted the report of the Conference Committee on Engrossed Senate Bill No. 318.

REPORT OF CONFERENCE COMMITTEE

February 11, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 317, removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Signed by Senators Ryder and Gissberg; Representatives Backstrom, Wolf and Pardini.

MOTION

On motion of Mr. Newhouse, the report of the Conference Committee on Engrossed Senate Bill No. 317 was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 80, establishing a drug control unit within the board of pharmacy, making an appropriation and declaring an emergency, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Signed by Senators Walgren, Woodall and Day; Representatives Swayze, North and Rosellini.

MOTION

On motion of Mr. Newhouse, the report of the Conference Committee on Engrossed Substitute Senate Bill No. 80 was adopted and the committee was granted the powers of Free Conference.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:
SUBSTITUTE SENATE BILL NO. 146.

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

MOTION

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

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 13, by Senators McCormack and Washington:

An Act relating to real estate excise taxes; amending section 28A.45.010, chapter 223, Laws of 1969 1st ex. sess. and RCW 28A.45.010; and declaring an effective date.

MOTION

On motion of Mr. Bledsoe, the rules were suspended, Engrossed Senate Bill No. 13 was advanced to second reading and read the second time.

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

On page 2, section 1, line 25, after section 1 insert a new section as follows:

"Sec. 2. Section 34, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.050 are each amended to read as follows:

The board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the board shall operate on a full time basis, each member of the board shall receive an annual salary to be determined by the governor. If it is determined that the board shall operate on a part time basis, each member of the board shall receive compensation on the basis of seventy-five dollars per diem for each day spent in performance of his duties: PROVIDED, HOWEVER, That such compensation shall not exceed [seventy-five hundred] *ten thousand* dollars in a [calendar] *fiscal* year. Each board member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with RCW 43.03.050."

Mrs. McCaffree moved adoption of the following amendment by Representatives Chapin, McCaffree and Ceccarelli:

On page 2, before line 26, insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of one percent.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 3. Section 82.04.290, chapter 15, Laws of 1961, as last amended by section 39, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.260, 82.04.270, 82.04.275, *section 2 of this 1970 amendatory act* and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of one percent: PROVIDED, That upon and after the effective date of the provisions of [this amendatory act] *chapter 262, Laws of 1969 ex. sess.* which impose a tax upon net income, the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of twenty-two one hundredths of one percent. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a 'sale at retail' or a 'sale at wholesale.' The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 4. Section 82.04.430, chapter 15, Laws of 1961 as last amended by section 11, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.430 are each amended to read as follows:

In computing tax there may be deducted from the measure of tax the following items:

(1) Amounts derived by persons, other than those engaging in banking, loan, security, or other financial businesses, from investments or the use of money as such;

(2) Amounts derived from bona fide initiation fees, dues, contributions, donations, tuition fees, charges made for operation of privately operated kindergartens, and endowment funds. This paragraph shall not be construed to exempt any person, association, or society from tax liability upon selling tangible personal property or upon providing facilities or services for which a special charge is made to members or others. Dues which are for, or graduated upon, the amount of service rendered by the recipient thereof are not permitted as a deduction hereunder;

(3) The amount of cash discount actually taken by the purchaser. This deduction is not allowed in arriving at the taxable amount under the extractive or manufacturing classifications with respect to articles produced or manufactured, the reported values of which, for the purposes of this tax, have been computed according to the provisions of RCW 82.04.450;

(4) The amount of credit losses actually sustained by taxpayers whose regular books of account are kept upon an accrual basis;

(5) So much of the sale price of motor vehicle fuel as constitutes the amount of tax imposed by the state or the United States government upon the sale thereof;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(7) Amounts derived by any person as compensation for the receiving, washing, sorting, and packing of fresh perishable horticultural products and the material and supplies used therein when performed for the person exempted in RCW 82.04.330, either as agent or as independent contractor;

(8) Amounts derived as compensation for services rendered or to be rendered to patients by a hospital, as defined in chapter 70.41, devoted to the care of human beings with respect to the prevention or treatment of disease, sickness, or suffering, when such hospital is operated by the United States or any of its instrumentalities, or by the state, or any of its political subdivisions;

(9) Amounts derived as compensation for services rendered to patients by a hospital, as defined in chapter 70.41, which is operated as a nonprofit corporation, nursing homes and homes for unwed mothers operated as religious or charitable organizations, but only if no part of the net earnings received by such an institution inures directly or indirectly, to any person other than the institution entitled to deduction hereunder. In no event shall any such deduction be allowed, unless the hospital building is entitled to exemption from taxation under the property tax laws of this state.

(10) Amounts derived by a political subdivision of the state of Washington from another political subdivision of the state of Washington as compensation for services which are within the purview of RCW 82.04.290.

Sec. 5. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 20, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28: PROVIDED, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36: PROVIDED, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12;

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: PROVIDED, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce: PROVIDED, That the purchaser must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the department of revenue and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the department of revenue with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the department of revenue shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of one dollar. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of

perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(24) Sales of wearing apparel to persons who themselves use such wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(25) Sales of pollen.

(26) *Sales to one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.*

Sec. 6. Section 82.12.030, chapter 15, Laws of 1961 as last amended by section 23, chapter 149, Laws of 1967 ex. sess. and RCW 82.12.030 are each amended to read as follows:

The provisions of this chapter shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the state by a nonresident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a nontransitory business activity within the state; or in respect to the use by a nonresident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a bona fide resident of this state, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than thirty days prior to the time he entered this state;

(2) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease, gift or bailment if the sale thereof to, or the use thereof by, the present user or his bailor or donor has already been subjected to the tax under chapter 82.08 or 82.12 and such tax has been paid by the present user or by his bailor or donor; or in respect to the use of property acquired by bailment and such tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 or 82.12 as of the time of first use; or in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961;

(3) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16;

(4) In respect to the use of any airplane, locomotive, railroad car, or watercraft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or watercraft, and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer used in substantial part in the normal and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of motor vehicles pursuant to RCW 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state;

(5) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

(6) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and motor vehicle fuel taxable under chapter 82.36: PROVIDED, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of motor vehicles shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue;

(7) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of RCW 82.16.010;

(8) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

(9) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same;

(10) In respect to the use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(11) In respect to the use of poultry in the production for sale of poultry or poultry products;

(12) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

(13) In respect to the use of motor vehicles, equipped with dual controls, which are loaned to and used exclusively by a school in connection with its driver training program: PROVIDED, That this exemption and the term 'school' shall apply only to (a) the University of Washington, Washington State University, the state colleges and the state community colleges or (b) any public, private or parochial school accredited by either the state board of education or by the University of Washington (the state accrediting station) or (c) any public vocational school meeting the standards, courses and requirements established and prescribed or approved in accordance with the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session);

(14) In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 or chapter 82.12.

(15) In respect to the use by residents of this state of motor vehicles and trailers acquired and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, but this exemption shall not apply to members of the armed services called to active duty for training purposes for periods of less than six months and shall not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of any person from the armed services.

(16) In respect to the use of semen in the artificial insemination of livestock;

(17) In respect to the use of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(18) In respect to the use of any sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(19) In respect to the use of wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(20) In respect to the use of pollen.

(21) *In respect to the use of the personal property of one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.*

NEW SECTION. Sec. 7. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Remember the remaining section consecutively.

Representative McCaffree spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mrs. McCaffree yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mrs. McCaffree, did I understand you to say that the insurance salesman problem was not included?"

Mrs. McCaffree: "It is eliminated. The copy of the amendment which is on your desks is misprinted, but it is not in the copy on the Chief Clerk's desk. It was agreed that we would take it out and it would pass through the Senate. This has been checked out with the Senate, so we know it is all agreed."

The amendment by Representatives Chapin, McCaffree and Ceccarelli to Engrossed Senate Bill No. 13 was adopted.

Mr. Wolf moved adoption of the following amendment:

On page 2, if the foregoing amendment is adopted, insert the following after section 8: "Sec. 9. Section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935, as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210 are each amended to read as follows:

There is hereby imposed upon all wines sold [to retail licensees] within the state a tax of [ten] ninety cents per wine gallon: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one [domestic] winery to another [domestic] winery shall not be subject to such gallonage tax. The tax herein provided for may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on gallonage sales. Every person selling wine under the provisions of this section shall report all sales to the board in such manner, at such times and upon such forms as may be prescribed by the board in accordance with RCW 66.24.230, and with such report shall pay the tax due from the sales covered by such report unless the same has previously been paid. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel his license until all taxes are paid.

NEW SECTION. Sec. 10. There is hereby added to chapter 62, Laws of 1933 ex. sess., as last amended by section 3, chapter 21, Laws of 1969 ex. sess., and to chapter 66.24 RCW, a new section to read as follows:

There is hereby imposed upon every licensed wine wholesaler who possesses wine for resale upon which the tax has not been paid under section 9 of this 1970 amendatory act, a floor stocks tax of eighty cents per wine gallon on wine in his possession or under his control on July 1, 1970. Each such wholesaler shall within twenty days after July 1, 1970, file a report with the Washington state liquor control board in such form as the board may prescribe, showing the wine products on hand July 1, 1970, converted to gallons thereof and the amount of tax due thereon. The tax imposed by this section shall be due and payable within twenty days after July 1, 1970, and thereafter bear interest at the rate of one percent per month.

Sec. 11. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, [wine,] or strong beer in the original package at the rate of ten percent of the selling price, and the term 'retail sale' as used herein shall include, in addition to the meaning ascribed thereto in chapter 82.04, any sale for resale to the holder of a class C, class F, class H or combined class C and class F license issued by the Washington state liquor control board [: PROVIDED, That from and after July 1, 1969 the tax upon each retail sale of wine under this subsection (1) shall be at the rate of twenty-six percent of the selling price]. The tax imposed in this section shall apply to all sales of spirits, [wine,] or strong beer by the Washington state liquor stores and agencies, including sales to licensees [, but shall not apply to sales of wine in the unopened bottle by licensees who have paid the tax imposed by this subsection (1) to their vendors on the acquisition of such wine]. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales by the Washington state liquor control board stores and agencies of products subject to the tax imposed by this section.

(2) There is levied and shall be collected from and after the first day of April, 1959, an additional tax upon each retail sale of spirits, or strong beer in the original package at the rate of five percent of the selling price, and the term 'retail sale' as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits, or strong beer by the Washington state liquor stores and agencies, excluding sales to class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales by the Washington state liquor control board stores and agencies of products subject to the tax imposed by this paragraph.

(3) There is levied and shall be collected from and after the first day of June, 1965, an additional tax upon each retail sale of spirits in the original package at the rate of two cents per fluid ounce or fraction thereof contained in such original package, and the term 'retail sale' as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits by the Washington state liquor stores and agencies, including sales to class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph. On or before the twenty-fifth day of each month beginning with the month of July, 1961, the Washington state liquor control board shall remit to the state department of revenue, to be deposited with the state treasurer, all moneys collected by it under this paragraph during the preceding month on sales made and subject to this paragraph. Upon receipt of such moneys the state treasurer shall deposit them in the state general fund and the provisions of RCW 82.08.160 and 82.08.170, and the provisions of chapter 66.08 relating to deposits, apportionment and distribution, shall have no application to the collections under this paragraph.

(4) As used in this section, the terms, 'spirits,' ['wine,'] 'strong beer,' and 'package' shall have the meaning ascribed to them in chapter 66.04."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Charette: "Mr. Speaker, I object to voting on something that isn't on the desk."

The Speaker: "Are you raising the point of order, Mr. Charette, that you don't have a copy?"

Mr. Charette: "Yes, and also if it is a bill, then under the House rules it isn't . . ."

The Speaker: "It is a Senate bill, Mr. Charette."

POINT OF ORDER

Mr. Ackley: "Further point of order, Mr. Speaker. When the Speaker said, 'If there be no objections, the Clerk will read the last line', I objected as loudly as I could because I didn't have an opportunity to read it. There was an objection. I think the Clerk should read the entire amendment."

The Speaker instructed the Clerk to read the amendment by Mr. Wolf to Engrossed Senate Bill No. 13.

MOTIONS

On motion of Mr. Bledsoe, the House deferred further consideration of Engrossed Senate Bill No. 13 on second reading, and the bill was ordered held on today's second reading calendar.

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

REPORTS OF STANDING COMMITTEES

February 12, 1970.

HOUSE BILL NO. 173, making appropriations, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1 strike all matter following the enacting clause on line 2 and insert:

"NEW SECTION. Section 1. There is hereby appropriated out of the state general fund to the legislature the sum of two hundred forty-six thousand and nineteen dollars (\$246,019) or so much thereof as may be necessary for the purpose of paying the expenses and costs of the legislature including payment to members of the legislature and the president of the Senate in lieu of subsistence and lodging while in attendance at the second extraordinary session of the forty-first legislature. From the amount hereby appropriated:

(1) The Senate shall not expend more than one hundred thirty-seven thousand three hundred fifty dollars (\$137,350); and

(2) The House of Representatives shall not expend more than one hundred eight

thousand six hundred sixty-nine dollars (\$108,669): PROVIDED, That none of the funds appropriated by this section shall be expended by or for the legislative council, the legislative budget committee, or any other legislative interim committee.

NEW SECTION. Sec. 2. There is hereby appropriated out of the general fund, to the legislative council for salaries, wages and operations, the sum of thirteen thousand two hundred dollars (\$13,200).

NEW SECTION. Sec. 3. There is hereby appropriated out of the general fund, for the statute law committee, to carry out the provisions of section 6, chapter 257, Laws of 1953 and section 5, chapter 212, Laws of 1969 extraordinary session, salaries, wages and operations, the sum of two thousand one hundred twenty dollars (\$2,120) or so much thereof as is necessary, to pay additional costs related to preparing and drafting bills for the legislature and the legislative information system.

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

In line 1 of the title after "to" strike the remainder of the title and insert "the expenses and costs of the legislature including subsistence payments and expenses of members; making appropriations; and declaring an emergency."

Signed by Representatives Goldsworthy, Chairman, Saling, Vice Chairman, Backstrom, Bottiger, Brouillet, Chatalas, Clark (Newman H.), Conway, Copeland, Curtis, DeJarnatt, Farr, Fleming, Hoggins, Kalich, King, Kirk, Kopet, Lynch, Marsh, Mentor, Richardson, Rosellini, Savage, Shera, Swayze, Zimmerman.

MOTION

On motion of Mr. Wolf, the rules were suspended, House Bill No. 173 was advanced to second reading and read the second time.

On motion of Mr. Goldsworthy, the committee amendments were adopted.
House Bill No. 173 was ordered engrossed.

MOTION

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 173 was placed on final passage.

Representative Copeland spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Gladder.

Mr. Gladder: "I'm not completely clear on this, Mr. Goldsworthy. Maybe my eyes are going fuzzy on the thirty-second day. Here we have an appropriation by the Senate under subsection (1) and the House of Representatives under subsection (2). It appears that these two might have been transposed. According to my arithmetic, it shapes up to an appropriation of \$2,800 per Senator, and \$1,100 per Representative. I just haven't received that many flowers."

Mr. Goldsworthy: "Representative Gladder, you've been here long enough to know that it's always more expensive to keep a Senator around these halls than a good responsible legislator on the House side. I think we have to accept that."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 173, and the bill passed the House by the following vote: Yeas, 85; nays, 3; absent or not voting, 11.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, McCaffree, McCormick, Mentor, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Savage, Sawyer, Schumaker, Scott, Shera, Smythe, Spanton, Sprague, Swayze, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—85.

Voting nay: Representatives Ackley, Grant, Kuehnle—3.

Absent or not voting: Representatives Conner, Flanagan, Haussler, Kalich, Marzano, Merrill, Moon, Saling, Shinpoch, Veroske, Whetzel-11.

Engrossed House Bill No. 173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Bledsoe, Engrossed House Bill No. 173 was ordered transmitted immediately to the Senate.

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

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 206,

SENATE BILL NO. 261.

MOTION

On motion of Mr. Bledsoe, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Rosellini and Veroske who were excused.

MOTION

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

MESSAGES FROM THE GOVERNOR

Office of the Governor, February 12, 1970.

TO THE HONORABLE, THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.

LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bills, entitled:

HOUSE BILL NO. 34: Correcting code sections relating to revenue and taxation.

HOUSE BILL NO. 35: Correcting code sections relating to motor vehicles.

HOUSE BILL NO. 36: Correcting code sections relating to elections.

HOUSE BILL NO. 37: Correcting code sections relating to metropolitan municipal corporations.

HOUSE BILL NO. 38: Correcting code sections relating to state government.

HOUSE BILL NO. 39: Correcting code sections relating to intoxicating liquor.

HOUSE BILL NO. 40: Correcting code sections relating to public lands.

HOUSE BILL NO. 41: Correcting code sections relating to education code.

HOUSE BILL NO. 42: Updating repealer of old school code, effective when new education codes take effect.

Sincerely,

JOHN SHERWOOD
Legislative Counsel.

February 12, 1970.

TO THE HONORABLE, THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.

LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bills, entitled:

HOUSE BILL NO. 74: Relating to the retirement and pensions of law enforcement officers and fire fighters.

SUBSTITUTE HOUSE BILL NO. 220: Establishing procedures for the sale of surplus public hospital property.

Sincerely,
JOHN SHERWOOD
Legislative Counsel

MESSAGES FROM THE SENATE

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 1, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 1, as amended by the House, otherwise described as the House Committee Amendments to Engrossed Senate Bill No. 1, have had the same under consideration, and we recommend that the following be substituted therefor:

"An Act relating to state government; creating a state department of ecology and setting out its powers, duties and functions; creating an ecological commission and setting forth its powers, duties and functions; creating a pollution control hearings board and setting forth its powers, duties and functions; abolishing certain state agencies and transferring the powers, duties, and functions thereof, as well as transferring certain powers, duties, and functions of existing state agencies; amending section 1, chapter 32, Laws of 1969 and RCW 43.17.010; amending section 2, chapter 32, Laws of 1969 and RCW 43.17.020; repealing section 1, chapter 242, Laws of 1967 and RCW 43.27A.010; repealing section 3, chapter 242, Laws of 1967 and RCW 43.27A.030; repealing section 4, chapter 242, Laws of 1967 and RCW 43.27A.040; repealing section 5, chapter 242, Laws of 1967 and RCW 43.27A.050; repealing section 6, chapter 242, Laws of 1967 as amended by section 2, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.060; repealing section 7, chapter 242, Laws of 1967 and RCW 43.27A.070; repealing section 10, chapter 242, Laws of 1967 as amended by section 1, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.100; repealing section 11, chapter 242, Laws of 1967 and RCW 43.27A.110; repealing section 16, chapter 242, Laws of 1967 and RCW 43.27A.140; repealing section 17, chapter 242, Laws of 1967 and RCW 43.27A.150; repealing section 18, chapter 242, Laws of 1967 and RCW 43.27A.160; repealing section 19, chapter 242, Laws of 1967 and RCW 43.27A.170; repealing section 1, chapter 188, Laws of 1961 as last amended by section 32, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.300; repealing section 2, chapter 188, Laws of 1961 and RCW 70.94.310; repealing section 3, chapter 188, Laws of 1961 as amended by section 33, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.320; repealing section 3, chapter 216, Laws of 1945 as amended by section 2, chapter 13, Laws of 1967 and RCW 90.48.021; repealing sections 4 and 5, chapter 216, Laws of 1945 and RCW 90.48.022 and 90.48.023; repealing section 6, chapter 216, Laws of 1945 as amended by section 3, chapter 13, Laws of 1967 and RCW 90.48.024; repealing section 7, chapter 216, Laws of 1945 as amended by section 4, chapter 13, Laws of 1967 and RCW 90.48.025; repealing section 8, chapter 216, Laws of 1945 as amended by section 5, chapter 13, Laws of 1967 and RCW 90.48.026; repealing section 9, chapter 216, Laws of 1945 and RCW 90.48.027; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding new chapters to Title 43 RCW; amending section 25, chapter 238, Laws of 1967 as amended by section 16, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.141; amending section 34, chapter 238, Laws of 1967 as amended by section 24, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.211; amending section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.221; amending section 36, chapter 238, Laws of 1967 as amended by section 26, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.222; amending section 3, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.030; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. The legislature recognizes, and declares it to be the policy of this state, that it is a fundamental and inalienable right of the people of the state of Washington to live in a healthful and pleasant environment and to benefit from the proper development and use of its natural resources. The legislature further recognizes that as the population of our state grows, the need to provide for our increasing industrial, agricultural, residential, social, recreational, economic and other needs will place an increasing

responsibility on all segments of our society to plan, coordinate, restore and regulate the utilization of our natural resources in a manner that will protect and conserve our clean air, our pure and abundant waters, and the natural beauty of the state.

NEW SECTION. Sec. 2. In recognition of the responsibility of state government to carry out the policies set forth in section 1 of this 1970 amendatory act, it is the purpose of this chapter to establish a single state agency with the authority to manage and develop our air and water resources in an orderly, efficient, and effective manner and to carry out a coordinated program of pollution control involving these and related land resources. To this end a department of ecology is created by this chapter to undertake, in an integrated manner, the various water regulation, management, planning and development programs now authorized to be performed by the department of water resources and the water pollution control commission, the air regulation and management program now performed by the state air pollution control board, the solid waste regulation and management program authorized to be performed by state government as provided by chapter 70.95 RCW, and such other environmental, management protection and development programs as may be authorized by the legislature.

NEW SECTION. Sec. 3. As used in this chapter, unless the context indicates otherwise:

- (1) 'Department' means the department of ecology.
- (2) 'Director' means the director of the department of ecology.
- (3) 'Commission' means the ecological commission.

NEW SECTION. Sec. 4. There is created a department of state government to be known as the department of ecology.

NEW SECTION. Sec. 5. The executive and administrative head of the department shall be the director. The director shall be appointed by the governor with the consent of the senate. He shall have complete charge of and supervisory powers over the department. He shall be paid a salary fixed by the governor in accordance with the provisions of RCW 43.03.040. If a vacancy occurs in the position of director while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate at which time he shall present to that body his nomination for the position.

NEW SECTION. Sec. 6. The following powers, duties and functions are hereby transferred to the department of ecology created in section 4 of this 1970 amendatory act:

- (1) All powers, duties and functions authorized to be performed by the water pollution control commission, or the director thereof, by the terms of chapter 90.48 RCW or otherwise, including those assigned by action of this 1970 legislature;
- (2) All powers, duties and functions authorized to be performed by the department of water resources, or the director thereof, by the terms of chapter 43.27A RCW or otherwise, including those assigned by action of this 1970 legislature;
- (3) All powers, duties and functions authorized to be performed with reference to air pollution by the department of health, or the director thereof, and by the state air pollution control board or its executive director, by terms of chapter 70.94 RCW, the Washington Clean Air Act, or otherwise, including those assigned by this 1970 legislature; and
- (4) All powers, duties and functions authorized to be performed by the department of health, or the director of health, involving the control of pollution problems created by the disposal of solid waste, including those assigned by action of this 1970 legislature, and all powers, duties and functions to be exercised and performed by a department of ecology by the terms of chapter 70.95 RCW, including those assigned by this 1970 legislature.

NEW SECTION. Sec. 7. The administrative procedure act, chapter 34.04 RCW, shall apply to the review of decisions by the director to the same extent as it applied to decisions issued by the directors of the various departments whose powers, duties and functions are transferred by this 1970 amendatory act to the department of ecology. The administrative procedure act shall further apply to all other decisions of the director as in that act provided.

NEW SECTION. Sec. 8. The director of the department of ecology is authorized to adopt such rules and regulations as are necessary and appropriate to carry out the provisions of this chapter.

NEW SECTION. Sec. 9. All powers, duties and functions transferred to the department by the terms of this 1970 amendatory act shall be performed by the director: PROVIDED, That the director may delegate, by appropriate rule or regulation, the performance of such of his powers, duties, and functions, other than those relating to the adoption, amendment or rescission of rules and regulations, to employees of the department whenever it appears desirable in fulfilling the policy and purposes of this chapter.

NEW SECTION. Sec. 10. In order to obtain maximum efficiency and effectiveness within the department, the director may create such administrative divisions within the department as he deems necessary. The director shall appoint a deputy director as well as such assistant directors as shall be needed to administer the several divisions within the department. The deputy director shall have charge and general supervision of the department in the absence or disability of the director. In the case of a vacancy in the office of director, the deputy director shall administer the department until the governor appoints a successor to the director or an acting director. The officers appointed under this section and exempt from the provisions of the state civil service law as provided in section 11 of this 1970 amendatory act, shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law.

NEW SECTION. Sec. 11. There is added to chapter 1, Laws of 1961 and to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the department of ecology to the director, his confidential secretary, his deputy director, and not to exceed six assistant directors.

NEW SECTION. Sec. 12. The director shall have the power to employ such personnel as may be necessary for the general administration of this chapter: **PROVIDED**, That except as specified in section 11 of this 1970 amendatory act, such employment shall be in accordance with the rules of the state civil service law, chapter 41.06 RCW.

NEW SECTION. Sec. 13. In addition to any other powers granted the director, he may undertake studies dealing with all aspects of environmental problems involving land, water, or air: **PROVIDED**, That in the absence of specific legislative authority, such studies shall be limited to investigations of particular problems, and shall not be implemented by positive action: **PROVIDED FURTHER**, That the results of all such studies shall be submitted to the legislature prior to thirty days before the beginning of each regular session.

NEW SECTION. Sec. 14. The director in carrying out his powers and duties under this chapter shall consult with the department of health and the state board of health, or their successors, insofar as necessary to assure that those agencies concerned with the preservation of life and health may integrate their efforts to the fullest extent possible and endorse policies in common.

NEW SECTION. Sec. 15. The director, whenever it is lawful and feasible to do so, shall consult and cooperate with the federal government, as well as with other states and Canadian provinces, in the study and control of environmental problems. On behalf of the department, the director is authorized to accept, receive, disburse, and administer grants or other funds or gifts from any source, including private individuals or agencies, the federal government, and other public agencies, for the purpose of carrying out the provisions of this chapter.

NEW SECTION. Sec. 16. Whenever any records or other information furnished under the authority of this chapter to the director, the department, or any division of the department, relate to the processes of production unique to the owner or operator thereof, or may affect adversely the competitive position of such owner or operator if released to the public or to a competitor, the owner or operator of such processes or production may so certify, and request that such information or records be made available only for the confidential use of the director, the department, or the appropriate division of the department. The director shall give consideration to the request, and if such action would not be detrimental to the public interest and is otherwise within accord with the policies and purposes of this chapter, may grant the same.

NEW SECTION. Sec. 17. There is hereby created an ecological commission. The commission shall consist of seven members to be appointed by the governor from the electors of the state who shall have a general knowledge of and interest in environmental matters. No persons shall be eligible for appointment who hold any other state, county or municipal elective or appointive office.

(a) One public member shall be a representative of organized labor and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of organized labor of the state.

(b) One public member shall be a representative of the business community and shall be selected by the governor from a list of not less than three names submitted by the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of the business community of the state.

(c) One public member shall be a representative of the agricultural community and shall be selected by the governor from a list of not less than three names submitted to the governor by an organization state-wide in scope which through its affiliates embraces a cross section and a majority of the agricultural community of the state.

(d) Four persons representing the public at large.

The members of the initial commission shall be appointed within thirty days after the effective date of this act. Of the members of the initial commission, two shall be appointed for terms ending June 30, 1974, two shall be appointed for terms ending on June 30, 1973, two shall be appointed for terms ending on June 30, 1972, and one shall be appointed for a term ending June 30, 1971. Thereafter, each member of the commission shall be appointed for a term of four years. Vacancies shall be filled within ninety days for the remainder of the unexpired term by appointment of the governor in the same manner as the original appointments. Each member of the commission shall continue in office until his successor is appointed. No member shall be appointed for more than two consecutive terms. The chairman of the commission shall be appointed from the members by the governor.

The governor may remove any commission member for cause giving him a copy of the charges against him, and an opportunity of being publicly heard in person, or by counsel in his own defense. There shall be no right of review in any court whatsoever. The director or administrator, or a designated representative, of each of the following state agencies:

- (1) The department of agriculture;
- (2) The department of commerce and economic development;
- (3) The department of fisheries;
- (4) The department of game;
- (5) The department of health;
- (6) The department of natural resources;
- (7) The state parks and recreation commission shall be given notice of and may attend

all meetings of the commissions and shall be given full opportunity to examine and be heard on all proposed orders, regulations or recommendations.

NEW SECTION. Sec. 18. The commission shall meet quarterly at a date and place of its choice, and at such other times as shall be designated by the director or upon the written request of a majority of the commission. Members of the commission shall receive twenty-five dollars per diem for each day or major portion thereof actually spent in attending to their duties as commission members; and, in addition, they shall be entitled to reimbursement and for their travel expenses as provided in RCW 43.03.060, as now or hereafter amended.

NEW SECTION. Sec. 19. It shall be the duty of the members of the commission to provide advice and guidance to the director on each of the following:

(1) Any positions proposed to be taken by the department on behalf of the state before interstate and federal agencies or federal legislative bodies on matters relating to or affecting the quality of the environment of the state;

(2) Any comprehensive environment quality plan, program or policy proposed for adoption by the department as a state plan or policy pertaining to an environmental management activity;

(3) Any procedures for the financial assistance grants proposed to be given to municipal, regional, county or state organizations for environmental quality purposes;

(4) Any procedures for considering applications for and granting variances;

(5) Any proposal developed for submission to the legislature as a departmental request bill;

(6) Any other matter pertaining to the activities of the department submitted by the director for which advice and guidance is requested.

The director shall submit in writing to each member of the commission all rules and regulations, other than for procedural matters, proposed by him for adoption in accordance with the procedures of chapter 34.04 RCW. Unless, within thirty days of such notification, five of the members of the commission, notify the director in writing of their disapproval of such proposed rules and regulations and their reasons therefor, such rules and regulations shall be adopted by the director in accordance with the procedures of chapter 34.04 RCW.

No powers, duties and functions authorized to be performed by the department of water resources, or the director thereof, by the terms of chapter 43.27A RCW or otherwise, including those assigned by action of the 1970 legislature shall be affected by this section.

NEW SECTION. Sec. 20. In matters submitted to the commission for advice and guidance, as set forth in section 19 of this 1970 amendatory act, it shall be the responsibility of the director to accompany such request with a statement of the background occasioning the request, together with the director's proposal for dealing with the same. Each member shall individually submit to the director in writing his views within such time as the director shall prescribe. In considering a matter submitted to it by the director, the commission shall conduct such public hearings and make such investigations as it deems necessary. The secretary of the commission shall be the director, or an employee of the department designated by the director. It shall be the duty of the secretary to act as liaison between the commission and department as well as other state agencies; to prepare the minutes of the commission; and otherwise to assist the commission. The director shall furnish to the commission such staff and facilities as may be necessary to fulfill its duties. He shall submit to the governor during July of each year, a report containing a summary of the advice and guidance rendered by the commission during the preceding twelve month period.

NEW SECTION. Sec. 21. In addition to the duties and authorities contained in sections 19 and 20, the advisory commission may agree to consider any matter pertinent to the purposes of this act by consent of a majority of the members.

NEW SECTION. Sec. 22. All employees and personnel classified under chapter 41.06 RCW, the state civil service law, and engaged in duties pertaining to the functions transferred by this chapter shall be assigned to the department to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state merit system.

NEW SECTION. Sec. 23. All reports, documents, surveys, books, records, files, papers or other writings in the possession of the department of health or state board of health pertaining to air pollution, in the possession of the department of health pertaining to air or solid waste pollution, or in the possession of the department of water resources or in the possession of the water pollution control commission shall be delivered to the custody of the department of ecology.

All cabinets, furniture, office equipment, motor vehicles and other tangible property employed in carrying out the powers, duties, and functions transferred by this chapter shall be made available to the department of ecology.

All funds, credits or other assets held in connection with the functions herein transferred shall be assigned to the department of ecology.

Any appropriations made to the department of health, the state air pollution control board, the department of water resources, or the water pollution control commission for the purpose of carrying out the powers, duties, and functions herein transferred, shall on the effective date of this chapter be transferred and credited to the department of ecology for the purpose of carrying out such transferred powers, duties and functions.

Whenever any question arises as to the transfer of any funds, including unexpended

balances within any accounts, books, documents, records, papers, files, equipment or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under this chapter, the director of program planning and fiscal management shall make a determination thereon and certify the same to the state agencies concerned.

NEW SECTION. Sec. 24. All state officials required to maintain contact with or provide services to the department of water resources, to the water pollution control commission, to the department of health or state air pollution control board in connection with air pollution, or to the department of health in connection with solid waste pollution, shall continue to perform such services for the department of ecology unless otherwise directed by this chapter.

NEW SECTION. Sec. 25. Except as specifically provided in this 1970 amendatory act, the provisions hereof shall not impair or supersede the powers or rights granted under any other law to any person, committee, or association, any public, municipal, or private corporation, any state or local governmental agency, any federal agency, or any political subdivision of the state of Washington. Pollution control permits, water quality standards, air pollution permits, air quality standards, and permits for disposal of solid waste material are not affected by this 1970 amendatory act, and the laws governing the same shall be protected and preserved.

NEW SECTION. Sec. 26. On July 1, 1970, the following state agencies, councils and committees are abolished:

- (1) The department of water resources.
- (2) The water pollution control commission.
- (3) The state air pollution control board.
- (4) The water resources advisory council.

All rules and regulations, and all pending business before the department of water resources, the department of health, the state air pollution control board or the water pollution control commission pertaining to matters affected by this chapter, as of July 1, 1970, shall be continued and acted upon by the department of ecology.

All existing contracts and obligations pertaining to the functions herein transferred shall remain in full force and effect, and shall be performed by the department. Neither the abolition of any agency nor any of the transfers authorized by this chapter shall affect the validity of any act performed by the department of water resources, the department of health, the state air pollution control board, or the water pollution control commission, or by any official or employee thereof, prior to the effective date of this chapter.

NEW SECTION. Sec. 27. The rule of strict construction shall have no application to this chapter and it shall be liberally construed in order to carry out the broad purposes set forth in section 2 of this 1970 amendatory act.

Sec. 28. Section 1, chapter 32, Laws of 1969 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of public assistance, (2) the department of institutions, (3) the department of health, (4) the department of [water resources] *ecology*, (5) the department of labor and industries, (6) the department of agriculture, (7) the department of fisheries, (8) the department of game, (9) the department of highways, (10) the department of motor vehicles, (11) the department of general administration, (12) the department of commerce and economic development, and (13) the department of revenue, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 29. Section 2, chapter 32, Laws of 1969 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The director of public assistance, (2) the director of institutions, (3) the director of health, (4) the director of [water resources] *ecology*, (5) the director of labor and industries, (6) the director of agriculture, (7) the director of fisheries, (8) the director of game, (9) the director of highways, (10) the director of motor vehicles, (11) the director of general administration, (12) the director of commerce and economic development, and (13) the director of revenue.

Such officers, except the director of highways and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the office. The director of highways shall be appointed by the state highway commission, and the director of game shall be appointed by the game commission.

NEW SECTION. Sec. 30. The following acts or parts thereof are each hereby repealed:

- (1) Section 3, chapter 242, Laws of 1967 and RCW 43.27A.030;
- (2) Section 4, chapter 242, Laws of 1967 and RCW 43.27A.040;
- (3) Section 5, chapter 242, Laws of 1967 and RCW 43.27A.050;
- (4) Section 6, chapter 242, Laws of 1967 as amended by section 2, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.060;
- (5) Section 7, chapter 242, Laws of 1967 and RCW 43.27A.070;
- (6) Section 10, chapter 242, Laws of 1967 as amended by section 1, chapter 103, Laws of 1969 ex. sess. and RCW 43.27A.100;
- (7) Section 11, chapter 242, Laws of 1967 and RCW 43.27A.110;
- (8) Section 16, chapter 242, Laws of 1967 and RCW 43.27A.140;

(9) Section 17, chapter 242, Laws of 1967 and RCW 43.27A.150;

(10) Section 18, chapter 242, Laws of 1967 and RCW 43.27A.160;

(11) Section 19, chapter 242, Laws of 1967 and RCW 43.27A.170;

(12) Section 1, chapter 188, Laws of 1961 as last amended by section 32, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.300;

(13) Section 2, chapter 188, Laws of 1961 and RCW 70.94.310;

(14) Section 3, chapter 188, Laws of 1961 as amended by section 33, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.320;

(15) Section 3, chapter 216, Laws of 1945 as amended by section 2, chapter 13, Laws of 1967 and RCW 90.48.021;

(16) Sections 4 and 5, chapter 216, Laws of 1945 and RCW 90.48.022 and 90.48.023;

(17) Section 6, chapter 216, Laws of 1945 as amended by section 3, chapter 13, Laws of 1967 and RCW 90.48.024;

(18) Section 7, chapter 216, Laws of 1945 as amended by section 4, chapter 13, Laws of 1967 and RCW 90.48.025;

(19) Section 8, chapter 216, Laws of 1945 as amended by section 5, chapter 13, Laws of 1967 and RCW 90.48.026;

(20) Section 9, chapter 216, Laws of 1945 and RCW 90.48.027; and

(21) Section 1, chapter 242, Laws of 1967 and RCW 43.27A.010.

NEW SECTION. Sec. 31. There is hereby created a pollution control hearings board of the state of Washington as an agency of state government.

The purpose of the hearings board is to provide for a more expeditious and efficient disposition of appeals with respect to the decisions and orders of the department and director and with respect to all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW.

NEW SECTION. Sec. 32. The hearings board shall consist of three members qualified by experience or training in pertinent matters pertaining to the environment, and at least one member of the hearings board shall have been admitted to practice law in this state and engaged in the legal profession at the time of his appointment. The hearings board shall be appointed by the governor with the advice and consent of the senate, and no more than two of whom at the time of appointment or during their term shall be members of the same political party.

NEW SECTION. Sec. 33. Members of the hearings board shall be appointed for a term of six years and until their successors are appointed and have qualified. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs: PROVIDED, That the terms of the first three members of the hearings board shall be staggered so that one member shall be appointed to serve until July 1, 1972, one member until July 1, 1974, and one member until July 1, 1976.

NEW SECTION. Sec. 34. Any member of the hearings board may be removed for inefficiency, malfeasance and misfeasance in office, under specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of the hearing which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final and not subject to review by the supreme court. Removal of any member of the hearings board by the tribunal shall disqualify such member for reappointment.

NEW SECTION. Sec. 35. The hearings board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the hearings board shall operate on a full time basis, each member of the hearings board shall receive an annual salary to be determined by the governor pursuant to RCW 43.03.040. If it is determined the hearings board shall operate on a part time basis, each member of the hearings board shall receive compensation on the basis of seventy-five dollars per diem for each day spent in performance of his duties: PROVIDED, That such compensation shall not exceed ten thousand dollars in a calendar year. Each hearings board member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 36. Each member of the hearings board: (1) shall not be a candidate for nor hold any other public office or trust, and shall not engage in any occupation or business interfering with or inconsistent with his duty as a member of the hearings board, nor shall he serve on or under any committee of any political party; and (2) shall not for a period of one year after the termination of his membership on the hearings board, act in a representative capacity before the hearings board on any matter.

NEW SECTION. Sec. 37. The hearings board may appoint, discharge and fix the compensation of an executive secretary, a clerk, and such other clerical, professional and technical assistants as may be necessary, or may contract for required services.

NEW SECTION. Sec. 38. The hearings board shall as soon as practicable after the initial appointment of the members thereof, meet and elect from among its members a chairman, and shall at least biennially thereafter meet and elect such a chairman.

NEW SECTION. Sec. 39. The principal office of the hearings board shall be at the state capitol, but it may sit or hold hearings at any other place in the state. A majority of the hearings board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position of the hearings board be vacant. One or

more members may hold hearings and take testimony to be reported for action by the hearings board when authorized by rule or order of the hearings board. The hearings board shall perform all the powers and duties specified in this chapter or as otherwise provided by law.

NEW SECTION. Sec. 40. The hearings board shall make findings of fact and prepare a written decision in each case decided by it, and such findings and decisions shall be effective upon being signed by two or more members of the hearings board and upon being filed at the hearings board's principal office, and shall be open for public inspection at all reasonable times.

NEW SECTION. Sec. 41. The hearings board shall only have jurisdiction to hear and decide appeals from the decisions of the department and the director and the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW when such decisions concern matters within the jurisdiction of the hearings board as provided in this act or as provided in any future act or law granting the hearings board additional jurisdiction. The hearings board shall also have jurisdiction to hear and decide appeals from any person aggrieved by an order issued by the department or by air pollution control boards or authorities as established pursuant to chapter 70.94 RCW with respect to a violation or violations of this act or of any rule or regulation adopted by the department or of any other law within the jurisdiction of the department. The issuance, modification, or termination of any permit or license by the department in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, or the modification of the conditions or the terms of a waste disposal permit, shall be deemed to be an order for purposes of this act: PROVIDED, That review of rules and regulations adopted by the board shall be subject to review in accordance with the provisions of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 42. Notwithstanding any other provisions of law to the contrary, the department and all air pollution control boards or authorities established pursuant to chapter 70.94 RCW are hereby prohibited from conducting hearings on violations of any rule or regulation made by the department or the director, on violations of this act, or on violations of any rule or regulation adopted by any air pollution control board or authority established pursuant to chapter 70.94 RCW, or on the issuance, modification, or termination of any permit or license, within the jurisdiction of the department. All petitions for hearings with respect to such violations shall be heard by this hearing board created in this 1970 act: PROVIDED, That violations of any rule or regulation made by any air pollution control board or authority established pursuant to chapter 70.94 RCW, may be heard by a hearings board of three members created by such board or authority pursuant to regulations promulgated by the hearings board created in this act.

Any order issued by the department or by any air pollution control board or authority established pursuant to chapter 70.94 RCW shall become final unless, no later than thirty days after the date that the notice and order are served, the person aggrieved by the order appeals to the hearings board as provided for in this act.

NEW SECTION. Sec. 43. The Administrative Procedure Act, chapter 34.04 RCW, shall apply to the appeal of rules and regulations adopted by the board to the same extent as it applied to the review of rules and regulations adopted by the directors and/or boards or commissions of the various departments whose powers, duties and functions are transferred by this 1970 act to the department. All other decisions and orders of the director and all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW shall be subject to review by the hearings board as provided in this 1970 act.

NEW SECTION. Sec. 44. In all appeals over which the hearings board has jurisdiction under sections 41 and 42 of this 1970 act, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the hearings board: PROVIDED, That nothing herein shall be construed to modify the provisions of sections 49 and 50 of this 1970 act. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

NEW SECTION. Sec. 45. In all appeals involving an informal hearing, the hearings board shall have all powers relating to the administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies by chapter 34.04 RCW. In the case of appeals within the scope of this 1970 act the hearings board or any member thereof may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board or any member thereof may deem necessary or appropriate: PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 46. In all appeals involving a formal hearing the hearings board shall have all powers relating to administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies in chapter 34.04 RCW; and the hearings board, and each member thereof, shall be subject to all duties imposed upon, and shall have all powers granted to, an agency by those provisions of chapter 34.04 RCW relating to contested cases. In the case of appeals within the scope of this 1970 act, the hearings board, or any member thereof, may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board, or any member thereof, may deem necessary or appropriate: PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board shall be presented only in an open hearing.

NEW SECTION. Sec. 47. All proceedings, including both formal and informal hearings, before the hearings board or any of its members shall be conducted in accordance with such rules of practice and procedure as the hearings board may prescribe. The hearings board shall publish such rules and arrange for the reasonable distribution thereof.

NEW SECTION. Sec. 48. Judicial review of a decision of the hearings board shall be de novo except when the decision has been rendered pursuant to a formal hearing elected under the provisions of this 1970 act, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and RCW 34.04.140. The director shall have the same right of review from a decision made pursuant to section 41 of this 1970 act as does any person.

NEW SECTION. Sec. 49. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after an informal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the superior court. In all appeals involving a decision or an order of the hearings board after an informal hearing, the petition shall be filed in the superior court for the county of the petitioner's residence or principal place of business, or in the absence of a residence or principal place of business, for Thurston county. Such appeal may be perfected by filing with the clerk of the superior court a notice of appeal, and by serving a copy thereof by mail, or personally on the director, the air pollution control boards or authorities, established pursuant to chapter 70.94 RCW or on the board as the case may be. The hearings board shall serve upon the appealing party, the director, the air pollution control board or authorities established pursuant to chapter 70.94 RCW, or the board, as the case may be, and on any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's decision and order. Every appeal from a decision of the superior court shall go directly to the supreme court, notwithstanding RCW 2.06.030. No bond shall be required on appeals to the superior court or on appeals to the supreme court unless specifically required by the judge of the superior court.

NEW SECTION. Sec. 50. Within thirty days after the final decision and order of the hearings board upon such an appeal has been communicated to the interested parties, or within thirty days after an appeal has been denied after a formal hearing, such interested party aggrieved by the decision and order of the hearings board may appeal to the court of appeals pursuant to the provisions of RCW 34.04.130(6). Such appeal may be perfected by filing with the clerk of the court of appeals a notice of appeal, and by serving a copy thereof by mail, or personally on the director of the department, and on the board. The hearings board shall serve upon the appealing party, the director, and any other party appearing at the hearings board's proceeding, and file with the clerk of the court before trial, a certified copy of the hearings board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the hearings board's decision and order which shall become the record in such case. No bond shall be required on appeals to the court of appeals or on appeals to the supreme court unless specifically required by the judge of the court of appeals.

NEW SECTION. Sec. 51. When the proceeding is at issue, a hearing will be had only upon demand. Either party may demand a hearing by filing a written request therefor. The demand shall include an estimate of time that will be required to hear the matter. The hearings boards shall thereupon fix the time and place for hearing: PROVIDED, That all hearings shall be commenced within thirty days of the filing of the appeal: PROVIDED, FURTHER, That extensions of time, continuances and adjournments may be ordered by the hearings board only upon motion of all parties, filed in writing and shall not in any case exceed a period greater than six months.

NEW SECTION. Sec. 52. No provision of this chapter shall be construed to change existing law relating to the staying of orders or decisions pending final determination of any hearing or appeal taken in accordance with the provisions herein.

NEW SECTION. Sec. 53. Any person having received notice of a denial of a petition, a notice of determination, notice of or an order made by the department under the provisions of this 1970 amendatory act may appeal, within thirty days from the date of the notice of such denial, order, or determination to the hearings board. The appeal shall be perfected by serving a copy of the notice of appeal upon the department or air pollution authority established pursuant to chapter 70.94 RCW, as the case may be, within the time specified herein and by filing the original thereof with proof of service with the clerk of the hearings board. If the person intends that the hearing before the hearings board be a formal one, the notice of appeal shall so state. In the event that the notice of appeal does not so state, the hearing shall be an informal one: PROVIDED, HOWEVER, That nothing shall prevent the department or the air pollution authority, as the case may be, within ten days from the date of its receipt of the notice of appeal, from filing with the clerk of the hearings board notice of its intention that the hearing be a formal one.

NEW SECTION. Sec. 54. Notwithstanding any other powers, duties and functions transferred by the provisions of this act, the department shall only have authority to hold public hearings, pursuant to the Administrative Procedure Act, chapter 34.04 RCW, with respect to those matters enumerated in sections of this 1970 amendatory act.

NEW SECTION. Sec. 55. Sections 31 through 54 shall constitute a new chapter in Title 43 RCW.

Sec. 56. Section 25, chapter 238, Laws of 1967 as amended by section 16, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.141 are each amended to read as follows:

The board of any activated authority in addition to any other powers vested in them by law, shall have power to:

(1) Adopt, amend and repeal its own ordinances, resolutions, or rules and regulations, as the case may be, implementing this chapter and consistent with it, after consideration at a public hearing held in accordance with chapter 42.32 RCW.

(2) Hold hearings relating to any aspect of or matter in the administration of this chapter *not prohibited by the provisions of chapter —, (ESB No. 1), Laws of 1970 1st ex. sess.* and in connection therewith issue subpoenas to compel the attendance of witnesses and the production of evidence, administer oaths and take the testimony of any person under oath.

(3) Issue such orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings *subject to the rights of appeal as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.*

(4) Require access to records, books, files and other information specific to the control, recovery or release of air contaminants into the atmosphere.

(5) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise.

(6) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution within its jurisdiction.

(7) Encourage voluntary cooperation by persons or affected groups to achieve the purposes of this chapter.

(8) Encourage and conduct studies, investigation and research relating to air pollution and its causes, effects, prevention, abatement and control.

(9) Collect and disseminate information and conduct educational and training programs relating to air pollution.

(10) Advise, consult, cooperate and contract with agencies and departments and the educational institutions of the state, other political subdivisions, industries, other states, interstate or interlocal agencies, and the United States government, and with interested persons or groups.

(11) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of such device or system, or the air pollution problems which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this chapter, ordinances, resolutions, rules and regulations in force pursuant thereto, or any other provision of law.

(12) Accept, receive, disburse and administer grants or other funds or gifts from any source, including public and private agencies and the United States government for the purpose of carrying out any of the functions of this chapter.

Sec. 57. Section 34, chapter 238, Laws of 1967 as amended by section 24, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.211 are each amended to read as follows:

Whenever the board or the control officer has reason to believe that any provision of this chapter or any ordinance, resolution, rule or regulation relating to the control or prevention of air pollution has been violated, such board or control officer may cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this chapter or the ordinance, resolution, rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. In lieu of an order, the board or the control officer may require that the alleged violator or violators appear before the *hearings board as provided for in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.* for a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended, or in addition to or in place of an order or hearing, the *hearings board created therein* [or control officer] may initiate action pursuant to RCW 70.94.425, 70.94.430, and 70.94.435.

Sec. 58. Section 35, chapter 238, Laws of 1967 as amended by section 25, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.221 are each amended to read as follows:

[(1)] Any order issued by the board or by the control officer, [which is not preceded by a hearing,] shall become final unless [, no later than twenty days after the date the notice and order are served, the person aggrieved by the order petitions for a hearing before the board. Upon receipt of the petition, the board shall hold a hearing pursuant to the provisions of chapter 34.04 RCW as now or hereafter amended.

(2) If, after a hearing held as a result of a petition to the board by a person aggrieved by an order, the board finds that a violation has occurred or is occurring, it shall affirm or modify the order previously issued, or if the finding made is that no violation has occurred or is occurring, the order shall be rescinded. If, after a hearing held in lieu of an order, the board finds that a violation has occurred or is occurring, it shall issue an appropriate order or orders for the prevention, abatement or control of the emissions involved or for the taking of such other corrective actions as may be appropriate. Any order issued as part of a notice or after hearing may prescribe the date or dates by which the violation or violations shall cease and may prescribe timetables for necessary action in preventing, abating, or controlling the emissions.

(3) Any hearings held under this section or under RCW 70.94.181 shall be conducted in accordance with the rules of evidence as set forth in RCW 34.04.100 as now or hereafter amended] *such order is appealed to the hearings board as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.*

Sec. 59. Section 36, chapter 238, Laws of 1967 as amended by section 26, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.222 are each amended to read as follows:

Any order issued by the board after a hearing shall become final unless no later than

thirty days after the issuance of such order, [a petition requesting judicial review is filed in accordance with provisions of chapter 34.04 RCW as now or hereafter amended] a notice of appeal is filed with the hearings board as provided in chapter — (ESB No. 1), Laws of 1970 1st ex. sess.

Sec. 60, Section 3, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.030 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

- (1) 'City' means every incorporated city and town.
- (2) 'Committee' means the solid waste advisory committee.
- (3) 'Department' means the department of [environmental quality] *ecology*.
- (4) 'Director' means the director of the department of [environmental quality]

ecology.

(5) 'Disposal site' means the location where any final treatment, utilization, processing, or depository of solid waste occurs.

(6) 'Functional standards' means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.

(7) 'Jurisdictional health department' means city, county, city-county, or district public health department.

(8) 'Person' means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

(9) 'Solid waste' means all putrescible and nonputrescible solid and semisolid wastes including garbage, rubbish, ashes, industrial wastes, *swill*, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded [home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded materials] *commodities*.

(10) 'Solid waste handling' means the storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes.

NEW SECTION. Sec. 61. The provisions of this act shall not impair or supersede the powers or rights of any person, committee, association, public, municipal or private corporations, state or local governmental agency, federal agency, or political subdivision of the state of Washington under any other law except as specifically provided herein. Pollution control permits, water quality standards, air pollution permits, air quality standards, and permits for disposal of solid waste materials of this state are not changed hereby and the laws governing the same are to be protected and preserved.

NEW SECTION. Sec. 62. Wherever in the statutes of this state, including any enactment at this 1970 extraordinary session, the department of environmental quality is referred to such reference shall mean the state department of ecology created herein.

NEW SECTION. Sec. 63. Sections 1 through 10, 12 through 27, 62 and 64 shall constitute a new chapter in Title 43 RCW and shall be known and cited as the 'Environmental Quality Reorganization Act of 1970'.

NEW SECTION. Sec. 64. This 1970 amendatory act shall take effect on July 1, 1970.

NEW SECTION. Sec. 65. If any provision of this 1970 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, shall not be affected."

Signed by Senators Durkan and Elicker; Representatives Flanagan, Julin and Gallagher.

MOTION

Mr. Flanagan moved that the House adopt the report of the Free Conference Committee on Engrossed Senate Bill No. 1.

Representatives Flanagan and Thompson spoke in favor of the motion.

The motion was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 1 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 1 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 89; nays, 1; absent or not voting, 9.

Voting yea: Representatives Ackley, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway,

Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Juelling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Richardson, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Thompson, Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representative Wojahn—1.

Absent or not voting: Representatives Chatalas, Litchman, Merrill, Moon, Perry, Randall, Rosellini, Swayze, Veroske—9.

Engrossed Senate Bill No. 1 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

MR. SPEAKER:

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Substitute House Bill No. 33, making appropriations, have had the same under consideration, and we recommend that the Senate recede from its amendments on page 3, section 1, between lines 27 and 28; on page 4, section 1, line 18; on page 7, section 2, line 2; and on page 16, section 4, between lines 16 and 17; that the remaining Senate amendments be accepted and that the bill be passed.

Signed by Senators Durkan and Atwood; Representatives Goldsworthy and Saling.

MOTION

Mr. Bledsoe moved that the House adopt the report of the Conference Committee on Engrossed Substitute House Bill No. 33.

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

Representative Bledsoe spoke in favor of the motion, and Representatives King and Fleming spoke against it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Bledsoe that the House adopt the report of the Conference Committee on Engrossed Substitute House Bill No. 33, and the motion was carried by the following vote: Yeas, 55; nays, 41; absent or not voting, 3.

Voting yea: Representatives Amen, Backstrom, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Goldsworthy, Harris, Hatfield, Hawley, Hoggins, Hubbard, Jastad, Julin, Kalich, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, McCaffree, Mentor, Morrison, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Wanamaker, Whetzel, Wolf, Zimmerman, Mr. Speaker—55.

Voting nay: Representatives Ackley, Adams, Anderson, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Fleming, Gallagher, Gladder, Grant, Haussler, Hurley, Jolly, Juelling, King, Litchman, Marsh, Martinis, Marzano, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Savage, Sawyer, Shinpoch, Spanton, Sprague, Thompson, Williams, Wojahn—41.

Absent or not voting: Representatives Rosellini, Swayze, Veroske—3.

POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Chapin.

Mr. Chapin: "Mr. Goldsworthy, in reading section 6, page 16, of Engrossed Substitute House Bill No. 33 as amended by the free conference report, in order for the reports

prepared by the Department of Revenue to be on a consistent time basis with the Treasurer's computation of state aid, should not the reports prepared by the Department of Revenue be on the basis of accrued revenue collected, rather than on the basis of sales or use tax revenue distributed back to the cities and towns? It would also appear that if a city participated for only one month in the local sales tax program, the quarterly computation by the Treasurer should be based upon the same period of time. Is this understanding correct?"

Mr. Goldsworthy: "Representative Chapin, the answer to both questions is yes. It is the intent of the section that the \$300,000 be distributed to those cities and towns who, although they enact a local sales tax, will not receive the amount of revenue comparable to that which had been distributed by the state. It is further the intent of this section that in order to assure these cities and towns that they receive this revenue, the Department of Revenue and the State Treasurer must take into account comparable time periods and number of months of participation in their computations of the amount of state aid to be allocated. Does this answer your question?"

Mr. Chapin: "Thank you, Mr. Goldsworthy."

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 33 as amended by the Conference Committee.

Representative O'Brien spoke against passage of the bill, and Representative Copeland spoke in favor of its passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 33 as amended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 55; nays, 41; absent or not voting, 3.

Voting yea: Representatives Amen, Backstrom, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Julin, Kalich, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, McCaffree, Mentor, Murray, Newhouse, North, O'Dell, Pardini, Richardson, Saling, Schumaker, Scott, Shera, Smythe, Wanamaker, Whetzell, Wolf, Zimmerman, Mr. Speaker—55.

Voting nay: Representatives Ackley, Adams, Anderson, Bagnariol, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Chatalas, Conner, DeJarnatt, Fleming, Gallagher, Gladder, Grant, Hurley, Jolly, Juelling, King, Kink, Litchman, Martinis, Marzano, May, McCormick, Merrill, Moon, Morrison, O'Brien, Perry, Randall, Savage, Sawyer, Shinpoeh, Spanton, Sprague, Thompson, Williams, Wojahn—41.

Absent or not voting: Representatives Rosellini, Swayze, Veroske—3.

Engrossed Substitute House Bill No. 33 as amended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I voted against passage of Engrossed Substitute House Bill No. 33 because I will not support the taxes to finance these appropriations. Governor Evans in calling this special session promised there would be no need for increased taxation. No efforts have been made to economize in the operation of state government; and I believe that no new taxes should be enacted until this effort has been made. MRS. JOSEPH E. HURLEY, 3rd District.

STATEMENT FOR THE JOURNAL

The reason for my absence during the vote on Engrossed Substitute House Bill No. 33, the supplemental budget, was the fact that I was in conference with several members of the Legislative Conference Committee dealing with Engrossed Substitute Senate Bill No. 80. Had I been present, my vote would have been nay. JOHN M. ROSELLINI, 34th District.

STATEMENT FOR THE JOURNAL

I opposed Engrossed Substitute House Bill No. 33 because the level of spending was too high. It will place an added burden on the taxpayer. This budget, along with the budget passed during the 1969 session of this legislature is far too optimistic when coupled with revenue projections. I feel that there will be a very serious deficit by the time the 1971 legislature meets. Further, I object to the bookkeeping juggling that provided some of the funds going into this budget. It does not speak well of this legislative body to use such methods. KEITH J. SPANTON, 15th District.

MESSAGES FROM THE SENATE

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 80, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 139, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 317, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

February 12, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 127 with the following amendments:

In line 2 of the title strike "a new section" and insert "new sections"

On page 1, line 16, following section 1, insert a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 2.12 RCW a new section to read as follows:

Any member of the Washington public employees' retirement system who is eligible to participate in the judges' retirement system, may by written request filed with the director and custodian of the two systems respectively, transfer such membership to the judges' retirement system. Upon the receipt of such request, the director of the Washington public employees' retirement system shall transfer to the state treasurer (1) all employees' contributions and interest thereon belonging to such member in the employees' savings fund and all employers' contributions credited or attributed to such member in the benefit account fund and (2) a record of service credited to such member. One half of such service but not in excess of twelve years shall be computed and credited to such member as though such service was performed as a member of the judges' retirement system. Upon such transfer being made the state treasurer shall deposit such moneys in the judges' retirement fund. In the event that any such member should terminate judicial service prior to his entitlement to retirement benefits under any of the provisions of chapter 2.12 RCW, he shall upon request therefor be repaid from the judges' retirement fund an amount equal to the amount of his employees' contributions to the Washington public employees retirement system and interest plus interest thereon from the date of the transfer of such moneys: PROVIDED, HOWEVER, That this section shall not apply to any person who is retired as a judge as of the effective date of this act."

Re-number the remaining section., and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed House Bill No. 127.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 127 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 127 as amended by the Senate, and the bill passed the House by the following vote: Yeas 90; nays, 4; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Richardson, Saling, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Ackley, Gladder, Kuehnle, Randall—4.

Absent or not voting: Representatives Anderson, Rosellini, Savage, Swayze, Veroske—5.

Engrossed House Bill No. 127 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 201, and said bill, together with the conference report thereon, is herewith transmitted.

JERRY HAGAN, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

MR. SPEAKER:

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 201, authorizing establishment of speed limits for auto stages, have had the same under consideration, and we recommend the bill be passed as amended by the Senate.

Signed by Senators Washington, Woodall and Cooney; Representatives Leland, Beck and Berentson.

MOTION

On motion of Mr. Leland, the report of the Conference Committee on Engrossed House Bill No. 201 was adopted.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY
CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 201 as amended by the Senate and recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 201 as amended by the Senate and recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 3; absent or not voting, 6.

Voting yea: Representatives Ackley, Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Saling, Savage, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Grant, Kuehnle, Richardson—3.

Absent or not voting: Representatives Anderson, Rosellini, Sawyer, Swayze, Veroske, Whetzel—6.

Engrossed House Bill No. 201 as amended by the Senate and recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 162,
HOUSE BILL NO. 253,
SUBSTITUTE HOUSE BILL NO. 312,
SUBSTITUTE HOUSE BILL NO. 318.

MOTIONS

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

On motion of Mr. Bledsoe, House Bill No. 232 was ordered placed before the body.

SECOND READING

HOUSE BILL NO. 232, by Representative Murray:
Repealing B & O exemption as to financial institutions.

MOTION

On motion of Mrs. McCaffree, Substitute House Bill No. 232 was substituted for House Bill No. 232, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 232 was read the second time.

On motion of Mrs. McCaffree, the following amendment was adopted:

On page 1, section 1, line 20, before the period after "RCW" insert "*notwithstanding any other provisions of this section*"

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

On page 3, section 2, line 27, after "*vestments*" and before "*primarily*" insert "*or loans*"

Mr. Benitz moved adoption of the following amendment by Representatives Benitz and Haussler:

On page 3, section 2, line 32, after subsection (11) add the following:
"*(12) Amounts derived as interest on loans by a lending institution which is owned exclusively by its borrowers or members and which is engaged solely in the business of making loans for agricultural production.*"

Representatives Benitz and McCaffree spoke in favor of adoption of the amendment. The amendment was adopted.

Substitute House Bill No. 232 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 232 was placed on final passage.

Representative Murray spoke in favor of passage of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 232, and the bill passed the House by the following vote: Yeas, 65; nays, 33; absent or not voting, 1.

Voting yea: Representatives Ackley, Amen, Anderson, Backstrom, Bagnariol, Beck, Berentson, Bledsoe, Bluechel, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Jolly, Julin, Kalich, Kirk, Kiskaddon, Kopet, Leckenby, Leland, Lynch, Mahaffey, Marsh, McCaffree, Mentor, Merrill, Moon, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Rosellini, Saling, Savage, Scott, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—65.

Voting nay: Representatives Adams, Barden, Benitz, Bottiger, Bozarth, Brouillet, Ceccarelli, Chatalas, Conner, Gallagher, Gladder, Grant, Harris, Hubbard, Hurley, Jastad, Jueling, King, Kink, Kuehne, Litchman, Martinis, Marzano, May, McCormick, Morrison, Perry, Richardson, Sawyer, Schumaker, Shera, Shinpoche, Spanton—33.

Absent or not voting: Representative Veroske—1.

Engrossed Substitute House Bill No. 232, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, all business transacted by the House was ordered transmitted immediately to the Senate.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 317, removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 317 be amended as follows:

On page 1, line 19, of the engrossed bill, strike "*but not in excess of twelve percent per annum,*"

On page 2, beginning on line 4, following section 1 strike the remainder of the act and insert the following:

"Sec. 2. Section 3, chapter 192, Laws of 1951 as amended by section 3, chapter 84, Laws of 1963 and RCW 36.88.030 are each amended to read as follows:

In case the board of county commissioners shall desire to initiate the formation of a county road improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed road improvement district and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, [stating the average number of units as defined and allowed in RCW 36.88.010 per one thousand feet of property fronting upon the portion of road to be improved.] notifying the owners of property therein to appear at a meeting of the board at the time specified in such resolution, and directing the county road engineer to submit to

the board at or prior to the date fixed for such hearing a diagram or print showing thereon the lots, tracts and parcels of land and other property which will be specially benefited thereby and the estimated amount of the cost and expense of such improvement to be borne by each lot, tract or parcel of land or other property, and also designating thereon all property which is being purchased under contract from the county. The resolution of intention shall be published in at least two consecutive issues of a newspaper of general circulation in such county, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of county commissioners.

Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract or parcel of land or other property within the proposed improvement district by mailing said notice to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon at least fifteen days before the date fixed for the public hearing. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date and place of the hearing before the board of county commissioners, and shall contain the directions hereinafter provided for voting upon the formation of the proposed improvement district.

The clerk of the board shall prepare and mail, together with the notice above referred to, a ballot for each owner or reputed owner of any lot, tract or parcel of land within the proposed improvement district. This ballot shall contain the following proposition:

'Shall county road improvement district No. be formed?
Yes
No

and, in addition, shall contain appropriate spaces for the signatures of the property owners, and a description of their property, and shall have printed thereon the direction that all ballots must be signed to be valid and must be returned to the clerk of the board of county commissioners not later than five o'clock p.m. of a day which shall be one week after the date of the public hearing.

The notice of adoption of the resolution of intention shall also contain the above directions, and, in addition thereto, shall state the rules by which the election shall be governed.

Sec. 3. Section 36.88.140, chapter 4, Laws of 1963 and RCW 36.88.140 are each amended to read as follows:

The board shall prescribe by resolution within what time such assessment or installments thereof shall be paid, and shall provide for the payment and collection of interest at a rate not to exceed [six] eight percent per annum on that portion of any assessment which remains unpaid over thirty days after such date. Assessments or installments thereof which are delinquent, shall bear, in addition to such interest, such penalty not less than five percent as shall be prescribed by resolution. Interest and penalty shall be included in and shall be a part of the assessment lien. All liens acquired by the county hereunder shall be foreclosed by the appropriate county officers in the same manner and subject to the same rights of redemption provided by law for the foreclosure of liens held by cities or towns against property in local improvement districts.

NEW SECTION. Sec. 4. In the event all of the bonds authorized by RCW 43.83.090 through RCW 43.83.100, have not been issued on or before September 2, 1970, then sections 1, 4 and 5 of this amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1970, in accordance with the provisions of section 3, Article VIII of the state Constitution; and in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.

NEW SECTION. Sec. 5. Amendatory section 1 of this 1970 amendatory act shall not become effective unless sections 1, 4 and 5 of this act are adopted and ratified at the referendum election provided for in section 4 of this act.

NEW SECTION. Sec. 6. All revenue bonds, the issuance of which was authorized or ratified at a general or special election held within the issuing jurisdiction prior to the effective date of this amendatory act or the proposition for the issuance of which will be submitted at such an election pursuant to action of the legislative authority of the issuer taken prior to the effective date of this amendatory act, may be sold and issued with an interest rate or rates greater than any interest rate restriction contained in the ballot proposition or ordinance or resolution relating to such authorization or ratification.

NEW SECTION. Sec. 7. All debts, contracts and obligations heretofore made or incurred by or in favor of the state, state agencies, state colleges and universities, and the political subdivisions, municipal corporations and quasi municipal corporations of this state, are hereby declared to be legal and valid and of full force and effect from the date thereof, regardless of the interest rate borne by any such debts, contracts and obligations."

In line 3 of the title after the semicolon after "43.83.090" strike the remainder of the title and insert: "amending section 3, chapter 192, Laws of 1951 as amended by section 3, chapter 84, Laws of 1963 and RCW 36.88.030; amending section 36.88.140, chapter 4, Laws of 1963 and RCW 36.88.140; and providing for the submission of certain sections of this act to a vote of the people."

Signed by Senators Dore, Ryder and Gissberg; Representatives Backstrom, Wolf and Pardini.

MOTION

On motion of Mr. Pardini, the House adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 317.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 317 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 317 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; nays, 2; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Savage, Sawyer, Schumaker, Scott, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representatives Ackley, Grant—2.

Absent or not voting: Representatives Chatalas, Farr, Veroske—3.

Engrossed Senate Bill No. 317 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Newhouse, the House reverted to the third order of business.

REPORTS OF STANDING COMMITTEES

February 12, 1970.

HOUSE BILL NO. 58, providing for improved planning and usage of seacoast and other areas affected by marine water flowage, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

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

"NEW SECTION. Section 1. The legislature finds and declares that the seacoast tidal beaches of the state of Washington are a unique and valuable natural resource profoundly affected by changes in physical and ecological factors; that our expanding population will increase the use and development of the seacoast tidal beaches; that many of the tidal beaches are in private ownership; that unrestricted construction on the privately owned or publicly owned tidelands is not in the best public interest; and that therefore, coordinated planning is necessary in order to protect the public interest associated with the seacoast tidal beaches while, at the same time, recognizing and protecting private property rights consistent with the public interest.

It is therefore declared to be the policy of this state that it is in the public interest to protect the seacoast tidal beaches as herein provided and that the seacoast tidal beaches be

managed so as to plan for and foster all reasonable and appropriate uses. In all such uses the provisions of this act shall be construed and administered so as to minimize any resultant damage to the ecology and the environment of the seacoast tidal beaches and their adjoining upland and to minimize the interference with the public's use of the waters over such tidelands. Uses which are unique to or particularly dependent upon the seacoast tidal beaches are to be preferred over uses which can be located elsewhere.

NEW SECTION. Sec. 2. As used in this act, unless the context otherwise requires:

(1) 'Review board' shall mean a board consisting of five members: The governor, or his duly appointed representative; the commissioner of public lands, or his duly appointed representative; one member who shall be appointed by the director of commerce and economic development; one member who shall be appointed by the interagency committee on outdoor recreation; and for the purposes of establishing seacoast tidal beach guidelines, a representative chosen by the Washington state association of counties; and for all other purposes, a representative chosen by the public agency directly involved, but if no unit of local government is directly involved, then a representative of local government with zoning authority over the adjacent upland area;

(2) 'Construction' shall mean erection of any permanent structure valued at more than two hundred fifty dollars; or any activity which interferes with the normal public use of the tidal water at any stage of the tide or otherwise materially alters the seacoast tidal beach;

(3) 'Harbor areas' shall mean those areas so designated by the harbor line commission in accord with Article XV of the state Constitution or by legislative action;

(4) 'Department' shall mean the department of environmental quality;

(5) 'Department plan' shall mean plans adopted by the department in lieu of public planning and regulations or any amendments or modifications thereto;

(6) 'Local governments' shall mean counties, incorporated cities and towns, port districts and any other political subdivision or public corporation which contain within their boundaries any seacoast tidal beaches subject to this act;

(7) 'Ordinary high water mark' for the purpose of this act for tidal waters will be found by examining the bed and banks, and ascertaining where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as well as in respect to the nature of the soil itself as these conditions exist on the effective day of this act or as they may naturally change thereafter;

(8) 'Person' shall mean an individual, partnership, corporation, association, organization, cooperative, municipal corporation, or agency of state or local government, however designated;

(9) 'Public agency' shall mean a unit of local government, including a port district or a state agency;

(10) 'Public planning and regulations' shall mean regulations adopted by public agencies to govern use of the seacoast tidal beaches pursuant to this act, and any amendments or modifications thereto;

(11) 'Seacoast tidal beaches' shall mean the tidal area between the ordinary high water mark and the line of extreme low tide; which boundaries shall extend across the beds of navigable rivers contained therein;

(12) 'State agency' shall mean any officer or any administrative or organizational branch of state government, regardless of its particular official designation;

(13) 'Seacoast tidal beach guidelines' shall mean the guidelines adopted pursuant to section 7 of this act.

As used in this act, the singular shall include the plural and any gender shall include all others.

NEW SECTION. Sec. 3. This act shall apply to: (1) the seacoast tidal beaches from the mouth of the Columbia River northward to Cape Flattery and from Cape Flattery to Point Wilson, and (2) the seacoast tidal beaches surrounding and included within the Puget Sound Basin, including Hood Canal, the San Juan Islands and the eastern seacoast tidal beaches of Puget Sound extending to the Canadian border.

NEW SECTION. Sec. 4. The provisions of this act, with respect to all publicly owned seacoast tidal beaches along with any privately owned portion of the seacoast tidal beach adjoining landward across the legal boundary of the abutting uplands, shall be administered by the public agency otherwise holding, managing and administering such public beaches; and, with respect to seacoast tidal beaches in other private ownership, shall be administered by the department, except that the area between the ordinary high water mark and the inner harbor line shall be administered by the public agency administering the abutting harbor area if there are improvements authorized in the abutting or adjacent harbor area. The public agencies administering the seacoast tidal beaches shall consult with one another relative to permitted use along common boundaries and may mutually agree to assign responsibilities acquired under this act to one another.

NEW SECTION. Sec. 5. Until such time as the appropriate public agency adopts public planning and regulations, new construction may be started on the seacoast tidal beaches only after issuance of a written permit by the administering agency. Permits shall be issued for uses consistent with the policy declared in section 1 upon application for the purposes of (1) construction necessary to protect real or personal property; (2) construction of the normal protective bulkhead common to the single family residence in the immediate area; (3) appropriate construction associated with harbor areas; (4) aids to public navigation; (5)

construction that the public agency determines will be in conformance with both the probable and alternative public planning and regulations for the area consistent with the policy declared in section 1 unless it finds that such construction may cause substantial irreparable damage to the seacoast tidal beaches, in which case the granting of a permit shall be discretionary.

Application for permits under this section shall be made upon forms furnished by the appropriate public agency and shall be accompanied by evidence that the applicant has complied with the state hydraulics code, RCW 75.20.100, and is otherwise duly authorized to conduct the activity proposed upon the property affected.

The appropriate public agency shall require the applicant to give notice to owners of adjacent seacoast area real property by mailing such notice to the owner at his address as shown on the records of the county treasurer wherein such property is located, and except as to construction to protect property or a bulkhead common to a single family residence to the general public by publication twice in a newspaper of general circulation within the county in which said property is located in such form as the agency may prescribe and shall conduct a public hearing whenever there appears to be sufficient concern.

The exclusive remedy for a person feeling aggrieved from the granting of a permit on the seacoast tidal beaches under this section, or for a person feeling aggrieved from the denial of a permit on the privately owned seacoast tidal beaches under this section, shall be to demand a hearing before the review board, within thirty days of the granting or denial of said permit, which hearing shall be considered a contested case under chapter 34.04 RCW. Any person feeling aggrieved by a final decision of the review board may appeal to the superior court as provided in RCW 34.04.130.

NEW SECTION. Sec. 6. Within one and one-half years following the effective date of this act the department shall establish seacoast tidal beach guidelines to implement the policy declared in section 1 of this act. To establish such guidelines public hearings shall be held by the department in the county seat of each county in which there are seacoast tidal beaches and the procedures for establishing rules and regulations under the Administrative Procedure Act, chapter 34.04 RCW shall be followed. When the guidelines have been established and adopted by the department they shall become effective only upon approval of the review board, and following such approval, only after approval by the legislature.

NEW SECTION. Sec. 7. Within one and one-half years following the adoption of seacoast tidal beach guidelines, the appropriate public agencies shall develop and adopt public planning and regulations for the seacoast tidal beaches. Such planning and regulations shall be reasonably consistent with the guidelines as adopted by the department and approved as provided in this act.

Any public planning and regulations on areas between the ordinary high water mark and the inner harbor line, adopted pursuant to this act, shall not restrict construction for those uses that exist or are authorized in current leases on the abutting harbor area.

The department may cooperate with and assist all appropriate agencies or units of government, and private individuals or organizations, in obtaining, developing and financing new plans, studies, and surveys. State agencies and officials of local governments shall cooperate fully with each other and the department in furthering the purposes of this act.

Subject to the requirements for the establishment and adoption of seacoast tidal beach guidelines by the department, the department with the approval of the review board and the legislative council may amend, modify or rescind guidelines from time to time, as necessary.

NEW SECTION. Sec. 8. Any public agency that has completed its proposed public planning and regulations pursuant to this act shall submit such plans or regulations to the department for review prior to final adoption by said public agency. The department shall, if supported by the review board, require modification of any proposed public planning and regulation so as to be reasonably consistent with the seacoast tidal beach guidelines and shall recommend appropriate changes. The public agency shall then have sixty days to adopt the department's recommendations or to make other revisions designed to correct the conflicts and resubmit the plans to the department.

If any public agency fails to complete and implement public planning and regulations within the one and one-half year period specified, or to modify its plans or regulations as provided in this act within an additional ninety days, the department shall make department plans subject to the approval of the review board which the public agency shall then enforce or, if such public agency declines or fails to enforce the provisions of the department's plan, the department shall enforce said provisions.

The department may extend the time for compliance with this section by not more than ninety days if it finds that the public agency is making all reasonable efforts to comply in the shortest possible time.

NEW SECTION. Sec. 9. The superior court of Thurston county or of the county within which the seacoast tidal beaches are located shall have jurisdiction of suits commenced under this act, including jurisdiction to restrain any violation of the public planning and regulations. The attorney general at the request of the department, any state agency, or the prosecuting attorney or municipal attorney at the request of the local government, shall seek injunctive, declaratory, or other civil relief necessary to enforce this act.

If a private citizen has requested the attorney general to enforce this act, and the attorney general has declined to do so, the private citizen may institute an appropriate civil suit to enforce this act in the name of the state, and if he prevails, may be entitled to his reasonable attorney's fee from the defendant. If the defendant prevails, the defendant may be entitled to his reasonable attorney's fee from the plaintiff.

NEW SECTION. Sec. 10. Any person who violates any provision of this act shall be liable for all damages to public or private property arising from such violation, and for the cost of restoring the affected area to its condition prior to the violation. Private persons, the department and other state agencies through the attorney general and local governments through the appropriate legal officer, may sue under this section on their own behalf. The court may, as an alternative to the awarding of the cost of restoration, compel the violator to restore the affected area under such terms or conditions as it may order. The court may award reasonable attorney's fees to the prevailing party.

NEW SECTION. Sec. 11. Any person who erects any structure or otherwise materially alters any portion of the seacoast tidal beaches in violation of any provision of this act or rules or regulations adopted hereunder, shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than one hundred nor more than twenty-five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or both. The fine for the third and all subsequent violations in any five-year period shall not be less than one thousand nor more than ten thousand dollars.

NEW SECTION. Sec. 12. For the purposes of administering this act the department may enter into contracts with, or receive funds from, the state of Washington or any of its agencies or subdivisions, from the federal government, or from any other public or private agency, person, or organization.

NEW SECTION. Sec. 13. All appropriate state agencies and local governments shall review administrative and management policies, regulations, contracts, and plans affecting adjacent lands or resources under their respective jurisdictions that may in any way involve the seacoast area subject to this act, and shall work individually, with each other, and with the department to implement the policy of this act. Particular attention shall be given to scheduled road construction, water impoundments and diversions, pollution control, dredgings and similar activities.

NEW SECTION. Sec. 14. The department is authorized to be the official representative of the state of Washington to the United States and its agencies, the Dominion of Canada, the state of Oregon, the Province of British Columbia, and other interested states, organizations and individuals, in the field of seacoast tidal beach use policy, but shall keep other Washington state agencies, concerned with seacoast tidal beach management, fully informed relative to such representation.

NEW SECTION. Sec. 15. The department may reimburse local governments and other state agencies from funds appropriated to the department for that purpose by the legislature, or funds otherwise received by the department, for up to seventy-five per centum of the local government's cost of developing public planning and regulations, comprehensive plans and zoning ordinances for the seacoast. State funds so made available may be treated as matching funds by the local governments, with the consent of the department, for the purposes of federal programs.

NEW SECTION. Sec. 16. This act is exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.

NEW SECTION. Sec. 17. The chairman of the review board shall be appointed by the members thereof, and he shall conduct the board's meetings in accordance with such rules as the board may prescribe.

NEW SECTION. Sec. 18. The review board shall meet at such times and at such places as necessary to carry out the purposes of this act. For such member, who is not otherwise employed by the state or some subdivision thereof, such member shall receive compensation in the amount of twenty-five dollars per day, together with mileage and per diem allowance as authorized for other state employees in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 19. In matters submitted to the review board for review or approval other than for the review of the granting or denial of a permit under section 5 herein, it shall be the responsibility of the director of the department to accompany such requests with a statement of the background occasioning the request together with the department's proposal for dealing with the same. The review board shall submit to the director in writing their decision on each matter presented.

NEW SECTION. Sec. 20. In addition to the establishment of the guidelines authorized in section 7 of this act the department shall conduct a comprehensive study of the private and public use and management of the seacoast uplands, particularly as such use and management relates to the adjacent seacoast tidal beaches. This study shall be conducted so as to include consultation with all interested parties, including local governments, state agencies, federal agencies and private groups. The department shall further at all times coordinate its study with the legislative council. The results of the study, and any recommendations, shall be presented to the legislature within one year of the effective date of the seacoast tidal beaches guidelines.

NEW SECTION. Sec. 21. If any provision of this act, or its application to any person or legal entity or circumstances, is held invalid, the remainder of the act, or the application of the provision to other persons or legal entities or circumstances, shall not be affected.

NEW SECTION. Sec. 22. If the department of environmental quality is not created by the legislature prior to the effective date hereof, the powers and functions given to the department by this act shall be vested in such agency as is designated by the governor, until the department of environmental quality is created.

NEW SECTION. Sec. 23. This act shall not affect any of the provisions of the state fisheries laws (Title 75 RCW), the state water pollution control laws (Title 90 RCW), the

state game laws (Title 77 RCW), and shall be cumulative and nonexclusive. Nor shall this act affect any exploratory work, construction or operation of a thermal power plant by an electric utility in accordance with the requirements of the thermal power plant site evaluation council pursuant to the provisions of that chapter of Title 80 RCW established by Chapter —, Laws of 1970 (ESB No. 49).

NEW SECTION. Sec. 24. Nothing in this act shall be construed to prejudice any public or private rights that now exist, or hereafter may be established in the seacoast tidal beaches except to the extent that uses of the seacoast tidal beaches are made in compliance with the provisions of this act or amendments thereto. Nothing in this act shall be construed to prohibit the exercise of any rights granted under the provisions of chapter 24, Laws of 1895, chapter 25, Laws of 1895, and chapter 165, Laws of 1919.

NEW SECTION. Sec. 25. This act shall be known and cited as the 'Seacoast Management Act of 1970' and shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 26. There is appropriated to the department of environmental quality from the general fund, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of sections 7 and 20 of this act."

In line 5 of the title after "penalties;" and before "and" insert "making an appropriation:"

Signed by Representatives Flanagan, Chairman, Beck, Berentson, Hawley, Jolly, Julin, Kalich, Kiskaddon, Leland, McCormick, Moon, Newhouse, Schumaker, Smythe, Thompson, Wanamaker, Zimmerman.

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

Mr. Wolf moved adoption of the committee amendment.

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

Amend the amendment by the Committee on Natural Resources as follows: On page 3, section 3, following subsection (13) add a new subsection as follows:

"(14) 'Aids to public navigation' shall include channel markers, buoys and lights among others but shall not include marinas."

Representative Whetzel spoke in favor of adoption of the amendment to the committee amendment, and Representative Bledsoe spoke against it.

The amendment by Mr. Whetzel to the committee amendment was not adopted.

The Speaker declared the question before the House to be the committee amendment by the Committee on Natural Resources.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Hawley.

Mr. Hawley: "Mr. Julin, we've worked on this for a long time. This bill has probably been rewritten at least four or five times to meet some of the objections of some of the members of the committee. I think that the main reason some of us are going along with this bill now is on account of the freeze on Lake Chelan. There is the freeze and nothing can be done until the court settles the Lake Chelan case. Is that true, and would you explain that please?"

Mr. Julin: "Thank you, Representative Hawley and members of the House. Representative Bledsoe has stated very precisely the purpose of the amendment, which is to afford the Senate an opportunity to consider this measure on its merits. The committee amendment simply restores what we passed through here last evening after many hours of debate and many amendments prevailing and losing. We are now simply trying to afford the Senate an opportunity to consider this measure on its merits and avoid the technical bug that was in the bill that passed through last night. I would urge adoption of the amendment."

POINT OF INFORMATION

Mr. Leland: "I'm not a lawyer, but I would like to attempt to answer Mr. Hawley's specific question. The specific question is, Are we in a freeze as a result of the Supreme Court decision in the Lake Chelan case? It has been the testimony by many attorneys, Representative Hawley, that in the absence of some state regulation which this bill embraces the freeze will continue."

POINT OF INQUIRY

Mr. Clark (Newman H.): "Would Mr. Julin answer another question?"

Mr. Julin declined to yield to question.

The committee amendment to House Bill No. 58 was adopted.

On motion of Mr. Wolf, the committee amendment to the title was adopted.

House Bill No. 58 was ordered engrossed.

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

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Clark (Newman H.).

Mr. Clark: "For the record, Representative Julin, my question is, Does the amendment just adopted as the bill contain the result of all amendments passed and a consolidation into the rewrite of this bill as we completed it yesterday?"

Mr. Julin: "I so represent to you, Representative Clark. Unless there is a typographical error, and I am sure there is not, this is the bill as we passed it last night."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 58, and the bill passed the House by the following vote: Yeas, 67; nays, 27; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Berentson, Bluechel, Bottiger, Brown, Ceccarelli, Chapin, Charette, Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jolly, Julin, Kalich, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, McCaffree, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Randall, Richardson, Rosellini, Saling, Savage, Schumaker, Scott, Shera, Smythe, Thompson, Wanamaker, Wolf, Zimmerman, Mr. Speaker—67.

Voting nay: Representatives Ackley, Anderson, Benitz, Brouillet, Clark (Newman H.), Conner, Fleming, Grant, Harris, Hurley, Jastad, Juelling, King, Kink, Litchman, Martinis, Marzano, May, Perry, Sawyer, Shinpoch, Spanton, Sprague, Swayze, Whetzel, Williams, Wojahn—27.

Absent or not voting: Representatives Bledsoe, Bozarth, Chatalas, McCormick, Veroske—5.

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

MOTION

On motion of Mr. Wolf, the House advanced to the ninth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 13, by Senators McCormack and Washington:

Exempting payment of the one percent real estate excise tax for persons incorporating their own property.

The House resumed consideration of Engrossed Senate Bill No. 13 on second reading. (For amendment, see morning session, today's Journal.)

The Speaker stated the question before the House to be the amendment by Mr. Wolf. Representative Wolf spoke in favor of adoption of the amendment.

The amendment by Mr. Wolf to Engrossed Senate Bill No. 13 was adopted on a rising vote.

On motion of Mrs. McCaffree, the following amendment to the title was adopted: (Note: The title amendment was written so as to combine all title amendments made necessary by adoption of the previous amendments.)

Beginning on page 1, line 1, strike the title, and substitute the following:

"An Act relating to revenue and taxation; amending section 28A.45.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.010; amending section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935, as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210; adding a new section to chapter 62, Laws of 1933 ex. sess., as last amended by section 3, chapter 21, Laws of 1969 ex. sess., and to chapter 66.24 RCW; amending section 34, chapter 26, Laws of 1967 ex. sess., and RCW 82.03.050; amending section 82.04.290, chapter 15, Laws of 1961, as last amended by section 39, chapter 262, Laws of 1969 ex. sess., and RCW 82.04.290; amending section 82.04.430, chapter 15, Laws of 1961 as last amended by section 11, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.430; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 20, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.030; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; amending section 82.12.030, chapter 15, Laws of 1961, as last amended by section 23, chapter 149, Laws of 1967 ex. sess. and RCW 82.12.030; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and declaring an effective date."

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 13 as amended by the House was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 13 as amended by the House, and the bill passed the House by the following vote: Yeas, 66; nays, 23; absent or not voting, 10.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bottiger, Brouillet, Ceccarelli, Chapin, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, Evans, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Harris, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jolly, Jueling, Julin, King, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, McCaffree, Mentor, Merrill, Morrison, Newhouse, O'Brien, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Sawyer, Schumaker, Smythe, Spanton, Swayze, Wanamaker, Wojahn, Wolf, Mr. Speaker—66.

Voting nay: Representatives Amen, Bluechel, Brown, Charette, Conner, DeJarnatt, Fleming, Grant, Hatfield, Jastad, May, McCormick, Moon, Murray, O'Dell, Savage, Scott, Shinpoch, Sprague, Thompson, Whetzel, Williams, Zimmerman—23.

Absent or not voting: Representatives Ackley, Backstrom, Benitz, Bozarth, Chatalas, Kalich, Kink, North, Shera, Veroske—10.

Engrossed Senate Bill No. 13 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Newhouse, all business transacted by the House since the last motion was ordered transmitted immediately to the Senate.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 139, regulating surface mining, have had the same under consideration, and we recommend that the amendments adopted by the Free Conference Committee be adopted as follows:

On page 4, section 4, line 3, after "the" strike "department of natural resources" and insert "board of natural resources"

On page 5, section 5, line 8, after "5," strike the whole sentence ending with the word "act," on line 9 and insert "The board of natural resources is charged with the administration of this act by utilizing the services of the department of natural resources."

On page 5, section 5, line 16, after "which may" and before "es-" strike the comma.

On page 7, section 9, line 13, before "public highways" strike "adjacent"

On page 7, section 9, line 25, after "consolidated reclamation" and before "covering all" strike "plan" and insert "program"

On page 10, section 11, line 1, beginning with "Failure" strike all of the first paragraph to and including the word "appeal" on line 8, and insert:

"Failure to act within the twenty-five day period on the reclamation plan shall not be cause for a denial of a permit. The department shall set the amount of the bond or other security required for a provisional permit governing the surface mining operation set forth in the application. A provisional permit shall be granted pursuant to conditions prescribed by the department until a plan is approved as long as the operator complies with the bond or security requirements established by the department: PROVIDED, HOWEVER, That a provisional permit shall not be granted if the department considers the site unsuitable for surface mining.

If the department refuses to approve a reclamation plan in the form submitted by the operator, it shall notify the operator, in writing, stating the reasons for its refusal and listing such additional requirements to the operator's reclamation plan as are necessary for the approval of the plan by the department. Within thirty days, the operator shall either accept such additional requirements as part of the reclamation plan or file notice of appeal. If notice of appeal is filed by the operator, a provisional permit shall be granted as herein specified."

On page 16, following line 12, strike all of section 22.

Renumber the remaining sections consecutively.

On page 3 of the title following "of the" and before "of" strike "department" and insert "board"

Signed by Senators Peterson (Lowell), Lewis (Harry) and Keefe; Representatives Newhouse and Zimmerman.

MOTION

On motion of Mr. Newhouse, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 139.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute Senate Bill No. 139 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 139 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 67; nays, 3; absent or not voting, 29.

Voting yea: Representatives Amen, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Fleming, Goldsworthy, Hatfield, Hawley, Hoggins, Jastad, Juelling, Julin, Kalich, King, Kirk, Kiskaddon, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, May, Mentor, Morrison, Murray, Newhouse, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Savage, Sawyer, Scott, Shera, Smythe, Sprague, Thompson; Wanamaker, Whetzel, Williams, Wolf, Zimmerman, Mr. Speaker—67.

Voting nay: Representatives Backstrom, Jolly, Moon—3.

Absent or not voting: Representatives Ackley, Adams, Anderson, Berentson, Bozarth, Conner, Flanagan, Gallagher, Gladder, Grant, Harris, Haussler, Hubbard, Hurley, Kink, Kopet, Marzano, McCaffree, McCormick, Merrill, North, Rosellini, Saling, Schumaker, Shinpoch, Spanton, Swayze, Veroske, Wojahn—29.

Substitute Senate Bill No. 139 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 158, and said bill together with the Conference Report thereon are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

REPORT OF CONFERENCE COMMITTEE

February 12, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 158, including certain nonprofit organizations in definition of "debt adjuster," have had the same under consideration, and we recommend that the House concur in the Senate amendments.

Signed by Senators Connor, Williams and Greive; Representatives Shera and Bottiger.

MOTION

On motion of Mr. Bledsoe, the report of the Conference Committee on House Bill No. 158 was adopted.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY
CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of House Bill No. 158 as amended by the Senate and recommended by the Conference Committee.

Representative Wojahn spoke against passage of the bill, and Representatives Bottiger and O'Brien spoke in favor of its passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 158 as amended by the Senate and recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 57; nays, 34; absent or not voting, 8.

Voting yea: Representatives Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clarke (George W.), Conway, Cunningham, Curtis, DeJarnatt, Evans, Farr, Gladder, Harris, Hatfield, Haussler, Hoggins, Hubbard, Jastad, Jolly, Jueling, Kalich, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Litchman, Lynch, Marzano, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, Pardini, Rosellini, Saling, Schumaker, Scott, Shera, Smythe, Swayze, Thompson, Wanamaker, Whetzel, Wolf-57.

Voting nay: Representatives Ackley, Adams, Amen, Berentson, Bozarth, Brouillet, Clark (Newman H.), Conner, Copeland, Fleming, Gallagher, Goldsworthy, Grant, Hawley, Hurley, Julin, King, Mahaffey, Marsh, Martinis, May, McCormick, Moon, O'Dell, Perry, Randall, Savage, Sawyer, Shinpoch, Sprague, Williams, Wojahn, Zimmerman, Mr. Speaker-34.

Absent or not voting: Representatives Anderson, Flanagan, Kink, Kirk, McCaffree, Richardson, Spanton, Veroske-8.

House Bill No. 158 as amended by the Senate and recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bledsoe, House Bill No. 158 as amended by the Conference Committee was ordered transmitted immediately to the Senate.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1970.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 80, establishing a drug control unit within the board of pharmacy, making an appropriation and declaring an emergency, have had the same under consideration, and we recommend that the following bill be substituted therefor and that it do pass:

"An Act relating to state government; adding new sections to chapter 43.43 RCW; making an appropriation; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is hereby created in the Washington state patrol a drug control assistance unit.

NEW SECTION. Sec. 2. The drug control assistance unit shall:

(1) Provide investigative assistance for the purpose of enforcement of the provisions of chapters 69.32 and 69.40 RCW.

(2) Provide laboratory services for the purpose of analyzing and scientifically handling any physical evidence relating to any crime.

(3) Provide training assistance for local law enforcement personnel.

NEW SECTION. Sec. 3. The drug control assistance unit shall:

(1) Establish a record system to coordinate with all law enforcement agencies in the state a comprehensive system of information concerning violations of the narcotic and drug laws.

(2) Provide a communications network capable of interconnecting all offices and investigators of the unit.

NEW SECTION. Sec. 4. In order to maximize the efficiency and effectiveness of state resources, the drug control assistance unit shall, where feasible, use existing facilities and systems.

NEW SECTION. Sec. 5. Any investigators employed pursuant to subsection (1) of section 2 of this act shall be exempt from the state civil service act, chapter 41.06 RCW.

NEW SECTION. Sec. 6. The chief of the Washington state patrol may employ such criminalists, chemists, clerical and other personnel as are necessary for the conduct of the affairs of the drug control assistance unit.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act are added to chapter 8, Laws of 1965 and to chapter 43.43 RCW.

NEW SECTION. Sec. 8. (1) There is hereby created an advisory committee to the Washington state patrol composed of the following persons:

- (a) Chief of the Washington state patrol or his designee;
- (b) The president of the chiefs and sheriffs association or his designee;
- (c) The vice president of the chiefs and sheriffs association or his designee;
- (d) The president of the Washington state narcotic investigation association or his designee;
- (e) The president of the Washington state law enforcement association or his designee;
- (f) The executive secretary of the state board of pharmacy or his designee;
- (g) The director of the office of program planning and fiscal management or his designee.

(2) The advisory committee created herein shall cooperate with and advise the chief of the state patrol in the administration of this act.

(3) The advisory committee shall review this act and the administration thereof, shall consult with the legislative municipal committee, which committee shall report its recommendations for any changes of assignment of authority or any other matters pertaining to this act to the forty-second session of the legislature of the state of Washington in January, 1971.

NEW SECTION. Sec. 9. To carry out the provisions of this act there is appropriated to the Washington state patrol from the general fund for the biennium ending June 30, 1971, the sum of one hundred fifty thousand dollars, or so much thereof as shall be necessary.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Senators Walgren, Woodall and Day; Representatives Swayze, North and Rosellini.

MOTION

On motion of Mr. Swayze, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 80.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE
CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 80 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 80, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Chapin, Charette, Chatalas, Clark (Newman H.), Clarke (George W.), Conner, Conway, Copeland, Cunningham, Curtis, DeJarnatt, Evans, Farr, Flanagan, Fleming, Gallagher, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Hurley, Jastad, Jolly, Jueling, Julin, Kalich, King, Kink, Kirk, Kiskaddon, Kuehnle, Leckenby, Leland, Litchman, Lynch, Mahaffey, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Moon, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Sawyer, Schumaker, Scott, SHERA, Shinpoch, Smythe, Sprague, Swayze, Thompson, Wanamaker, Whetzel, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Ackley, Grant, Kopet, Williams—4.

Absent or not voting: Representatives Anderson, McCaffree, Spanton, Veroske—4.

Engrossed Substitute Senate Bill No. 80 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

GOVERNOR'S MESSAGE

The Speaker requested Representatives Bledsoe, Charette and Newhouse to retire to the second floor and escort the Governor of the State of Washington to the House chamber.

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

The Speaker: "Governor, this is rather an unprecedented move to have a request from the state's Chief Executive to address the legislature on this auspicious occasion of being a few minutes from adjournment. We have looked with anticipation for your messages as we convene our legislative sessions, and I can assure you we are waiting with bated breath for the remarks you have for us at this time. It is my pleasure to introduce a former colleague of ours, the Governor of the State of Washington, the Honorable Daniel J. Evans."

Governor Evans: "Thank you. This may be unprecedented, but then so has almost everything during this session from the very call of it to adjournment on this thirty-second day. Actually my message is short, and I am sure you will be pleased to receive it. I love you so much that I'd like to have you back tomorrow morning, but knowing the consequences, I am not going to ask you back tomorrow morning.

"I asked for this opportunity to come up and say something to each one of you and to all of you. I have been involved from the second floor for three sessions now, and in this House for four sessions before that. I don't know of a session in my memory, and I suspect those of you who have served even farther back than 1957 would agree, where we ever saw a legislative session when work started so quickly, where so much of real consequence to the people of the State was accomplished, where there was a spirit of bipartisanship in spite of some severe partisan differences. I came up merely to say 'thank you.' I think you have done a remarkable job. The people of this State ought to know it. I hope they will listen and understand and be thankful that this legislature did the job it did in helping provide better for environmental protection, in helping provide better for the unemployed workmen, in helping provide new reorganization; and, hopefully, the new opportunities it will give to state government in providing better for the retired citizens of our State, in providing the opportunity for the people to vote on lowering the voting age and to vote on abortion reform, and a whole host of other controversial but very important measures.

"I have been listening from time to time on the squawk box down in my office, and I noticed something else about this session. Mr. O'Brien, you speak quite often on issues, and you have positively mellowed during the course of this session. I appreciate the many times you have taken up the cudgel as my majority leader up here in this House. I think the session has been an exceptional session. I do thank each one of you for leaving your homes

and coming down here and in thirty-two days making real history for our State. Thank you."

The Speaker directed the special committee to escort His Excellency, Governor Daniel J. Evans, to the Governor's chamber.

MOTION

On motion of Mr. Whetzel, the House reverted to the eighth order of business.

RESOLUTIONS

HOUSE RESOLUTION NO. 70-63, by Representatives Copeland and O'Brien:

WHEREAS, We, the members of the House of Representatives, have had present with us as collaborators during the many long hours of this Second Extraordinary Session of the Forty-first Washington State Legislature, members of the press, radio, and television; and

WHEREAS, The correspondents of the press services and the public journals of the State, and the representatives of the various television channels and radio stations, have presented to the people of the State of Washington a careful account of the proceedings, and have worked, as we have striven to do, for the best interests of the people of the State; and

WHEREAS, The Allied Daily Newspapers of Washington, during the Session, has supplied each member of the House with daily complimentary copies of the Washington newspapers of each member's choice;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives extend its gratitude and appreciation for these courtesies, with its praise for good work well done and the good will enjoyed with these honorary members of the House, and with the hope that all may meet again and renew friendships in the Forty-second Session of the Legislature.

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

MESSAGES FROM THE SENATE

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 1, and has passed the bill as amended by the Free Conference Committee.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 13, and has passed the bill as amended by the House.

JERRY HAGAN, Assistant Secretary.

February 13, 1970.

Mr. Speaker: The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 80, and passed the bill as amended by the Free Conference Committee.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 139, and has passed the bill as amended by the Free Conference Committee.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 232, and the same is herewith transmitted. JERRY HAGAN, Assistant Secretary.

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 317, and has passed the bill as amended by the Free Conference Committee.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 318, and has passed the bill as amended by the Conference Committee.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has receded from its amendments to ENGROSSED HOUSE BILL NO. 21, and has passed the bill without the Senate amendments, and the same is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 33, and has passed the bill as amended by the Conference Committee, and the same is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 173, and the same is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The President has signed SENATE BILL NO. 1, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The President has signed:
 SENATE BILL NO. 13,
 SUBSTITUTE SENATE BILL NO. 80,
 SUBSTITUTE SENATE BILL NO. 139,
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The President has signed:
 SENATE BILL NO. 317,
 SENATE BILL NO. 318,
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

HOUSE RESOLUTION NO. 70-64, by Representatives Copeland and O'Brien:

BE IT RESOLVED, That the Speaker and the Chief Clerk be authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for all other business of the House of Representatives for the second extraordinary session of the Forty-first Legislature.

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

HOUSE RESOLUTION NO. 70-66, by Representatives Copeland and O'Brien:

(1) BE IT RESOLVED, That the Chief Clerk and the Assistant Chief Clerk of the House of Representatives are directed to complete the work of the second extraordinary session of the Forty-first Legislature, and all details that arise therefrom, including the editing, indexing and publishing of the journal of the House for the second extraordinary session. For such purposes said clerks during the thirty calendar days next following the adjournment of such second extraordinary session shall be allowed their regular per diem rate for each of such days actually spent in such work; and

(2) BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be and they are hereby authorized and directed to retain such additional employees as they deem necessary to complete the work of the second extraordinary session of the Forty-first Legislature and to fix their compensation therefor; and

(3) BE IT FURTHER RESOLVED, That the Sergeant-at-Arms is hereby directed to complete the necessary work of the second extraordinary session of the Forty-first Legislature, to see that the House Chamber, adjoining rooms, members' offices, furniture and equipment are clean and in good order, and to make the necessary inventory of furnishings, fixtures, and supplies. For this purpose the Sergeant-at-Arms during the thirty calendar days next following the adjournment of such second extraordinary session shall be allowed his regular per diem rate for each of such days actually spent in such work as authorized and allowed and may hire with the approval of the speaker such employees as are necessary to assist him; and

(4) BE IT RESOLVED, That the Chief Clerk and the Assistant Chief Clerk be and they are hereby authorized and directed, during such number of days prior to the opening of the next regular and any extraordinary sessions of the Legislature as may be authorized by the speaker, to hire necessary employees, to order necessary supplies, equipment and printing to enable the House to commence its work promptly and efficiently, and to accept prefiled bills, memorials and resolutions as directed by the Rules of the House. For such purposes they shall be allowed their regular per diem therefor; and

(5) BE IT FURTHER RESOLVED, That the Sergeant-at-Arms be and he is hereby authorized and directed, during such number of days prior to the opening of the next regular and any extraordinary sessions of the legislature as may be authorized by the speaker, to prepare the House chambers, committee rooms, members' offices for use, and to perform other necessary work in connection with the opening of the legislature, and for such purposes he shall be allowed his regular per diem therefor and may hire with the approval of the speaker such employees to assist him as may be necessary; and

(6) BE IT FURTHER RESOLVED, That during legislative interims, commencing with the thirty-first calendar day following the adjournment of any of the extraordinary sessions of the Forty-first Legislature, or upon any sooner date upon which they may elect to terminate the receipt of legislative per diem, and exclusive of such periods prior to, during, or directly following the sessions when they are entitled to be paid their regular legislative per diem rate, the Chief Clerk of the House shall receive a salary of \$350.00 per month and the Assistant Chief Clerk shall receive a salary of \$250.00 per month, together with their necessary travel expenses in connection therewith at the rate prescribed by RCW 43.03.050 plus mileage at the rate of ten cents per mile, for the purpose of jointly attending to all duties of their respective offices, including the supervision of the preparation of monthly payrolls, preparation of members' expense vouchers, mailing of warrants, and attending to necessary correspondence and all other duties in connection with the business of the House of Representatives; and

(7) BE IT FURTHER RESOLVED, That during legislative interims, commencing with the thirty-first calendar day following the adjournment of any of the extraordinary sessions of the Forty-first Legislature, or upon any sooner date upon which he may elect to terminate the receipt of legislative per diem, and exclusive of such periods prior to, during, or directly following the sessions when he is entitled to be paid his regular legislative per diem rate, the Sergeant-at-Arms of the House shall receive a salary of \$300.00 per month, together with necessary travel expenses in connection therewith at the per diem rate prescribed by RCW 43.03.050, plus mileage at the rate of ten cents per mile, to oversee all House facilities and equipment and any repairs thereto, and be in attendance when the House Chamber is being used for such purposes as the YMCA Youth Legislature and the Governor's Industrial Safety Conference.

(8) BE IT FURTHER RESOLVED, That the Chief Clerk be authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

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

HOUSE RESOLUTION NO. 70-68, by Representatives Leland, Berentson and Thompson:

WHEREAS, A considerable amount of time and effort was expended during the Second Extraordinary Session of the Forty-first Legislative Session to develop legislation to provide for the state-wide coordinated planning and control necessary to protect the public interest associated with the seacoast tidal beaches and seacoast uplands while, at the same time, recognizing the need that these seacoast lands be managed so as to plan for and foster all reasonable and appropriate uses; and

WHEREAS, It is considered to be of vital moment that the Legislature be provided with the best possible information so that each decision made in Session may be charged not only with the best interest of the people of the State, but also with the best interest of the State and local governments while, at the same time, recognizing and protecting private property rights consistent with the public interest:

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives does hereby request that the Legislative Council, in cooperation with the Department of Natural Resources conduct a comprehensive study of the private and public use and management of the seacoast marine lands. This study shall be conducted so as to include consultation with all interested parties, including local governments, state agencies, federal agencies and private groups.

BE IT FURTHER RESOLVED, That the Legislative Council shall report to the Legislature the results of its study, together with its recommendations and such drafts of legislation as it may deem necessary, prior to the next Regular Session of the Legislature.

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

HOUSE RESOLUTION NO. 70-69, by Representatives Fleming, Sprague, Ackley, Wojahn and Williams:

WHEREAS, The Reverend Martin Luther King, Jr., dedicated his life to bettering the quality of his society and the possibility of world peace; and

WHEREAS, Through dedicated peaceful means and reasoned, spiritual leadership he helped to improve the position of ethnic and economic minorities in America; and

WHEREAS, In recognition of his personal qualities and the nobility of his cause he was awarded the Nobel Prize for Peace; and

WHEREAS, It would be fitting for the State of Washington to help preserve the memory of this man whose dedication to justice caused him to die by gunshot;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Joint Committee on Education be directed to study the possibility of holding a state school holiday or other suitable commemoration on Martin Luther King, Jr.'s birthday and to report its recommendations to the 1971 Session of the Legislature.

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to the Executive Secretary of the Joint Committee on Education.

Mr. Bledsoe moved adoption of the resolution.

Representatives Bledsoe and Fleming spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 70-70, by Representatives Ackley, Sprague, Wojahn and Zimmerman:

WHEREAS, It has been announced that certain XV and GB nerve agents are to be shipped from Okinawa to Bangor, Washington, and then transported through the State of Washington to Umatilla, Oregon; and

WHEREAS, Such nerve agents constitute a grave hazard to people charged with the handling, maintenance, storage and transportation of such agents; and

WHEREAS, The United States should be a world leader in excluding the use of chemical or biological warfare;

NOW, THEREFORE, Your Memorialists respectfully pray that the President of the United States and the Secretary of Defense give immediate consideration to the disposition of such agents and particularly in prohibiting the transportation of such agents through the State of Washington.

BE IT RESOLVED, That copies of this memorial be immediately transmitted to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

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

The resolution was not adopted.

MOTION

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

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 9, by Representative Bledsoe:
Appointing committee to notify Governor legislature is about to adjourn *sine die*.

MOTIONS

On motion of Mr. Wolf, the rules were suspended, House Concurrent Resolution No. 9 was advanced to second reading and read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 9 was placed on final passage and adopted.

APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 9, the Speaker appointed as members of the committee to notify the Governor that the legislature was about to adjourn *sine die*, Representatives Charette, Bledsoe and Newhouse.

MOTION

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

RESOLUTIONS

HOUSE RESOLUTION NO. 70-65, by Representatives Copeland and O'Brien:

BE IT RESOLVED, That all bills in possession of the Chief Clerk, committees, or committee clerks be indefinitely postponed.

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

PERSONAL PRIVILEGE

Mr. Grant: "Thank you, Mr. Speaker. Point of personal privilege. I would like to wish you well on your new job."

(Applause)

The Speaker: "Could we have an oral roll call on that? Thank you. I'm going to miss you, Mr. Grant."

PERSONAL PRIVILEGE

Mr. Bledsoe: "Mr. Speaker, I was saving this for a little bit later, but now is as good a time as any. I think probably by a vote of 56-43 you can be wished well out of this hall. Be that as it may, I really would like to try and put into words what is certainly in the minds and hearts of many of us here. Watching you on the rostrum during this session has been a pretty good example of dedication to everybody here. It was obvious that you were hurting. It was obvious that these days were long and painful to you. It took the edge off your good humor from time to time. I thought it a miracle, being as close to you as I have had to be, that you were able to continue at all. Those who have not had an opportunity to look at that picture in your office of what the inside of your arm looks like wouldn't believe you could put in the days you've done. I think it is an example of dedication that anybody who wants to be in politics should take a look at. It is certainly an inspiration to those of us who you leave behind. While you were here, Don, you were an example of fairness that, for an individual who is as partisan as you are, as hard a shooter as you are, to be as fair as you could be on the days when they were lobbing the spears into you and still preside with equanimity and equality, demonstrates the skill you have. We've all been the better and the bigger for it. Sir, we wish you well, but I also tell you, you're going to be missed here."

The Speaker: "Thank you, Mr. Bledsoe."

PERSONAL PRIVILEGE

Mr. Charette: "Mr. Speaker, ladies and gentlemen of the House: We certainly do join with the other side of the aisle in wishing you well. In fact a resolution wishing you well would pass by our 43 votes and 7 from the coalition on the other side. I know this has been trying for you because of the accident you had just before the session started. Some of us had thought that the Governor had twisted your arm that way on one particular measure, but I found out later that wasn't true. We will miss you. We had hoped that we would have the opportunity to have you down here next session so that Mr. Grant could put the needle to you. But we know that you are now going to go to a job, and you will be there for nine years. We have appreciated our association with you, and I want to announce to you that Mr. Grant is going to be representing the Warehousemen after the session is over. I said the Warehousemen — not Weyerhaeuser — those are the people who store all the liquor and deal with the liquor control board. Thank you very much, Don."

The Speaker: "Thank you. The gentleman from King, Mr. O'Brien. Are you going to take one last shot at me, John?"

PERSONAL PRIVILEGE

Mr. O'Brien: "Mr. Speaker, ladies and gentlemen of the House: You were still hesitant about recognizing me, Mr. Speaker. All I can say is that I wish you well on your new assignment, and, of course, we are going to sorely miss you in the House of Representatives. You've been part of this assemblage for a number of years now—I think since 1953. I can't help but tell you what he told me the other night. He said the first time he came to this session, several times as a matter of fact, he went back home and was so mad at me that he was just waiting for the next session to convene so he could come down and try to get even.

"But over the years I think that we have learned in this arena to put our best foot forward and do the job that our political parties expect of us. But after the decision has been reached, and it is all over, we are friends. I know this is the way I feel about you, Mr. Speaker, that on occasions we haven't agreed, but we haven't been disagreeable. We are down here, dedicated to the best possible job. I can say that you have been conscientious. You are a man with great integrity and look upon your duties as someone who relishes the position and you honored it.

"It is a great honor to be Speaker and to serve your party. It is something I don't have to tell you. I know you will never forget it and never forget us. I know I've felt this way about many people who have left the House of Representatives. It's a great experience. It is a fraternal society that you don't often have. There is no other type of close association such as we generate here. There is nothing else in our daily walks of life that can come anywhere near it. For the time we are here, we are working rather closely together, trying hard on both sides of the aisle to do the best we can, and through this you develop a genuine feeling or bond of friendship that you don't have in any other type of work. My wife has often commented that no matter where we go in the State of Washington, there is always a friend somewhere, in some little town, and it seems when you call on someone they are very happy to see you. This relationship is so genuine and so different that it makes this whole legislative process really worthwhile.

"In closing, I know I've enjoyed my friendship with you over the years, and I certainly hope you feel the same about us. We are going to, of course, miss you very much, and I wish you and your wife, Harriet, the best of luck in your future assignment."

The Speaker: "Thank you, John. I'm only sorry you didn't make that speech seventeen years ago. Things might have been a little different. I do appreciate the honor you have extended me in being your Speaker for two sessions — three sessions with this one. It has been a real pleasure, and I know I'm going to miss being in the House of Representatives and miss being with you people. You have done a tremendous job, and you've been cooperative. We've worked well together, and I think we have accomplished a great deal. It has been my pleasure to have had the experience of working with you for this great State of ours. I'd like to have Harriet come up. I just want to say that the two of us really appreciate the courtesies you have extended to us over the years. We have treasured the beautiful gifts you have bestowed on us during the two sessions I've been Speaker. Thank you very much."

(Standing ovation)

RESOLUTIONS

HOUSE RESOLUTION NO. 70-67, by Representatives Copeland and O'Brien:

BE IT RESOLVED, By the House of Representatives, That a committee of three be appointed to notify the Senate that the House is about to adjourn *sine die*.

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

ANNOUNCEMENT OF COMMITTEE

Mr. Bledsoe: "Mr. Speaker, if I might usurp the privilege of the Chair, I would like to suggest the following appointees to the Committee to notify the Senate that the House was ready to adjourn *sine die*: Representatives Kink, Copeland and Eldridge."

The Speaker: "I'd like that opportunity. I would like to thank the Senate."

The Speaker called on Mr. Newhouse to preside.

The Speaker (Mr. Newhouse presiding) declared the House to be at ease.

The Speaker called the House to order.

MESSAGES FROM THE SENATE

February 12, 1970.

Mr. Speaker: The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 9, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 21,
 SUBSTITUTE HOUSE BILL NO. 33,
 HOUSE BILL NO. 127,
 HOUSE BILL NO. 158,
 HOUSE BILL NO. 173,
 HOUSE BILL NO. 201,
 SUBSTITUTE HOUSE BILL NO. 232,
 HOUSE CONCURRENT RESOLUTION NO. 9,
 SENATE BILL NO. 1,

SENATE BILL NO. 13,
 SUBSTITUTE SENATE BILL NO. 80,
 SUBSTITUTE SENATE BILL NO. 139,
 SENATE BILL NO. 317,
 SENATE BILL NO. 318.

MESSAGES FROM THE SENATE

February 12, 1970.
 Mr. Speaker: The President has appointed as members of the Committee to notify the Governor that the Senate is about to adjourn *sine die*: Senators Sandison, McCormack and Ryder.

SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The President has signed:
 HOUSE BILL NO. 21,
 SUBSTITUTE HOUSE BILL NO. 33,
 HOUSE BILL NO. 127,
 HOUSE BILL NO. 158,
 HOUSE BILL NO. 173,
 HOUSE BILL NO. 201,
 SUBSTITUTE HOUSE BILL NO. 232,
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The President has signed:
 HOUSE BILL NO. 162,
 HOUSE BILL NO. 253,
 SUBSTITUTE HOUSE BILL NO. 312,
 SUBSTITUTE HOUSE BILL NO. 318,
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 12, 1970.

Mr. Speaker: The President has signed HOUSE CONCURRENT RESOLUTION NO. 9, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

COMMITTEE FROM THE SENATE

A committee from the Senate, comprised of Senators Day, Talley and Guess appeared before the bar of the House to notify the House that the Senate was about to adjourn *sine die*.

The report was received and the committee retired.

The Speaker called on Mr. Newhouse to preside.

MOTION

Mr. Beck moved that the rules be suspended, the Committee on Business and Professions be relieved of House Joint Resolution No. 2 and the resolution be placed before the body for consideration.

RULING BY THE SPEAKER (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "The resolution is already dead by previous action."

Mr. Beck: "I asked that the rules be suspended."

The Speaker (Mr. Newhouse presiding): "I'm afraid you are still out of order. By action of the House, all resolutions are dead."

MOTION

On motion of Mr. Morrison, the reading of the journal of the thirty-second day of the

second extraordinary session of the forty-first legislature was dispensed with and it was ordered to stand approved.

The Speaker (Mr. Newhouse presiding) called on Mr. Wolf to preside.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House was about to adjourn *sine die* appeared before the bar of the House and reported the committee had performed its mission.

The report was received and the committee was discharged.

The Speaker resumed the Chair.

REPORT OF SPECIAL COMMITTEE

The House members of the committee appointed to notify the Governor that the legislature was about to adjourn *sine die* appeared before the bar of the House and stated that the committee had so notified the Governor, and that he was willing that the session adjourn *sine die*.

The report was received and the committee was discharged.

MOTION

On motion of Mr. Bledsoe, the House of Representatives of the second extraordinary session of the forty-first legislature adjourned *sine die*.

DON ELDRIDGE, Speaker.

MALCOLM McBEATH, Chief Clerk.

APPENDIX

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HOUSE LEGISLATIVE LEADERS — 1970

Speaker	Don Eldridge
Speaker Pro Tempore	Thomas L. Copeland
Majority Leader	Stewart Bledsoe
Republican Caucus Chairman	Norwood Cunningham
Republican Whip	Hal Wolf
Assistant Majority Leader	Irving Newhouse
Assistant Majority Leader	Jonathan Whetzel
Republican Caucus Secretary	Gladys Kirk
Minority Floor Leader	John L. O'Brien
Minority Organization Leader	Robert L. Charette
Democratic Caucus Chairman	William "Bill" Chatalas
Assistant Minority Floor Leader	Gary Grant
Assistant Minority Floor Leader	Richard King
Assistant Minority Floor Leader	Mark Litchman
Assistant Democratic Whip	R. Ted Bottiger
Assistant Democratic Whip	Daniel G. Marsh
Democratic Caucus Secretary	Henry Backstrom

**APPENDIX
HOUSE ROSTER, 1970**

FORTY-FIRST SESSION—SECOND EXTRAORDINARY SESSION

DON ELDRIDGE, Speaker

MALCOLM "DUTCH" McBEATH, Chief Clerk

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Ackley Norman B.....	9641 15th S.W., Seattle 98106	49	Washington	Lawyer	31	D	King, part	1959-59 Ex.-61-61 Ex.-63-63 Ex.
Adams, A. A.....	3418 Shorecliff Dr. N.E. Tacoma 98422	68	Washington	Chiropractor	26	D	Pierce, part	1969-69 Ex.
Amen, Otto	Ritzville 99169	56	Washington	Farmer, Pharma- cist	9B	R	Lincoln, Adams	1967-67 Ex.-69-69 Ex.
Anderson, Eric O.....	627 Grand Ave., Hoquiam 98550	66	New Zealand	Retired	19	D	Pacific, Grays Harbor, part	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Backstrom, Henry	516 Olympic, Arlington 98223	71	Connecticut	Insurance and Investments	39	D	Snohomish, part	1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.
Bagnariol, John	10450 61st Ave. South, Seattle 98178	36	Washington	Insurance	35	D	King, part	1967-67 Ex.-69-69 Ex.
Barden, Paul	1112 S. 168th St., Seattle 98148	32	Washington	Banker	30	R	King, part	1967-67 Ex.-69-69 Ex.
Beck, C. W. "Red".....	Rt. 5, Box 15, Port Orchard 98366	60	Indiana	Property Manager	23	D	Kitsap, part	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Benitz, Max E.....	Rt. 2, Box 181, Prosser 99350	52	Kansas	Agriculture	8B	R	Benton, part	1969-69 Ex.
Berentson, Duane L.....	P.O. Box 426, Burlington 98233	40	Washington	Broker, Dealer in Securities	40	R	San Juan, Skagit	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Bledsoe, Stewart	Rt. 3, Ellensburg 98926	46	California	Cattle Rancher	13	R	Grant, Kittitas	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Bluechel, Alan	12534 68th Ave. N.E., Kirkland 98033	44	Alberta, Canada	President, Loctwall Corporation	1	R	King, part	1967-67 Ex.-69-69 Ex.
Bottiger, R. Ted.....	8849 Pacific Ave., Tacoma 98444	36	Washington	Attorney	29	D	Pierce, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Bozarth, Horace W.....	Mansfield 98830	74	Washington	Farmer	12	D	Chelan, Douglas	1955-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67- 67 Ex.-69-69 Ex.

HOUSE ROSTER, FORTY-FIRST SESSION, 1970--Continued

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Brouillet, Frank B.....	619 7th Ave. S.W., Puyallup 98371	40	Washington	Director of Personnel Highline Community College	25	D	Pierce, part	1957-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69- 69 Ex.
Brown, Arthur C.....	16020 Densmore N., Seattle 98133	47	Georgia	Systems Analyst	1	R	King, part	1969-69 Ex.
Ceccarelli, Dave	3823 42nd S.W., Seattle 98116	35	Washington	District Manager, Libby, McNeill & Libby	34	D	King, part	1967-67 Ex.-69-69 Ex.
Chapin, Richard U.....	4408 95th N.E., Bellevue 98004	39	New York	Attorney	48	R	King, part, Snohomish, part	1967-67 Ex.-69-69 Ex.
Charette, Robert L.....	P.O. Box 63, Aberdeen 98520	45	Washington	Attorney	19	D	Pacific, Grays Harbor, part	Senate 1963-63 Ex.-65-65 Ex. House 1967-67 Ex.-69-69 Ex.
Chatalas, William "Bill".....	2802 33rd So., Seattle 98144	61	Turkey	Real Estate Broker and Business Con- sultant	33	D	King, part	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Clark, Newman H.....	1625 I.B.M. Building, Seattle 98101	68	New Jersey	Lawyer	43	R	King, part	1950 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57-59-59 Ex.-65-65 Ex.-67-67 Ex.-69- 69 Ex.
Clarke, George W.....	3835 West Mercer Way, Mercer Island 98040	62	Iowa	Attorney	41	R	King, part	1967-67 Ex.-69-69 Ex.
Conner, Paul H.....	Rt. 3, Box 472, Sequim 98382	43	Washington	Real Estate, Logger	24	D	Clallam, Mason, Jefferson	1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.
Conway, Floyd	Route 11, Box 340, Olympia 98501	39	Washington	Teacher	22	R	Thurston	1969-69 Ex.
Copeland, Thomas L.....	Route 3, Walla Walla 99362	44	Oregon	Farmer	11B	R	Walla Walla, part	1957-59-59 Ex.-61-61 Ex.-63- 63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.

HOUSE ROSTER, FORTY-FIRST SESSION, 1970--Continued

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Cunningham, Norwood	750 Alvord Ave., Kent 98031	52	Washington	Educator	30	R	King, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Curtis, Robert "Bob".....	1355 Terrace Court, East Wenatchee 98801	35	Washington	Partner/Mgr. Curtis Thriftway Super- market	12	R	Chelan, Douglas	1969-69 Ex.
DeJarnatt, Arlie U.....	1215 23rd Ave., Longview 98632	45	Indiana	Teacher	18	D	Cowlitz, Wahkiakum	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Eldridge, Don	1535 Kincaid St., Mt. Vernon 98273	48	Washington	Retail Merchant	40	R	San Juan, Skagit	1953-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65- 65 Ex.-67-67 Ex.-69-69 Ex.
Evans, Charles E.....	1926 W. 3rd Ave., Kennewick 99336	38	Mississippi	Benton County School Supt.	16A	R	Benton, part	1969-69 Ex.
Farr, Dr. Caswell J.....	1800 C St., Bellingham 98225	47	Washington	Dentist	42	R	Whatcom	1967-67 Ex.-69-69 Ex.
Flanagan, S. E. "Sid"....	Rt. 1, Box 205, Quincy 98848	59	Washington	Farmer, Cattle- man	13	R	Grant, Kittitas	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Fleming, George	1612 Grand Ave., Seattle 98122	30	Texas	Personnel Assistant, Pacific Northwest Bell Telephone Company	37	D	King, part	1969-69 Ex.
Gallagher, P. J. "Jim"....	125 S. 72nd, Tacoma 98408	53	Washington	Public Relations Officer, Auto Transport Co.	29	D	Pierce, part	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Gladder, Carlton A.....	501 Fidelity Bldg., Spokane 99201	59	Minnesota	Life Insurance Executive	7	R	Spokane, part	1967-67 Ex.-69-69 Ex.

HOUSE ROSTER FORTY-FIRST SESSION, 1970

HOUSE ROSTER, FORTY-FIRST SESSION, 1970--Continued

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Goldsworthy, Robert F.	Rt. 2, Rosalia 99170	51	Washington	Farmer	9A	R	Whitman	1957-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Grant, Gary	12835 S.E. 160th, Renton 98055	34	Wisconsin	Labor Relations	47	D	King, part	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Harris, Edward F.	716 Old National Bank Bldg., Spokane 99201	59	Idaho	Attorney at Law	7	R	Spokane, part	1955-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Hatfield, Chet	220 E. Yakima Ave., Yakima 98901	57	Washington	Retail Merchant	14	R	Yakima, part	1969-69 Ex.
Haussler, Joe D.	Box 949, Omak 98841	66	Texas	Banker, Car Dealer, Orchardist	2A	D	Okanogan	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Hawley, Dwight S.	P.O. Box 5201, Seattle 98107	72	Washington	Insurance, Real Estate	44	R	King, part	1950 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Hoggins, Dale E.	21826 95th Ave. W., Edmonds 98020	36	Washington	Elementary Principal and Teacher	21	R	Snohomish, part	1967-67 Ex.-69-69 Ex.
Hubbard, Vaughn	Box 126, Waitsburg 99361	46	Washington	Lawyer	11A	R	Asotin, Columbia, Garfield, Walla Walla, part	1967-67 Ex.-69-69 Ex.
Hurley, Mrs. Joseph E.	730 E. Boone Ave., Spokane 99202		Minnesota	School Teacher	3	D	Spokane, part	1953-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Jastad, Elmer	Box 38, Morton 98356	62	Washington	Pharmacist	20	D	Lewis, Grays Harbor, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Jolly, Dan	Box 185, Connell 99326	61	Washington	PUD Commissioner, Mayor of Connell, Farmer	16B	D	Franklin	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.

HOUSE ROSTER, FORTY-FIRST SESSION, 1970--Continued

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Jueling, Helmut L.....	5215 South Tacoma Way, Tacoma 98409	55	Nebraska	Owner, White Hand Linen Supply	28	R	Pierce, part	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Julin, Axel C.....	4615 Lake Washington Blvd., S.E., Bellevue 98004	50	Idaho	Lawyer	41	R	King, part	1969-69 Ex.
Kalich, Hugh "Bud".....	P.O. Box 278, Route 1, Toledo 98591	47	Washington	Logger, Farmer, Real Estate Salesman	20	D	Lewis, Grays Harbor, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
King, Richard A.....	309 77th Pl. S.W., Everett 98202	34	Washington	College Teacher	38	D	Snohomish, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Kink, Dick J.....	1124 15th St., Bellingham 98225	46	Washington	Commercial Fisher- man, Fish Buyer, Captain	42	D	Whatcom	1957-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Kirk, Gladys	1236 Bigelow N., Seattle 98109	65	Colorado	Homemaker	36	R	King, part	1957-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Kiskaddon, Bill	4404 242nd S.W., Mount- lake Terrace 98043	38	California	Research Engineer	21	R	Snohomish, part	1967-67 Ex.-69-69 Ex.
Kopet, Jerry C.....	1728 S. Lincoln St., Spokane 99203	57	Oregon	Pharmacist	6	R	Spokane, part	1967-67 Ex.-69-69 Ex.
Kuehnle, James P.....	E. 12415 Trent, Spokane 99216	44	Iowa	President, Holiday Pools, Inc.	4	R	Spokane, part	1969-69 Ex.
Leckenby, William S.....	9105 Fauntleroy Way S.W., Seattle 98116	58	Washington	Chairman of Board of Leckenby Company	31	R	King, part	1967-67 Ex.-69-69 Ex.
Leland, Alfred E.....	P.O. Box 715, Redmond 98052	47	Idaho	Real Estate Broker	48	R	King, part, Snohomish, part	1957-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Litchman, Mark	13706 2nd N.E., Seattle 98125	43	Washington	Attorney	45	D	King, part	1955-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.

HOUSE ROSTER, FORTY-FIRST SESSION, 1970--Continued

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Lynch, Marjorie W.....	802 Pickens Rd., Yakima 98902	48	England	Housewife	14	R	Yakima, part	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Mahaffey, Audley F.....	5241 16th N.E., Seattle 98105	68	Oklahoma	Educator	46	R	King, part	1945-47-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Marsh, Daniel G.....	1111 Broadway, Vancouver 98660	31	Oregon	Attorney at Law	49	D	Clark, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Martinis, John	2304 8th St., Everett 98201	38	Washington	Retail Merchant	38	D	Snohomish, part	1969-69 Ex.
Marzano, Frank	2501 S. Melrose St., Tacoma 98405	46	Washington	Driver-Salesman	27	D	Pierce, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
May, William J. S. "Bill"	W. 711 Waverly Place, Spokane 99205	66	England	Executive Secretary, Labor Council	3	D	Spokane, part	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
McCaffree, Mary Ellen..	5014 18th Ave. N.E., Seattle 98105	50	Kansas	Homemaker	32A	R	King, part	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
McCormick, Geraldine ..	3909 W. Lyons, Spokane 99208		Washington	Homemaker	5A	D	Spokane, part	1969-69 Ex.
Mentor, Joe	Rt. 4, Box 2350, Bremerton 98310	35	Louisiana	Building Contractor	10	R	Island, Kitsap, part	1969-69 Ex.
Merrill, John	7530 S. Lake Ridge Dr., Seattle 98178	53	Washington	Real Estate and Insurance	35	D	King, part	1967-67 Ex.-69-69 Ex.
Moon, Charles	Rt. 2, Box 427A, Snohomish 98290	45	Wyoming	Veterinarian	39	D	Snohomish, part	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Morrison, Sid W.....	Rt. 1, Box 220AA, Zillah 98953	35	Washington	Fruit Grower	15	R	Yakima, part	1967-67 Ex.-69-69 Ex.
Murray, John S.....	8 W. Roy St., Seattle 98119	43	Missouri	Publisher	36	R	King, part	1967-67 Ex.-69-69 Ex.

HOUSE ROSTER, FORTY-FIRST SESSION, 1970--Continued

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Newhouse, Irving	Rt. 1, Box 130, Mabton 98935	48	Washington	Farming, Cattle Feeding	8A	R	Yakima, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
North, Lois	10023 Vinton Court N.W., Seattle 98177		California	Housewife	10	R	King, part	1969-69 Ex.
O'Brien, John L.	5041 Lake Wash. Blvd. S., Seattle 98118	57	Washington	Certified Public Accountant	33	D	King, part	1941-43-44 Ex.-45-49-50 Ex.-51- 51 Ex.-51 2nd Ex.-53-53 Ex.- 55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
O'Dell, Robert W.	605 N.E. 5th Ave., Camas 98607	44	Washington	Attorney	17	R	Klickitat, Skamania, Clark, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Pardini, A. J.	E. 1625 20th, Spokane 99203	36	Pennsylvania	Bank Executive	6	R	Spokane, part	1969-69 Ex.
Perry, Robert A.	1154 N. 92nd St., Seattle 98103	47	New York	Electrical Con- struction	45	D	King, part	1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.
Randall, Dr. Robert W.	3040 Marine Dr., Bremerton 98313	47	Illinois	Optometrist	23	D	Kitsap, part	1969-69 Ex.
Richardson, Gordon W.	North 2314 Coleman Rd., Spokane 99206	55	North Dakota	Realtor	4	R	Spokane, part	1967-67 Ex.-69-69 Ex.
Rosellini, John M.	3327 38th Ave. S.W., Seattle 98126	29	Washington	I.B.M. Marketing Representative	34	D	King, part	1967-67 Ex.-69-69 Ex.
Saling, Gerald L.	West 320 Nebraska, Spokane 99208	40	Washington	Educator	5B	R	Spokane, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Savage, Charles R.	2011 King St., Shelton 98584	62	Wisconsin	Logging	24	D	Clallam, Mason, Jefferson	1939-41-43-44 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.- 57-63-63 Ex.-65-65 Ex.-69-69 Ex.
Sawyer, Leonard A.	Rt. 1, Box 1990, Sumner 98390	43	Washington	Attorney	25	D	Pierce, part	1955-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.

HOUSE ROSTER, FORTY-FIRST SESSION, 1970--Continued

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Schumaker, William "Bill"	Rt. 2, Box 77A, Colville 99114	53	Washington	Gunsmith, Outdoor Writer, Photographer	2B	R	Pend Oreille, Stevens, Ferry	1969-69 Ex.
Scott, George W.....	2530 N.E. 105th Pl., Seattle 98125	31	Washington	Doctoral Candidate	46	R	King, part	1969-69 Ex.
Shera, Ned	8516-130th S.W., Tacoma 98498	37	Washington	Executive Vice President, Insurance Brokerage Firm	28	R	Pierce, part	1969-69 Ex.
Shinpoeh, Albert N. "Bud"	361 Maple Ave. N.W., Renton 98055	45	Oklahoma	Industrial Engineer	47	D	King, part	None
Smythe, Richard L.....	5204 DuBois Drive, Vancouver 98661	42	Washington	Manager, Pacific N.W. Bell	49	R	Clark, part	1967-67 Ex.-69-69 Ex.
Spanton, Keith J.....	3803 4th St., Union Gap 98903	44	Washington	Real Estate	15	R	Yakima, part	1967-67 Ex.-69-69 Ex.
Sprague, David G.....	806 35th Ave., Seattle 98122	48	New York	Insurance Broker	37	D	King, part	1967-67 Ex.-69-69 Ex.
Swayze, Jr., Thomas A.	3408 N. 24th St., Tacoma 98406	37	Washington	Attorney	26	R	Pierce, part	1967-67 Ex.-69-69 Ex.
Thompson, Alan	310 Estey Drive, Castle Rock 98611	41	Iowa	Publisher	18	D	Cowlitz, Wahkiakum	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Veroske, Fred A.....	723 17th St., Bellingham 98225	40	Washington	Funeral Director	42	R	Whatcom	1965 Ex.-67-67 Ex.-69-69 Ex.
Wanamaker, F. Pat.....	Rt. 1, Box 193A, Coupeville 98239	58	Washington	Retired Farmer, Real Estate Developer	10	R	Island, Kitsap, part	1967-67 Ex.-69-69 Ex.
Whetzel, Jonathan	1511 E. Olin Place, Seattle 98102	41	Pennsylvania	Lawyer, Mgr. Real Estate and Invest- ment Co.	43	R	King, part	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Williams, Alvin C.....	2515 N. 40th, Seattle 98103	39	North Dakota	Architect	32B	D	King, part	None

HOUSE ROSTER, FORTY-FIRST SESSION, 1970--Continued

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Legislative Sessions Served
Wojahn, Lorraine	3592 E. Kay St., Tacoma 98404	48	Washington	Public Relations	27	D	Pierce, part	1969-69 Ex.
Wolf, Hal	Clark Road, Yelm 98597	42	Washington	Supermarket Owner	22	R	Thurston	1965-65 Ex.-67-67 Ex.-69-69 Ex.
Zimmerman, Harold S..	1432 N.E. 6th Ave., Camas 98607	45	North Dakota	Newspaper Editor- Publisher	17	R	Klickitat, Skamania, Clark, part	1967-67 Ex.-69-69 Ex.

NAME OF ELECTED OFFICER	Title	Residence	County	Birthplace	Age	Occupation	Previous Legislative Sessions Served
McBeath, Malcolm "Dutch"	Chief Clerk	2622 G. Street, Bellingham 98225	Whatcom	Bellingham	53	Owner, Operator, Glass and Paint Business	1953-53 Ex. 55-55 Ex. (as member), 1967-67 Ex.-69-69 Ex.
Wilson, Donald R.....	Assistant Chief Clerk	Rt. 13, Box 271, Olympia 98501	Thurston	Washington	47	Locomotive Engineer	Senate—1959-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.
Prince, Eugene A.....	Sergeant at Arms	Thornton 99176	Whitman	Thornton	36	Farmer	1959-59 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.

STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES, 1970

DON ELDRIDGE, Speaker
MALCOLM McBEATH, Chief Clerk

Agriculture (11)—Amen, Chairman; Wanamaker, Vice Chairman; Benitz, Bozarth, Farr, Haussler, Jolly, Moon, Morrison, Newhouse, Schumaker.

Appropriations (36)—Goldsworthy, Chairman; Saling, Vice Chairman; Backstrom, Bottiger, Brouillet, Chatalas, Clark (Newman H.), Conway, Copeland, Curtis, DeJarnatt, Farr, Fleming, Hoggins, Juelling, Kalich, King, Kink, Kirk, Kopet, Lynch, Mahaffey, Marsh, Mentor, Merrill, Moon, Morrison, Richardson, Rosellini, Savage, Shera, Shipoch, Sprague, Swayze, Wolf, Zimmerman.

Business and Professions (16)—Murray, Chairman; Gladder, Vice Chairman; Bagnariol, Ceccarelli, Curtis, Gallagher, Hatfield, Jastad, Juelling, Kuehnle, Leland, Litchman, Pardini, Perry, Wojahn, Wolf.

Education and Libraries (24)—Hoggins, Chairman; Richardson, Vice Chairman; Bottiger, Brown, Charette, Conner, Conway, Evans, Flanagan, Fleming, Gladder, Hatfield, Julin, Kalich, May, McCormick, North, Randall, Saling, Scott, Shipoch, Sprague, Wanamaker, Zimmerman.

Financial Institutions and Insurance (14)—O'Dell, Chairman; Barden, Vice Chairman; Backstrom, Bagnariol, Clarke (George W.), Gladder, Hubbard, Hurley, Litchman, Merrill, O'Brien, Pardini, Shera, Veroske.

Higher Education (18)—Lynch, Chairman; Smythe, Vice Chairman; Adams, Amen, Anderson, Bluechel, Brouillet, Goldsworthy, King, Kirk, Kiskaddon, Mahaffey, Marsh, Mentor, Murray, Thompson, Williams, Wolf.

Judiciary (13)—Clarke (George W.), Chairman; Hubbard, Vice Chairman; Ackley, Bottiger, Chapin, Clark (Newman H.), Harris, Julin, Marsh, O'Dell, Swayze, Williams, Wojahn.

Labor and Employment Security (12)—Morrison, Chairman; Spanton, Vice Chairman; Backstrom, Copeland, Curtis, Grant, Harris, King, Kuehnle, Newhouse, Randall, Savage.

Local Government (24)—Kopet, Chairman; Chapin, Vice Chairman; Ackley, Adams, Barden, Bozarth, Brown, Fleming, Haussler, Hoggins, Leckenby, McCaffree, Martinis, May, Mentor, Merrill, North, Richardson, Rosellini, Sawyer, Scott, Shera, Shipoch, Whetzel.

Natural Resources (23)—Flanagan, Chairman; Veroske, Vice Chairman; Anderson, Beck, Benitz, Berentson, Gallagher, Hawley, Jolly, Julin, Kalich, Kink, Kiskaddon, Leland, McCormick, Martinis, Moon, Newhouse, Schumaker, Smythe, Thompson, Wanamaker, Zimmerman.

Public Health and Welfare (16)—Farr, Chairman; Zimmerman, Vice Chairman; Adams, Ceccarelli, Chatalas, Gladder, Hatfield, Jastad, Juelling, Kirk, Kopet, Marzano, Pardini, Rosellini, Sprague, Whetzel.

Public Institutions and Youth Development (9)—Leckenby, Chairman; Evans, Vice Chairman; Beck, Conner, DeJarnatt, Kuehnle, Lynch, O'Brien, Smythe.

Revenue and Taxation (26)—McCaffree, Chairman; Kiskaddon, Vice Chairman; Ackley, Bagnariol, Benitz, Bledsoe, Bluechel, Brown, Ceccarelli, Chapin, Charette, Clarke (George W.), Evans, Flanagan, Grant, Hatfield, Haussler, Hurley, Marzano, Moon, Murray, North, Pardini, Randall, Scott, Wojahn.

Rules and Administration (17)—Eldridge, Chairman; Copeland, Vice Chairman; Berentson, Bledsoe, Brouillet, Charette, Chatalas, Clark (Newman H.), Harris, Hawley, Juelling, Kink, Kirk, Litchman, Mahaffey, O'Brien, Sawyer.

State Government and Legislative Procedures (16)—Swayze, Chairman; Bluechel, Vice Chairman; Bledsoe, Conway, Cunningham, DeJarnatt, Farr, Grant, Harris, Hurley, Marzano, Perry, Saling, Savage, Spanton, Williams.

Transportation (32)—Leland, Chairman; Berentson, Vice Chairman; Amen, Anderson, Barden, Beck, Bozarth, Conner, Cunningham, Gallagher, Hawley, Hubbard, Jastad, Jolly, Kuehnle, Leckenby, McCaffree, McCormick, Martinis, May, Newhouse, O'Dell, Perry, Sawyer, Schumaker, Shipoch, Spanton, Thompson, Veroske, Wanamaker, Whetzel, Wolf.

INDIVIDUAL COMMITTEE ASSIGNMENTS, HOUSE OF REPRESENTATIVES, 1970

- ACKLEY, NORMAN B.—Judiciary; Local Government; Revenue and Taxation.
- AMEN, A. A.—Higher Education; Local Government; Public Health and Welfare.
- AMEN, OTTO—Agriculture, Chairman; Higher Education; Transportation.
- ANDERSON, ERIC O.—Higher Education; Natural Resources; Transportation.
- BACKSTROM, HENRY—Appropriations; Financial Institutions and Insurance; Labor and Employment Security.
- BAGNARIOL, JOHN—Business and Professions; Financial Institutions and Insurance; Revenue and Taxation.
- BARDEN, PAUL—Financial Institutions and Insurance, Vice Chairman; Local Government; Transportation.
- BECK, C. W. "RED"—Natural Resources; Public Institutions and Youth Development; Transportation.
- BENITZ, MAX E.—Agriculture; Natural Resources; Revenue and Taxation.
- BERENTSON, DUANE L.—Transportation, Vice Chairman; Natural Resources; Rules and Administration.
- BLEDSON, STEWART—Revenue and Taxation; Rules and Administration; State Government and Legislative Procedures.
- BLUECHEL, ALAN—State Government and Legislative Procedures, Vice Chairman; Higher Education; Revenue and Taxation.
- BOTTIGER, R. TED—Appropriations; Education and Libraries; Judiciary.
- BOZARTH, HORACE W.—Agriculture; Local Government; Transportation.
- BROUILLET, FRANK B.—Appropriations; Higher Education; Rules and Administration.
- BROWN, ARTHUR C.—Education and Libraries; Local Government; Revenue and Taxation.
- CECCARELLI, DAVE—Business and Professions; Public Health and Welfare; Revenue and Taxation.
- CHAPIN, RICHARD U.—Local Government, Vice Chairman; Judiciary; Revenue and Taxation.
- CHARETTE, ROBERT L.—Education and Libraries; Revenue and Taxation; Rules and Administration.
- CHATALAS, WILLIAM "BILL"—Appropriations; Public Health and Welfare; Rules and Administration.
- CLARK, NEWMAN H.—Appropriations; Judiciary; Rules and Administration.
- CLARKE, GEORGE W.—Judiciary, Chairman; Financial Institutions and Insurance; Revenue and Taxation.
- CONNER, PAUL H.—Education and Libraries; Public Institutions and Youth Development; Transportation.
- CONWAY, FLOYD—Appropriations; Education and Libraries; State Government and Legislative Procedures.
- COPELAND, THOMAS L.—Rules and Administration, Vice Chairman; Appropriations; Labor and Employment Security.
- CUNNINGHAM, NORWOOD—State Government and Legislative Procedures; Transportation.
- CURTIS, ROBERT "BOB"—Appropriations; Business and Professions; Labor and Employment Security.
- DeJARNATT, ARLIE U.—Appropriations; Public Institutions and Youth Development; State Government and Legislative Procedures.
- ELDRIDGE, DON—Rules and Administration, Chairman.
- EVANS, CHARLES E.—Public Institutions and Youth Development, Vice Chairman; Education and Libraries; Revenue and Taxation.
- FARR, CASWELL J.—Public Health and Welfare, Chairman; Agriculture; Appropriations; State Government and Legislative Procedures.
- FLANAGAN, S. E. "SID"—Natural Resources, Chairman; Education and Libraries; Revenue and Taxation.

- FLEMING, GEORGE—Appropriations; Education and Libraries; Local Government.
- GALLAGHER, P. J. "JIM"—Business and Professions; Natural Resources; Transportation.
- GLADDER, CARLTON A.—Business and Professions, Vice Chairman; Education and Libraries; Financial Institutions and Insurance; Public Health and Welfare.
- GOLDSWORTHY, ROBERT F.—Appropriations, Chairman; Higher Education.
- GRANT, GARY—Labor and Employment Security; State Government and Legislative Procedures; Revenue and Taxation.
- HARRIS, EDWARD F.—Judiciary; Labor and Employment Security; Rules and Administration; State Government and Legislative Procedures.
- HATFIELD, CHET—Business and Professions; Education and Libraries; Public Health and Welfare; Revenue and Taxation.
- HAUSSLER, JOE D.—Agriculture; Local Government; Revenue and Taxation.
- HAWLEY, DWIGHT S.—Natural Resources; Rules and Administration; Transportation.
- HOGGINS, DALE E.—Education and Libraries, Chairman; Appropriations; Local Government.
- HUBBARD, VAUGHN—Judiciary, Vice Chairman; Financial Institutions and Insurance; Transportation.
- HURLEY, MRS. JOSEPH E.—Financial Institutions and Insurance; Revenue and Taxation; State Government and Legislative Procedures.
- JASTAD, ELMER—Business and Professions; Public Health and Welfare; Transportation.
- JOLLY, DAN—Agriculture; Natural Resources; Transportation.
- JUELING, HELMUT L.—Appropriations; Business and Professions; Public Health and Welfare; Rules and Administration.
- JULIN, AXEL C.—Education and Libraries; Judiciary; Natural Resources.
- KALICH, HUGH "BUD"—Appropriations; Education and Libraries; Natural Resources.
- KING, RICHARD A.—Appropriations; Higher Education; Labor and Employment Security.
- KINK, DICK J.—Appropriations; Natural Resources; Rules and Administration.
- KIRK, GLADYS—Appropriations; Higher Education; Public Health and Welfare; Rules and Administration.
- KISKADDON, BILL—Revenue and Taxation, Vice Chairman; Higher Education; Natural Resources.
- KOPET, JERRY C.—Local Government, Chairman; Appropriations; Public Health and Welfare.
- KUEHNLE, JAMES P.—Business and Professions; Labor and Employment Security; Public Institutions and Youth Development; Transportation.
- LECKENBY, WILLIAM S.—Public Institutions and Youth Development, Chairman; Local Government; Transportation.
- LELAND, ALFRED E.—Transportation, Chairman; Business and Professions; Natural Resources.
- LITCHMAN, MARK—Business and Professions; Financial Institutions and Insurance; Rules and Administration.
- LYNCH, MARJORIE W.—Higher Education, Chairman; Appropriations; Public Institutions and Youth Development.
- MAHAFFEY, AUDLEY F.—Appropriations; Higher Education; Rules and Administration.
- MARSH, DANIEL G.—Appropriations; Higher Education; Judiciary.
- MARTINIS, JOHN—Local Government; Natural Resources; Transportation.
- MARZANO, FRANK—Public Health and Welfare; Revenue and Taxation; State Government and Legislative Procedures.
- MAY, WILLIAM J. S. "BILL"—Education and Libraries; Local Government; Transportation.
- McCAFFREE, MARY ELLEN—Revenue and Taxation, Chairman; Local Government; Transportation.
- McCORMICK, GERALDINE—Education and Libraries; Natural Resources; Transportation.
- MENTOR, JOE—Appropriations; Higher Education; Local Government.
- MERRILL, JOHN—Appropriations; Financial Institutions and Insurance; Local Government.
- MOON, CHARLES—Agriculture; Appropriations; Natural Resources; Revenue and Taxation.

- MORRISON, SID W.**—Labor and Employment Security, Chairman; Agriculture; Appropriations.
- MURRAY, JOHN**—Business and Professions, Chairman; Higher Education; Revenue and Taxation.
- NEWHOUSE, IRVING**—Agriculture; Labor and Employment Security; Natural Resources; Transportation.
- NORTH, LOIS**—Education and Libraries; Local Government; Revenue and Taxation.
- O'BRIEN, JOHN L.**—Financial Institutions and Insurance; Public Institutions and Youth Development; Rules and Administration.
- O'DELL, ROBERT W.**—Financial Institutions and Insurance, Chairman; Judiciary; Transportation.
- PARDINI, A. J.**—Business and Professions; Financial Institutions and Insurance; Public Health and Welfare; Revenue and Taxation.
- PERRY, ROBERT A.**—Business and Professions; State Government and Legislative Procedures; Transportation.
- RANDALL, ROBERT W.**—Education and Libraries; Labor and Employment Security; Revenue and Taxation.
- RICHARDSON, GORDON W.**—Education and Libraries, Vice Chairman; Appropriations; Local Government.
- ROSELLINI, JOHN M.**—Appropriations; Local Government; Public Health and Welfare.
- SALING, GERALD**—Appropriations, Vice Chairman; Education and Libraries; State Government and Legislative Procedures.
- SAVAGE, CHARLES R.**—Appropriations; Labor and Employment Security; State Government and Legislative Procedures.
- SAWYER, LEONARD A.**—Local Government; Rules and Administration; Transportation.
- SCHUMAKER, WILLIAM "BILL"**—Agriculture; Natural Resources; Transportation.
- SCOTT, GEORGE W.**—Education and Libraries; Local Government; Revenue and Taxation.
- SHERA, NED**—Appropriations; Financial Institutions and Insurance; Local Government.
- SHINPOCH, ALBERT N. "BUD"**—Appropriations; Education and Libraries; Local Government; Transportation.
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HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE SHOWING THE ACTION BY THE GOVERNOR THEREON

FORTY-FIRST LEGISLATURE SECOND EXTRAORDINARY SESSION—1970

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* 21	Local Sales and Use Taxes.....	94	2/23/70
* 23	Child Agencies—Adoption—Medical Reports.....	82	5/14/70
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35	Motor Vehicles—Code Corrections.....	9	2/12/70
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**HOUSE MEMORIALS AND RESOLUTIONS PASSED BY
BOTH THE HOUSE AND SENATE**

**FORTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION—1970**

HOUSE JOINT MEMORIALS

No. *Subject*

- 2 Blaine Peace Arch Commemorative Stamp
- 3 Viet Nam Prisoners

HOUSE JOINT RESOLUTIONS

- 6 Nineteen-Year-Old Vote; Indians Vote

HOUSE CONCURRENT RESOLUTIONS

- 1 Legislature Organized
- 2 Governor's Message
- 8 Second Extraordinary Session Extended, Thirty-Two Day Limit
- 9 Adjournment *Sine Die*, Second Extraordinary Session

**SENATE BILLS PASSED BY BOTH SENATE AND HOUSE
SHOWING THE ACTION BY THE GOVERNOR THEREON**

**FORTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION—1970**

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* 105	Department of Institutions—Programs and Facilities, Agreements—Schools for Blind and Deaf, Sessions.....	50	2/23/70
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(**To be submitted to the voters for decision at the 1970 state general election.)

**SENATE MEMORIALS AND RESOLUTIONS PASSED BY
BOTH THE HOUSE AND SENATE**

**FORTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION—1970**

SENATE JOINT MEMORIALS

No. *Subject*

3 Fort Lawton

SENATE CONCURRENT RESOLUTIONS

- 1 Second Extraordinary Session, Twenty-One Day Limit
- 2 Spokane Centennial Celebration
- 6 Revenue, Budget Measures, Consideration

GOVERNOR'S MESSAGES ON HOUSE BILLS VETOED AND PARTIALLY VETOED

February 23, 1970.

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval, ENGROSSED HOUSE BILL NO. 9, entitled:

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

This act provides for payments to qualified veterans ranging from \$130 to \$250, depending upon the length of the veteran's service, and whether he served overseas.

One of the principal advantages of this bill, as expressed by the legislature, was that the grants to veterans would be paid for out of the cigarette tax. The Act itself notes that the bonds issued to pay for Korean veterans' bonuses will be fully paid by 1972.

Section 7 of this bill specifically provides that all proceeds received from the cigarette tax, after the 1949 veterans bonds have been paid, shall be paid into a fund for distribution to veterans who served during the Vietnam conflict.

But all proceeds from the cigarette tax are not available for this purpose. On three subsequent occasions the legislature pledged the cigarette tax for the payment of school construction bonds; in 1955 (chapter 3, Laws of 1955 ex. sess.), in 1957 (chapter 234, Laws of 1957) and in 1959 (chapter 8, Laws of 1959, ex. sess.).

Diverting cigarette tax proceeds from the pledge to the holders of these three school construction bond issues violates the rights of the bond holders. Section 7 of the bill is patently unconstitutional under the provisions of Article I, section 23 of the state constitution which prohibits the legislature from impairing the obligations of contracts.

Thus, the 1970 legislature has not provided for the payment of the bonus authorized in the Act. Future legislatures will face serious problems in providing funds for vital services of public assistance, education, housing and environmental preservation. During the next few years, we face a crisis of increasing proportions as our state's rapid growth taxes our resources. Until the problem of paying for veterans' benefits is resolved, it is improper for this legislature to commit future legislatures to unfunded expenditures.

At this time, the cost to the state of a veteran's bonus program consisting solely of a grant to each veteran who has served in the armed services during the period of the conflict cannot be adequately estimated. The conflict in Vietnam has not been concluded.

The projected cost of this bill to the taxpayers is \$20 million, based upon the assumption that hostilities will terminate in 1970. If not, \$20 million may be insufficient. There is no equitable means of terminating a program of outright grants of state funds to veterans, as long as these hostilities continue.

This bill also contains several technical deficiencies. An appropriation of \$9 million is made for payments to veterans, but the appropriation will lapse on June 30, 1971. Yet, the bill provides that payments cannot be made prior to January 2, 1972. Clearly, this appropriation will have to be reconsidered by the 42nd Legislature in January of 1971. In addition, the bill alludes to administrative costs, but it does not make an appropriation for this purpose.

Finally, veterans' benefits should be both meaningful and constructive. In recent years, the merit of recognizing veterans' service by a cash bonus has been seriously questioned. The legislature should ask whether it is still appropriate to make grants to veterans without

regard to need, or whether a grant makes a substantial contribution to a veteran and his family.

Because I endorse the purposes of the bill, I ask organized veterans' organizations and other interested citizens to suggest alternative proposals for providing recognition to Vietnam veterans. I will be particularly receptive to suggestions for recognition by means other than cash payments.

Several alternatives might result in more effective utilization of funds for veterans' benefits:

1. Low-interest loans to help for homes, businesses or farms.
2. Aid for handicapped veterans and their families, and wives and children of men killed in action.
3. Educational benefits and vocational training for veterans, or for surviving children of men killed in action.

Some of the alternatives may require Washington's citizens to approve appropriate constitutional authority.

This bill was enacted by the legislature in recognition of the service to the nation performed by veterans of the Vietnam conflict who were Washington citizens when they entered the armed forces. I commend the purpose of this legislation; it is therefore with regret that I return this bill without my approval.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 20, 1970.

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval as to one item, HOUSE BILL NO. 21, entitled:

"An Act relating to revenue and taxation."

This bill authorizes cities and counties to impose a local retail sales and use tax of not more than ½ percent.

Section 6 of the Act provides that these local taxes shall be administered and collected by the State Department of Revenue. To defer the costs incurred by the state, the department is to deduct an amount to be determined by agreement between the local and state governments, not to exceed 2% of the taxes collected.

Section 6 of the bill provides that the amount set aside by agreement for administration and collection expenses shall revert to the state general fund.

No state general fund monies may be lawfully spent by any state department without legislative authorization. The 1970 Legislature has made no appropriation to the Department of Revenue for the expenses of collecting and administering the local sales tax. The funds specifically intended for this purpose would therefore be locked in the general fund until the next session of the Legislature.

To many communities, the taxes authorized by this bill will be an important tax source. In order to provide the necessary funds for the State Department of Revenue to assist the local governments in the administration and collection of the taxes authorized by this bill, I have deleted the provision reverting the funds set aside for this purpose to the General Fund.

My veto neither adds nor detracts from the purpose and authority granted to local governments by the Legislature. It will enable the Department of Revenue to receive and to

spend the necessary funds to function efficiently in cooperation with municipal local governments to administer local sales tax programs.

The remainder of House Bill No. 21 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the legislature, without my approval as to a certain item, ENGROSSED HOUSE BILL NO. 23, entitled:

"An Act relating to child agencies."

This bill requires that agencies and individuals responsible for placing adoptive children with prospective adopting parents must make available to the adopting parents a complete medical report containing all reasonably available information concerning the child, including information which would indicate that the child is mentally deficient or physically impaired.

The bill attempts to define a mentally deficient person as one "who experiences difficulty in learning and in meeting the social and economic requirements of everyday living and is unable to effectively apply what he has learned without special training."

In recent years, the medical and social sciences have made significant progress in the treatment of mental deficiency and retardation. There is still much to be learned but it is becoming clear that old concepts in this field are often no longer meaningful. Specifically, I am advised that the definition as used in the bill fails to provide a meaningful legal standard for the measurement of mental deficiency. On the contrary, since the definition is a broad one it may well create more problems than it will solve. Therefore, it is my conclusion that it is appropriate to delete the definition from House Bill No. 23 and to allow the determination of mental deficiency to be made by persons obliged to meet the requirements of this act or by any court which may be called upon to interpret the act.

With the exception of this item, the remainder of Engrossed House Bill No. 23 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives without my approval as to certain items, ENGROSSED SUBSTITUTE HOUSE BILL NO. 33, entitled:

"An Act adopting a supplemental budget, making supplemental appropriations for the fiscal biennium July 1, 1969, and ending June 30, 1971; making other appropriations; and declaring an emergency."

This Act is the supplemental appropriations bill passed by the 1970 Session. I have approved this Act with the following exceptions:

1. On page 3, lines 32 to 33, an appropriation of \$27,655 is provided to the Teachers' Retirement System.

The Teachers' Retirement System requested \$27,655 to provide additional investment counseling. I agree that this is desirable. However, I have reviewed the funds that the agency has in reserve status and should save in the future if they adhere to the Executive Order of October 10, 1969. Based upon this review, I have concluded that sufficient funds are available in the present appropriation to provide the requested amount for investment counseling and this additional appropriation is unnecessary and I have therefore vetoed it.

Although the appropriation is not made directly from the general fund, I would like to emphasize that one-half of the administrative costs of the system are financed by a general fund appropriation. Even if there were no general funds involved in administrative costs of the agency, there is all too often a tendency for special fund agencies to become complacent about their expenditures. The fact that appropriations do not come directly or indirectly from the general fund does not remove the responsibility from state administrators to administer their programs in the most economical and efficient manner possible so that unnecessary tax burdens are not placed on the citizens of this state.

2. On page 4, lines 1 to 8, \$43,142 is appropriated to the Canal Commission. All agencies were advised to submit funding requests to the Office of the Governor prior to the Extraordinary Session. After careful review, critically necessary requests were submitted to the Legislature. The Canal Commission did not inform the Governor's Office of its intent to seek additional funds, and the Commission did not participate in the development of the supplemental budget as required by law.

RCW 43.88.090 requires the Governor to obtain detailed estimates and other information from agency officials for the purpose of developing budget proposals. RCW 43.88.100 requires agency officials to disclose information necessary for the Governor to determine the need for various programs and to develop his budget submission.

The activities of the Canal Commission duplicate programs of the Army Corps of Engineers, the Department of Commerce and Economic Development, the various port authorities and other state and federal agencies. The Commission has completed the primary objective for which it was established, a feasibility study concerning a Puget Sound-Grays Harbor Canal. Elimination of duplication and efficient operation of the executive branch is the responsibility of the Governor. Especially during this period of fiscal restraint, scarce funds must be expended only on the most critical needs of the state. For the above reason, I have vetoed the \$43,142 general fund appropriation for the Canal Commission.

3. On page 4, lines 23 to 28, an appropriation of \$92,000 is provided with the following language:

"DEPARTMENT OF INSTITUTIONS HEADQUARTERS

General Fund Appropriations: PROVIDED, That \$92,000 shall be allocated from the amounts appropriated in chapter 282, Laws of 1969, ex. sess. from the Department of Institutions Headquarters Appropriation - \$92,000."

It is with a great deal of reluctance that I find it necessary to veto this provision for two reasons. The language of the appropriation is in violation of Article 8, Section 4 of the Washington State Constitution in that it fails to state the purpose for which the funds are to be used. This makes it legally impossible to utilize this new appropriation as the basis for construction of the facility for which it was intended.

It is clear that the defective appropriation was intended to provide state matching funds for construction for All Faith Chapel at the Rainier School for the Mentally Retarded. The Committee responsible for raising local donations for this worthy project has succeeded in raising over \$100,000 of the \$200,000 they desire to construct the Chapel. The construction of this Chapel is highly desirable, and I will insure that the Department of Institutions will work with the Committee to aid them in meeting their fund raising goal. Should the requested general fund assistance be provided from existing appropriations, it would be necessary for the Department of Institutions to reduce by \$92,000 some of the capital projects approved by the 1969 Legislature. Because the Department has already had to curtail in excess of \$1.0 million in general fund capital projects in order to assist in meeting a potential general fund deficit, the diversion of an additional \$92,000 would result in the curtailment of critically needed treatment facilities. I cannot justify a further

reduction in capital funds for this purpose. For these two reasons, I have vetoed the provision.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 23, 1970.

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the House of Representatives at the next session of the Legislature, without my approval as to one item, ENGROSSED HOUSE BILL NO. 304, entitled:

"An Act relating to toll facilities and the financing thereof; declaring an emergency and providing an effective date."

This bill dedicates gasoline tax funds for the construction of six new 172-car ferries to be added to the Washington State Ferry fleet during the next ten years. It provides a constructive method of paying for the new ferries as each new vessel is completed, therefore saving nearly \$50 million in the next ten years over the cost of acquiring ferries through bond financing.

In section 7 of the bill, the legislature appropriates \$6,500,000 for this biennium which presumably will be used primarily for the construction of the first new vessel.

A Senate committee amendment to the bill requires that the highway commission issue design and performance specifications calling for "design, construct and performance bids," and that before proceeding the commission must report to the Joint Committee on Highways.

This amendment requires a full-scale design competition in place of the usual procedure of preparing contract plans and specifications issued by the state on which shipyards may submit competitive bids. A serious question has been raised as to whether this method of procurement is suitable for procuring ferries. There are only three shipyards in the country that have built vessels similar to the 172-car ferries contemplated for use in state waters. Since design costs are substantial, if design competition is mandated, it is questionable how many firms can compete.

Further, it is questionable whether design competition as a method of procurement is one which will procure for the state the most suitable vessels for the dollars invested. The objectives of a professional naval architect employed by a purchaser are somewhat different than those of a shipyard architect designing for a construction bid to be submitted by the shipyard. The professional naval architect employed by the purchaser should design for his client the most suitable vessel possible giving consideration to construction costs and suitability for intended service and performance. The shipyard architect often has the objective of designing vessels which can be built for the lowest estimated proposal price.

My veto does not prevent design competition as called for by the Senate amendment, but the veto will leave the Highway Department free to determine whether and to what extent design competition is appropriate. Designing and purchasing vessels is properly a function of the Highway Department in cooperation with the Toll Bridge Authority.

The citizens of the State of Washington are best served if the legislature establishes the broad policy and enacts the laws which the executive branches of government are then responsible for administering and enforcing. I do not criticize the interest of the members of the Joint Committee in obtaining the best design for the new vessels to be added to the Washington State Ferry fleet. However, this function has been properly assigned to the Highway Department and the Toll Bridge Authority.

GOVERNOR'S MESSAGES ON HOUSE BILLS APPROVED
AFTER SINE DIE

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It is the separation of powers among the legislative, executive and judicial branches that fosters the most effective government.

The remainder of House Bill No. 304 is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

GOVERNOR'S MESSAGES ON HOUSE BILLS APPROVED
AFTER SINE DIE

Office of the Governor, January 19, 1970.

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.

LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bill, entitled:

HOUSE BILL NO. 190: Appropriating funds for legislative expense.

Sincerely,
JOHN SHERWOOD
Legislative Counsel.

Office of the Governor, February 20, 1970.

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.

LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bills, entitled:

HOUSE BILL NO. 5: Creating a tax exemption for sheltered workshops.

HOUSE BILL NO. 6: Permitting handcrafted articles made in any state institution to be displayed and sold at public gatherings.

HOUSE BILL NO. 13: Changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts.

HOUSE BILL NO. 26: Relating to open spaces.

HOUSE BILL NO. 46: Providing post retirement adjustments in retirement allowances for public employees' retirement system.

SUBSTITUTE HOUSE BILL NO. 60: Enabling cities of first class over 150,000 not situated in class AA counties to impose sales tax upon rental of hotel, motel or other lodging; revenue to be used for stadium purposes.

HOUSE BILL NO. 63: Requiring associations of municipal corporations to submit recommendations for improvements.

HOUSE BILL NO. 66: Implementing law relating to irrigation district local improvement districts.

HOUSE BILL NO. 72: Authorizing interstate purchase of shotguns and rifles.

HOUSE BILL NO. 103: Increasing jurisdiction of small claims department of justice courts.

HOUSE BILL NO. 118: Granting superintendents authority to make payment from patients' accounts.

HOUSE BILL NO. 126: Relating to irrigation and reclamation districts.

HOUSE BILL NO. 127: Providing minimum pension for certain pensioners under supreme court judges' retirement act.

HOUSE BILL NO. 140: Establishing a system of state recreational trails.

HOUSE BILL NO. 142: Appropriating funds for maintenance and operation of state highways.

HOUSE BILL NO. 158: Including certain nonprofit organizations in definition of "debt adjuster".

HOUSE BILL NO. 162: Relating to civil disturbance and providing penalties.

HOUSE BILL NO. 164: Authorizing first class cities to contract with U.S. under Demonstration Cities and Metropolitan Development Act of 1966.

SUBSTITUTE HOUSE BILL NO. 169: Providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters.

HOUSE BILL NO. 173: Making appropriations.

GOVERNOR'S MESSAGES ON HOUSE BILLS APPROVED
AFTER SINE DIE

HOUSE BILL NO. 201: Authorizing establishment of speed limits for auto stages.
 SUBSTITUTE HOUSE BILL NO. 232: Repealing B & O exemption as to financial institutions.

HOUSE BILL NO. 237: Pertaining to the organization and operation of miscellaneous and mutual corporations.

HOUSE BILL NO. 251: Providing for deferred retirement allowances.

HOUSE BILL NO. 253: Authorizing increases in tuition and incidental fees for institutions of higher education.

HOUSE BILL NO. 295: Pertaining to crimes and criminal procedure.

SUBSTITUTE HOUSE BILL NO. 312: Providing for efficient organization and for the effective operation of the state building authority.

SUBSTITUTE HOUSE BILL NO. 318: Authorizing temporary loans from funds in the state treasury to the building authority for capital construction projects at the institutions of higher education.

HOUSE BILL NO. 326: Permitting state agencies, municipalities, fiduciaries, to invest in "A" rated bonds of specified institutions.

Sincerely,
 RICHARD W. HEMSTAD
 Legal Assistant.

Office of the Governor, February 23, 1970.

TO THE HONORABLE,
 THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.

LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 51: Implementing law relating to pollution of waters by oil.

SUBSTITUTE HOUSE BILL NO. 129: Reimbursing counties for salaries paid county intermediate district and intermediate school district superintendents.

SUBSTITUTE HOUSE BILL NO. 180: Reducing property tax millage limitations by one-half.

HOUSE BILL NO. 293: Establishing new definitions within the explosive law.

Sincerely,
 RICHARD W. HEMSTAD
 Legal Assistant.

SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Introduction, First reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
1. Representatives Scott, Sawyer, Brouillet and Backstrom: Adding review procedures and more effective penalties to the air pollution laws.	7								
2. Representatives Evans, Cunningham, DeJarnatt and Mentor: Requiring unloaded school buses to stop before crossing railroad tracks.	7	117	191	191					
3. Representatives Copeland and Shera: Specifying number of directors and officers of professional corporations.	7	111	191	191					
4. Representatives Mentor, Wanamaker and Randall: Establishing a Washington state police academy at Olympic Community College.	7								
5. Representatives Conner and Marzano: Creating a tax exemption for sheltered workshops.	7	101	122, 130	131, 412	123, 411	411	423	430	S. 559 CH. 81, '70 Ex
6. Representative Conner: Permitting handcrafted articles made in any state institution to be displayed and sold at public gatherings.	7	128	192	192		391	423	430	S. 559 CH. 78, '70 Ex
7. Representatives Gallagher and Backstrom: Changing the renewal and effective dates of motor vehicle dealers' license registration salesmen registration.	8								

SUBJECT AND HISTORY OF HOUSE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Introduction, First reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
8. Representatives Gallagher and Backstrom: Regulating issuance of motor vehicle dealers' and salesmen's licenses and providing for inspection of dealers' records by department of motor vehicles.	8								
9. Representatives Goldsworthy, Lynch, Marsh, Hawley, Gallagher, Ceccarelli, Merrill, Savage, Span-ton, Kalich, Jastad, Wolf, Hubbard, Barden, Mar-zano, Beck, Bozarth, Conner, Cunningham, Kirk, Anderson, Litchman, Backstrom and Martinis: Au-thorizing compensation for veterans of the Viet Nam conflict.	8	147	378	380, 452	322, 380, 451	451	472	473	554 V.
10. Representatives Beck and Conner: Providing ex-cess funds in the Puget Sound reserve account for improvement and operation of the state ferry system.	8								
11. Representatives Flanagan, Charette, Wolf, Bozarth, Amen, Zimmerman, Evans, Curtis, Hubbard, Ben-itz, Veroske, O'Dell, Bledsoe, Backstrom and Ber-entson: Continuing same weighting schedule for remote and necessary school districts for 1970-71 fiscal year as had during 1969-70 fiscal year.	8								
12. Representatives Charette, Grant, Williams, Shin-poch, Bagnariol, Gallagher, Conner, King, Litch-man, Backstrom and Marzano: Regulating employ-ment compensation.	8								

13. Representatives Goldsworthy, Flanagan, Zimmerman, Amen, Jastad, Haussler, Jolly, Veroske, O'Dell, Bozarth, Hubbard, Gladder, Hurley, Conner, Benitz and Bledsoe: Changing weighting schedule for distribution of state funds to certain high schools and nonhigh districts.	9	102	122, 131, 145	145, 455	122, 134, 404, 425, 443, 453	403, 452	472	473	S. 559 CH. 86, '70 Ex
14. Representatives Farr and Chatalas: Establishing dental disciplinary board.	9								
15. Representatives Wolf, Haussler, Newhouse, Chapin, Conway, Kalich, North, Cunningham, Barden, Jastad, Bluechel, Brown, Bledsoe and Mahaffey: Regulating surface mining.	9	91	118	185					
16. Representatives Conway and Wolf: Providing fire protection for the state capitol.	9								
17. Representatives Wolf, Jastad, Curtis and Ceccarelli: Making the limitation of quantity in retail sales an unfair business practice.	9	157	192	198					
18. Representatives Wolf, Savage and Conway: Enabling endowment of the state capitol historical association.	9								
19. Representatives Wolf, Curtis and Ceccarelli: Permitting licensing of out-of-state beer and wine salesmen and increasing agent's license fee.	9	157	193	193					
20. Representatives Wolf and Curtis: Levying the sales tax on all retail sales in Washington state liquor stores and agencies.	9								
21. Representatives Whetzel and Clark (Newman H.): Authorizing cities and counties to impose a sales and use tax.	9	89	212	239	241, 446	445, 518	522	523	555 P. V. CH. 94, '70 Ex
22. Representatives McCaffree, Whetzel, Haussler, Zimmerman, Brown, Clarke (George W.) and Flanagan: Permitting special taxation of open space land, farm and agricultural land, and timberland.	10								

SUBJECT AND HISTORY OF HOUSE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Introduction, First reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
23. Representatives Marsh, Kirk, Leckenby, Bagnariol, Ceccarelli and Merrill: Requiring the disclosure of birth defects by adoption agencies.	10	157	194	194, 404	404	404	423	430	556 P. V. CH. 82, '70 Ex
24. Representatives Kalich and Hawley: Crediting military service to public retirement.	10	.....	.....	.....	.....	.....	.....	.....	.....
25. Representatives Kalich and Backstrom: Authorizing local option for certain forms of gambling conditioned upon a constitutional amendment approving gambling.	10	.....	.....	.....	.....	.....	.....	.....	.....
26. Representatives Newhouse, Charette, Bledsoe, Wolf, Cunningham, Barden, Amen, Benitz, North, Bluechel, Marsh, Pardini, Curtis, O'Dell, Zimmerman and Spanton: Relating to open spaces.	10	45	50, 76	81, 441	50, 441, 442	440	472	473	S. 559 CH. 87, '70 Ex
27. Representatives Chapin, Brouillet, McCaffree, Randall, Cunningham, Barden, Bluechel, North, Bot-tiger, Zimmerman, Brown, Litchman, Bledsoe, Lynch, Leckenby and Adams (by Special Levy Study Commission request): Authorizing and creating a formula for distribution of thirty-four percent of the income tax to school districts for special levy relief.	10	138	142	143, 155	145	.....	.....	.....	.....
28. Representative Bagnariol: Authorizing city and county business and occupation taxes with credit against state taxes.	10	.....	.....	.....	.....	.....	.....	.....	.....

29. Representative Kalich: Changing weighting schedule for distribution of state funds to certain high school districts.	10	.....	.....	.....	.....	.....	.....	.....
30. Representatives Marzano, Backstrom, Anderson, Kalich, Jastad, Beck, Adams, King, Marsh, Martinis, Litchman, Gallagher, Ceccarelli, Merrill, Hawley and Savage: Granting bonuses to Viet Nam war veterans	11	.....	.....	.....	.....	.....	.....	.....
31. Representative Beck: Authorizing engineering studies of the Puget Sound floor to determine the feasibility of constructing a cross-sound bridge....	15	.....	.....	.....	.....	.....	.....	.....
32. Representatives Kopet, Chatalas, Swayze and Marsh (by Legislative Budget Committee request): Pertaining to indebtedness limitations of taxing districts.	15	181	.....	.....	.....	.....	.....	.....
33. Representatives Goldsworthy and Saling (by Executive request): Making appropriations	16	304	329	.....	.....	.....	.....	.....
33. (Substitute) By Committee on Appropriations: Making appropriations.								
		330	385, 500	335, 383, 414, 462, 463, 499	412, 462, 518	522	523	556 P. V. CH. 95, '70 Ex
34. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to revenue and taxation	16	111	149	150	.....	321	322	348 S. 488 CH. 8, '70 Ex
35. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to motor vehicles	16	111	150	150	.....	321	322	348 S. 488 CH. 9, '70 Ex
36. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to elections.	17	111	150	151	.....	321	322	348 S. 488 CH. 10, '70 Ex

SUBJECT AND HISTORY OF HOUSE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	<i>Introduction, First reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Reported from Senate</i>	<i>Signed by Speaker</i>	<i>Signed by President of Senate</i>	<i>Action by Governor</i>
37. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to metropolitan municipal corporations.	17	111	151	151	.....	321	322	348	S. 488 CH. 11, '70 Ex
38. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to state government.	17	111	151	151	.....	321	322	348	S. 488 CH. 12, '70 Ex
39. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to intoxicating liquor.	17	112	152	152	.....	321	322	348	S. 488 CH. 13, '70 Ex
40. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to public lands.	17	112	152	152	.....	321	322	348	S. 488 CH. 14, '70 Ex
41. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Correcting code sections relating to education code.	17	112	153	153	.....	321	322	348	S. 488 CH. 15, '70 Ex

42. Representatives Charette, Clarke (George W.) and Clark (Newman H.) (by Statute Law Committee request): Updating repealer of old school code, effective when new education codes take effect. . . .	18	112	153	153	.....	347	409	411	S. 488 CH. 16, '70 Ex
43. Representatives Wanamaker, Hoggins, Kink, Mentor, Brown, Kiskaddon, Randall, Backstrom, Farr, King, Berentson, Veroske, Brouillet and Martinis: Appropriating funds for preliminary planning for Northwest Environmental Education Center.	21	157	.....	.....	.....	.....	.....	.....	.....
44. Representatives Wanamaker, Jastad, Kalich, Mentor and Amen: Setting school district assessment factor for annual distribution of state funds to school districts under weighted enrollment formula.	21	.....	.....	.....	.....	.....	.....	.....	.....
45. Representatives Barden, Cunningham, Mentor and Wanamaker: Transferring the state ferry system to the state highway commission.	21	.....	.....	.....	.....	.....	.....	.....	.....
46. Representatives Wolf, Bottiger, Conway and Conner: Providing post retirement adjustments in retirement allowances for public employees' retirement system.	22	167	220	221	.....	347	409	411	S. 559 CH. 68, '70 Ex
47. Representatives Flanagan, Williams, Richardson, Amen, Bledsoe, Bluechel, Brown, Chapin, Clarke (George W.), Conway, Cunningham, Curtis, Evans, Farr, Harris, Hawley, Hoggins, Hubbard, Julin, Kirk, Kopet, Leckenby, Mahaffey, Marsh, McCaffree, Mentor, Murray, North, O'Dell, Pardini, Schumaker, Scott, Shera, Smythe, Swayze, Veroske, Wanamaker, Wolf, Zimmerman, Ceccarelli and Copeland (by Executive request): Providing for a department of environmental quality.	22	81	113	115	.....	.....	.....	.....	.....

SUBJECT AND HISTORY OF HOUSE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Introduction, First Reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
48. Representatives Smythe, Bluechel, North, Brown, Evans, Farr, Hoggins, Mahaffey, Mentor, Murray, Scott and Whetzel (by Executive request): Authorizing inventory of certain rivers and adjacent lands and certain marine shorelands and providing for conservation and management thereof.	22	228							
49. Representatives Morrison, King, Evans, Amen, Benitz, Bledsoe, Bluechel, Brown, Chapin, Clark (Newman H.), Clarke (George W.), Cunningham, Curtis, Gladder, Harris, Hawley, Hubbard, Kirk, Kiskaddon, Lynch, Mentor, Murray, North, O'Dell, Pardini, Shera, Smythe, Veroske, Wanamaker, Wolf, Martinis and Conner (by Executive request: Providing for the location and regulation of thermal power facilities.	23								
50. Representatives Murray, Bottiger, Pardini, Adams, Gallagher, Bagnariol, Martinis, Merrill, Shera, Richardson, Curtis, Litchman, Leland, Kopet, North, Ceccarelli, Kuehnle and Chapin: Enacting a comprehensive gambling law.	23	140	173		173				
50. (Substitute) By Committee on Business and Professions: Enacting a comprehensive gambling law.			174	180, 241	174				

51. Representatives Zimmerman, Hoggins, Murray, Amen, Bluechel, Brown, Chapin, Clarke (George W.), Conway, Curtis, Evans, Farr, Hawley, Hubbard, Kirk, Leckenby, Lynch, McCaffree, Mentor, North, Pardini, Schumaker, Scott, Shera, Veroske and Whetzel (by Executive request): Implementing law relating to pollution of waters by oil.	23	158	243	.....	.....	.....	.....	.....	.....	.....
51. (Substitute) By Committee on Natural Resources: Implementing law relating to pollution of waters by oil. ....	.....	.....	243	247, 417	248, 416	415, 448	447	448	S. 559	CH. 88, '70 Ex
52. Representatives Julin, King, Kiskaddon, Bluechel, Chapin, Clarke (George W.), Conway, Farr, Hawley, Lynch, Mahaffey, McCaffree, Mentor, Murray, North, Pardini, Wolf, Zimmerman, Brouillet and Ceccarelli (by Executive request): Supplementing water pollution control law.	23	138	142, 149, 154, 166, 173, 188	241	142, 149, 154, 166, 173	.....	.....	.....	.....	.....
53. Representatives Lynch, Harris, Farr, Amen, Bledsoe, Bluechel, Chapin, Cunningham, Curtis, Evans, Goldsworthy, Hoggins, Hubbard, Kirk, Kiskaddon, Kopet, Leckenby, Mahaffey, McCaffree, Mentor, Murray, North, Shera, Smythe, Veroske and Zimmerman (by Executive request): Creating a department of social and health services.	23	46	50, 84	94	50	.....	.....	.....	.....	.....
54. Representatives Berentson, Sprague, Cunningham, Bluechel, Brown, Chapin, Clarke (George W.), McCaffree, Murray, North, Scott, Veroske, Williams and Shera (by Executive request): Creating a department of transportation.	25	228	248, 250	.....	248, 250	.....	.....	.....	.....	.....
55. Representatives McCaffree, King, Swayze, Bledsoe, Ceccarelli, Evans, Farr, Kiskaddon, Leckenby, Murray, Smythe, Williams, Grant, and Chatalas (by Executive request): Making effective certain personal rights at eighteen years of age formerly effective at twenty-one years of age.	26	84	93	99

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56. Representatives Leckenby, Sprague, Mentor, Benitz, Chapin, Murray, Pardini, Williams and Zimmerman (by Executive request): Providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe.	26	158	221						
56. (Substitute) By Committee on Local Government: Relating to factory built houses.			221	222					
57. Representatives Leckenby, Sprague, McCaffree, Ceccarelli, Fleming, King, Mentor, Murray, Williams and Chatalas (by Executive request): Authorizing nonprofit regional housing development corporations.	26								
58. Representatives Julin, Adams, Murray, Bledsoe, Bluechel, Farr, Flanagan, Mahaffey, Marsh, Mentor and Martinis: Providing for improved planning and usage of seacoast and other areas affected by marine water flowage.	26	506	510	511					
59. Representatives Clarke (George W.), Charette and Clark (Newman H.): Relating to judicial conferences.	28	112	194						
60. Representatives McCaffree and Kiskaddon: Relating to revenue and taxation.	28	270	335, 380		336				

60. (Substitute) By Committee on Revenue and Taxation: Enabling cities of first class over 150,000 not situated in class AA counties to impose sales tax upon rental of hotel, motel or other lodging; revenue to be used for stadium purposes.....	380	381	447	472	473	S. 559 CH. 89, '70 Ex
61. Representatives McCaffree and Kiskaddon: Relating to revenue and taxation.	28					
62. Representatives McCaffree and Kiskaddon: Relating to revenue and taxation.	28	304	336, 381	336		
62. (Substitute) By Committee on Revenue and Taxation: Relating to revenue and taxation.			381	382		
63. Representatives Richardson, Charette and Clarke (George W.): Requiring associations of municipal corporations to submit recommendations for improvements.	28	158	195	195	347	409
						411 S. 560 CH. 69, '70 Ex
64. Representatives Grant, Gallagher, King, Kink, Ceccarelli, Rosellini, Sprague and Bagnariol: Regulating campaign contributions and expenditures. .	28					
65. Representatives Hoggins, Bottiger and Wolf: Providing methods for standardizing and preserving surveys.	29					
66. Representatives Flanagan, Jolly, Benitz, Haussler and Evans: Implementing law relating to irrigation district local improvement districts.....	29	117	195	195	347	409
						411 S. 560 CH. 70, '70 Ex
67. Representative Kink: Permitting abortions at the direction of a licensed physician and providing for submission of the act to a vote of the people...	29					
68. Representatives Leckenby, DeJarnatt and Mentor: Permitting the granting of furloughs to felons....	29	164				
69. Representatives Leckenby, DeJarnatt and Mentor: Prohibiting the use of prisoner's earnings to defray expenses.	29	129	195	196		

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70. Representative Farr: Regulating advertising by the dental profession.	29								
71. Representatives Newhouse, Haussler and Morrison: Authorizing participation in the economic opportunity act.	29								
72. Representatives Schumaker, Beck and Clarke (George W.): Authorizing interstate purchase of shotguns and rifles.	29	164	196	196		391	423	430	S. 560 CH. 74, '70 Ex
73. Representatives O'Brien, Morrison and Ceccarelli (by Public Employees' Retirement System request): Providing post retirement adjustments in retirement allowances for public employees' retirement system.	30								
74. Representatives Morrison, O'Brien, Fleming, Charrette, Bagnariol, Gladder, Shera, Kuehnle, Richardson and Ceccarelli (by Public Employees' Retirement System and Public Pension Commission request): Relating to the retirement and pensions of law enforcement officers and fire fighters.	30	112	123	124		321	322	348	S. 489 CH. 6, '70 Ex
75. Representatives Grant, Shinpoch, King, Wojahn, Bagnariol, Litchman, Anderson, Marzano, Bottiger, Chatalas, O'Brien, May, Merrill, Rosellini, Williams, Adams, Jastad, Fleming, Beck and Ceccarelli: Providing workmen's compensation for permanent partial disability.	30								

76. Representatives Grant, King, Marzano, Bagnariol, Wojahn, Marsh, Beck, Litchman, Bottiger, May, Chatalas, O'Brien, Rosellini, Williams, Anderson, Murray, Fleming and Ceccarelli: Providing for increase of benefits under workmen's compensation.	30
77. Representatives Grant, Shinpoch, Bottiger, Wojahn, King, Beck, Chatalas, O'Brien, May, Murray, Rosellini, Williams, Anderson, Bagnariol, Marzano, Litchman, and Ceccarelli: Establishing payment schedules for industrial insurance.	31
78. Representatives Conner and May: Raising the minimum hourly wage to one dollar and seventy-five cents per hour as of 1971.	34
79. Representatives Grant, King and Brouillet: Providing for payment of accumulated sick leave in lieu of severance pay.	34
80. Representatives Grant, May and Wojahn: Providing that employees of health care facilities be covered by workmen's compensation.	34
81. Representatives Charette and Morrison: Relating to unemployment compensation.	34
82. Representatives Wojahn, Kopet, Kirk and Brouillet: Creating an advisory council on nutrition and health.	34
83. Representative Morrison: Relating to workmen's compensation.	34
84. Representative Morrison: Relating to workmen's compensation.	35
85. Representative Morrison: Relating to unemployment compensation.	35

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NUMBER, AUTHOR AND SUBJECT	Introduction, First reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
86. Representatives Haussler, Richardson, Kiskaddon, O'Dell and Kopet: Extending limitation of regular property tax revenue to cities, towns and counties under chapter 84.54 RCW.		35							
87. Representatives Kopet, DeJarnatt and Goldsworthy: Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.		35	158	189	189				
88. Representatives McCaffree, Randall, Chapin, Bledsoe, Swayze and Adams (by Temporary Special Levy Study Commission request): Changing effective date of income tax reform package and providing income tax credit for property taxes.		35	129	145, 149, 154	165	145, 149			
89. Representative Merrill (by Municipal Committee request): Requiring public works to conform to local municipal building requirements.		36							
90. Representatives Anderson, Charette and Leland: Providing for state removal of snow and sanding of state highways passing within cities or towns...		36							
91. Representatives Merrill, North and Ceccarelli (by Municipal Committee request): Establishing a drug control unit within the board of pharmacy, making an appropriation and declaring an emergency.		36							

92. Representatives Fleming, Sprague, Wojahn, Marzano, Chatalas, Grant, Ceccarelli and Rosellini: Establishing January fifteenth, the anniversary of the birth of Martin Luther King, Jr., as a legal holiday.	36	.....	.....	.....	.....	.....	.....	.....	.....
93. Representatives Fleming and Sprague: Authorizing counties, cities or towns to tax automobiles....	36	.....	.....	.....	.....	.....	.....	.....	.....
94. Representatives Merrill and North (by Municipal Committee request): Authorizing 2nd, 3rd and 4th class cities to publish ordinances by synopsis.	36	129	.....	.....	.....	.....	.....	.....	.....
95. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Providing for rendition of accused persons.	39	.....	.....	.....	.....	.....	.....	.....	.....
96. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Extending applications of 1961 justice court act to all counties.	39	.....	.....	.....	.....	.....	.....	.....	.....
97. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Adding two judges of the court of appeals to the judicial council.	39	112	226	226	.....	.....	.....	.....	.....
98. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Increasing attorneys' fees.....	39	.....	.....	.....	.....	.....	.....	.....	.....
99. Representatives Clarke (George W.), Wojahn and Clark (Newman H.) (by Judicial Council request): Providing for the payment of attorneys' fees.....	40	.....	.....	.....	.....	.....	.....	.....	.....
100. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Revising grand jury procedure.	40

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101. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Permitting judges to attend judges' conferences.		40							
102. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Regulating the tolling of any statute of limitations.		40							
103. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Increasing jurisdiction of small claims department of justice courts.		40	164	196	197, 405	405	405	423	430 S. 560 CH. 83, '70 Ex
104. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Allowing salary of administrator for the courts to be fixed by supreme court.		40							
105. Representatives Clark (Newman H.), Clarke (George W.) and Wojahn (by Judicial Council request): Providing procedures for the release of mentally ill criminals.		40							
106. Representatives Clarke (George W.), Charette and Clark (Newman H.): Pertaining to procedures for increasing judges' salaries.		40							

107. Representatives Clarke (George W.), Charette and Clark (Newman H.): Increasing salaries of supreme court justices, and appellate and superior court judges.	40	
108. Representatives Clarke (George W.), Charette and Clark (Newman H.): Relating to salaries of public officials.	41	
109. Representatives Grant, Brouillet and Williams: Removing limitation in governmental contribution to employees' health insurance premium.	41	
110. Representatives Gallagher, Berentson and Conner: Enacting a special fuel tax act.	41	172
111. Representatives Anderson, DeJarnatt, Williams, Grant and Wojahn: Providing for cost of living increases in certain pensions.	42	
112. Representatives Litchman, Copeland, Kuehne, Bagnariol, May, Ceccarelli, Kink, Jolly, Grant, Wanamaker, Merrill, Kalich, Chatalas, Williams, Hawley, Shipoch, Randall, Rosellini, Schumaker, Backstrom, Adams, Wojahn, Martinis, Jastad, Anderson, Spanton, Bledsoe, Hatfield, Marzano, King, Clark (Newman H.) and Gallagher: Legalizing certain forms of gambling and allowing local option thereof.	42	
113. Representative McCaffree (by Department of Revenue request): Permitting excess levies at the various rates required by existing law.	42	
114. Representatives North, Merrill and Hoggins (by Municipal Committee request): Establishing a state building council within the department of labor and industries and adopting a state building code.	42	
115. Representative Wolf: Levying the sales tax at retail on all retail sales in Washington state liquor stores and agencies.	42	

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116. Representatives North, Chatalas, Kink, Smythe, Scott, Charette, Copeland and Sprague: Relating to abortion and providing for a referendum.	43	103	124	136	103				
117. Representatives Kopet, Sprague and Pardini: Allowing seventy-five year leases for school purposes.	43	158							
118. Representatives Bottiger, Whetzel and Harris (by Legislative Council request): Granting superintendents authority to make payment from patients' accounts.	43	129	197	197		391	423	430	S. 560 CH. 75, '70 Ex
119. Representatives Thompson, Smythe and Zimmerman: Establishing salaries of county officials based on state rather than federal census.	43	181							
120. Representatives Chapin, Kiskaddon, Clarke (George W.), Grant and Wojahn: Pertaining to distribution of certain appropriated funds to cities and towns imposing local sales and use taxes.	43								
121. Representatives Hoggins and Richardson: Relating to education.	47								
122. Representatives Hoggins and Richardson: Relating to education.	47								

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132. Representatives Lynch, Smythe and King: Relating to higher education.	48								
133. Representatives Lynch, Smythe and King: Relating to higher education.	48								
134. Representatives Lynch, Smythe and King: Relating to higher education.	48								
135. Representatives Richardson, Kuehnle, Kopet and Pardini: Authorizing excess levies by townships...	48	129	200	200					
136. Representative Grant: Implementing benefit rights of certain employees in field of education.	49								
137. Representatives Fleming and Sprague: Adopting a supplemental budget for the department of public assistance.	49								
138. Representatives May, Grant and Perry: Providing arbitration procedure under teachers' professional negotiations act.	49								
139. Representatives Marzano, Grant and Backstrom: Establishing motor vehicle financial responsibility.	49								
140. Representatives Zimmerman, Smythe, Marsh and Sprague: Establishing a system of state recreational trails.	49	229	250	250		391	423	430	S. 560

141. Representatives Lynch and Kopet (by Department of Public Assistance request): Increasing membership of child welfare and day care advisory committee.	49								
142. Representatives Leland, Perry and Berentson: Appropriating funds for maintenance and operation of state highways.	49	92	121	122	447	472	473	S. 560 CH. 91, '70 Ex	
143. Representatives Smythe, Copeland and Charette: Implementing laws relating to employment of certificated personnel in schools.	49								
144. Representatives Goldsworthy and Saling: Making appropriations.	53								
145. Representatives Clarke (George W.), Swayze and Clark (Newman H): Relating to lawyers' code of ethics.	53	148	201	201					
146. Representative Backstrom: Equalizing educational opportunities in the common schools.	53								
147. Representatives Perry and Gallagher: Relating to public assistance.	53								
148. Representatives Perry and Gallagher: Relating to public assistance.	53								
149. Representative Charette (by State Auditor request): Providing for legislative auditing.	53								
150. Representatives Clarke (George W.), Bottiger and Swayze: Establishing small claims department in justice district courts.	53								
151. Representatives O'Dell, Bagnariol and Veroske: Relating to insurance.	53								
152. Representative Brouillet: Granting state employees additional leave based on length of service.	54								

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153. Representatives O'Dell, Charette and Copeland: Providing for procurement of state insurance and public official bonds.	54								
154. Representatives Wolf, Brouillet and Conway: Providing for per diem for state officers and employees.	54								
155. Representatives Hawley, Veroske and Kink: Relating to food fish and shellfish.	54								
156. Representatives Hawley, Veroske and Kink: Relating to food fish and shellfish.	54								
157. Representatives Evans, Mahaffey and Lynch: Providing for education of students on drug misuse and drug abuse.	54	167							
158. Representatives Wojahn, Shera and Bottiger: Including certain nonprofit organizations in definition of "debt adjuster."	54	113	201	201, 514	445, 463, 514	514	522	523	S. 560 CH. 97, '70 Ex
159. Representative Swayze: Relating to elections.	54								
160. Representative Bluechel: Relating to elections.	54								
161. Representatives Bottiger, Wolf, Wojahn and McCaffree: Relating to unfair business practices.	54								

162. Representatives Richardson, Lynch, Chapin, Hurley and Wolf: Relating to civil disturbance and providing penalties.	54	165	251	252, 474	418, 447, 471, 474	417, 471, 473	503	523	S. 560 CH. 98, '70 Ex
163. Representatives Copeland, Whetzel and Bottiger: Providing means for the dissolution of port districts.	55								
164. Representatives Sprague, Chatalas, Fleming and Litchman: Authorizing first class cities to contract with U.S. under Demonstration Cities and Metropolitan Development Act of 1966.	55	181	225	225		391	423	430	S. 560 CH. 77, '70 Ex
165. Representatives Goldsworthy and Saling: Relating to revenue and taxation.	55								
166. Representatives Kiskaddon, Wojahn, North and Brouillet: Relating to public school day care centers.	55	167							
167. Representatives Hawley, Veroske and Kink: Relating to food fish and shellfish.	55								
168. Representatives Sprague, Murray, Chatalas, Wojahn and Fleming: Establishing a residential landlord-tenant act.	55								
169. Representative Amen: Relating to agriculture.	55	158	222						
169. (Substitute) By Committee on Agriculture: Providing penalties for shooting certain farm animals and pertaining to weighing by weighmasters.			222	222, 431	406, 426, 427, 430, 431	406, 430	447	463	S. 560 CH. 90, '70 Ex
170. Representatives Sprague, Leckenby, Ackley, Murray, Scott, Grant, North, O'Brien, Brown and Wojahn: Prohibiting the sale of motor vehicles powered by an internal combustion reciprocating engine by 1980 and directing a study of alternatives.	55								

178. Representatives Sprague, Brouillet and Mahaffey (by Joint Committee on Education request): Implementing law relating to school pupil conduct, discipline and rights.	56	229	.....	.....	.....	.....	.....	.....	.....	.....
179. Representatives Sprague, Ceccarelli and Leckenby (by Department of Health request): Regulating hotels and motels.	56	.....	.....	.....	.....	.....	.....	.....	.....	.....
180. Representatives Kiskaddon, Haussler, McCaffree, Brown, O'Dell, Bozarth, Hurley, Jolly and Curtis: Reducing property tax millage limitations by one-half.	57	148	190	.....	.....	.....	.....	.....	.....	.....
180. (Substitute) By Committee on Revenue and Taxation: Reducing property tax millage limitations by one-half. ....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
				190,						
		190, 199	200, 444	199, 444	444	472	473	S. 559	CH. 92, '70 Ex	
181. Representatives Scott, Brouillet and Murray: Providing for the regulation and reporting of campaign contributions and expenditures and establishing an election commission.	57	.....	.....	.....	.....	.....	.....	.....	.....	.....
182. Representatives Scott, Thompson, Sprague and Murray: Providing procedure for filling voids in candidacy for nonpartisan offices.	57	181	.....	.....	.....	.....	.....	.....	.....	.....
183. Representatives Bledsoe, Flanagan, Newhouse, Murray, Morrison, Copeland, Benitz, Wolf, Curtis, Amen, Zimmerman, Spanton, Hoggins, Hubbard and Schumaker: Relating to livestock and providing penalties.	57	.....	.....	.....	.....	.....	.....	.....	.....	.....
184. Representatives Jueling, Barden, Shera, Mahaffey, Curtis, Hatfield, Pardini, Smythe, Conway, Kuehnle, Benitz, Hubbard, Wanamaker, Wolf, Gladder, Veroske, Flanagan, Spanton, Brown, Goldsworthy, Lynch, Schumaker, O'Dell, Amen, Kirk, Harris, Berentson, Leland, Hawley and Kopet: Relating to unemployment compensation..	57

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185. Representative Bluechel: Relating to state government.	58								
186. Representative Swayze: Relating to state government.	58								
187. Representatives O'Dell, Veroske, Pardini and Sawyer: Relating to financial institutions.	58								
188. Representatives Kopet and Chapin: Relating to cities and towns.	58								
189. Representatives Smythe and Zimmerman: Relating to cities and towns.	58								
190. Representatives Copeland and Charette: Appropriating funds for legislative expense.	52		52	52	52	76	76	89 S. 559	CH. 1, '70 Ex
191. Representatives Brown and North: Relating to local government.	58								
192. Representatives Chapin and Kopet: Relating to local government.	58								
193. Representatives Zimmerman, Bottiger and Smythe: Pertaining to boards of equalization and assessment procedures.	58	279							
194. Representatives Perry, Williams, Scott, Bluechel, Martinis and King: Providing for the location and regulation of thermal power facilities.	58								

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205. Representative Leland: Providing for acquisition of land for parks, recreation, scenic and other public purposes	60								
206. Representative Leland: Relating to the acquisition of real property for public use.	60								
207. Representatives Gallagher, May and Williams: Relating to police retirement and benefits.	60								
208. Representative Leland: Relating to Puget Sound transportation	60								
209. Representatives Kirk, Hurley and Chatalas: Relating to public assistance.	60								
210. Representatives Harris, Chatalas and Julin: Creating a state board of examiners for licensing of nursing home administrators.	60	159	205						
210. (Substitute) By Committee on Business and Professions: Providing for the licensing of the administrators of nursing homes.			205, 212		205,	206, 212			
211. Representative Clarke (George W.): Pertaining to civil procedure.	60								
212. Representative Farr: Relating to public health and welfare.	60								

213. Representative Farr: Relating to public health and welfare.	60								
214. Representative Fleming: Pertaining to public contracts.	60								
215. Representatives Kopet and Haussler (by State Auditor request): Establishing salary funds and claims funds for counties.	61	129	206	206					
216. Representatives McCaffree, Murray and Bledsoe (by Department of Revenue request): Changing provisions of excise tax statutes.	61	230							
217. Representative Gladder: Pertaining to taxation and revenue by state and local governments.	61	172							
217. (Substitute) By Committee on Revenue and Taxation: Pertaining to taxation and revenue by state and local governments.		172							
218. Representative Clarke (George W.): Making certain changes in search warrants and arrest warrants.	61	165							
219. Representative Randall: Relating to public health and welfare.	61								
220. Representative Grant: Pertaining to public hospital districts.	61	159	206						
220. (Substitute) By Committee on Public Health and Welfare: Establishing procedures for the sale of surplus public hospital property.			206	206	321	322	348	S. 489	
								CH. 7, '70 Ex	
221. Representative Grant: Pertaining to revenue and taxation.	61								
222. Representative Fleming: Pertaining to discrimination.	61								
223. Representative Clarke (George W.): Relating to larceny.	61								

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224. Representative Flanagan: Pertaining to natural resources.	61								
225. Representative Wojahn: Permitting females totally disabled, retired under public or private retirement plan, to claim exemption.	62								
226. Representative Beck: Relating to motor vehicle speed.	62	172	223	223					
227. Representative Leland: Relating to highways.	62								
228. Representative Murray: Authorizing counties to impose a use tax on motor vehicles.	62								
229. Representatives Thompson, Smythe and Marsh: Allowing the deposit of certain material removed for harbor and channel improvement on private land.	62								
230. Representative Clarke (George W.): Changing the duties of prosecuting attorneys in regard to divorce actions.	62								
231. Representative Bledsoe: Relating to thermal power.	62								

			274,										
			296, 323,			274, 296,							
			340, 389,			323, 340,							
232. Representative Murray: Repealing B & O exemption as to financial institutions.	62	172	463, 503	.....		389, 409	.....					
232. (Substitute) By Committee on Revenue and Taxation: Repealing B & O exemption as to financial institutions.			503		504		517	522	523	S. 560			
										CH. 101, '70 Ex			
233. Representative Bledsoe: Relating to thermal power.	62												
234. Representatives Brouillet, Fleming and Sprague: Providing moneys to continue certain day care centers in King county.	62												
235. Representatives Perry and Litchman: Making temporary one-half cent increase in sales tax to provide funds for public assistance and relief for unemployed.	62												
236. Representative McCaffree: Establishing compensation for the board of tax appeals.	63	159	300	.....		159	.....					
237. Representatives Adams and Swayze: Pertaining to the organization and operation of miscellaneous and mutual corporations.	63	159	207	207	.....	391	423	430	S. 560				
										CH. 78, '70 Ex			
238. Representative Backstrom: Pertaining to insurance.	68												
239. Representatives Smythe, Fleming and Sprague: Relating to public contracts.	63	182	223, 226	227	223								
240. Representatives Backstrom and Chatalas: Relating to liquor control.	63												
241. Representatives McCaffree, Murray and North (by Department of Revenue request): Making technical changes in state net income tax provisions.	63	349											

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242. Representatives Lynch, Brouillet, Smythe, King and Litchman (by Council on Higher Education request): Relating to the commission on higher education.	63	168	223	223					
243. Representative Clarke (George W.): Pertaining to the administration of justice.	64								
244. Representatives Pardini, Kuehnle and Richardson: Relating to licensing and safety.	64								
245. Representative Sawyer: Providing for certain requirements to be displayed on public printing.	64								
246. Representatives Bagnariol, Kuehnle and Sprague: Providing for payment by state of reimbursable costs of removing utilities on highways.	64								
247. Representatives Bagnariol and Murray: Relating to revenue and taxation.	64								
248. Representatives Ceccarelli, Kopet and Rosellini: Providing for acceptance of certain certificates of successful examination or proficiency in lieu of taxing examinations for certain healing professions.	64								

249. Representatives Hoggins and Randall (by Superintendent of Public Instruction request): Providing of grants to certain school districts after reorganization.	64	230	.....	.....	230	.....	.....	.....	.....	.....
250. Representative Leckenby: Pertaining to housing...	64	.....	.....	.....	.....	.....	.....	.....	.....	.....
251. Representatives King, Smythe and Kiskaddon: Providing for deferred retirement allowances.	64	129	207	208	92	391	423	430	S. 560	CH. 79, '70 Ex
252. Representative Chatalas: Pertaining to the department of health.	64	.....	.....	.....	.....	.....	.....	.....	.....	.....
253. Representatives Lynch, Sprague and Goldsworthy: Authorizing increases in tuition and incidental fees for institutions of higher education.	65	113	336, 385, 421	421	92, 386, 385, 409	473	503	523	S. 560	CH. 102, '70 Ex
254. Representatives Fleming, Smythe and Sprague: Relating to the board against discrimination.	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
255. Representative Murray: Relating to alcoholic beverage control.	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
256. Representative Murray: Relating to business and professions.	65	.....	.....	.....	.....	.....	.....	.....	.....	.....
257. Representatives Flanagan, Amen, Richardson, Schumaker, Hatfield and Kuehnle: Relating to property taxation.	66	.....	.....	.....	.....	.....	.....	.....	.....	.....
258. Representatives Smythe, Fleming and Sprague: Relating to discrimination.	67	165	208	.....	.....	.....	.....	.....	.....	.....
258. (Substitute) By Committee on Judiciary: Establishing the "Human Rights Commission." ....	.....	.....	208	208	.....	.....	.....	.....	.....	.....
259. Representative Whetzel: Pertaining to highways...	67	.....	.....	.....	.....	.....	.....	.....	.....	.....
260. Representative Leland: Relating to toll facilities. ...	67	.....	.....	.....	.....	.....	.....	.....	.....	.....
261. Representatives Kirk, Hurley and Chatalas: Relating to state government and making an appropriation.	67

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NUMBER, AUTHOR AND SUBJECT	Introduction, First Reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
262. Representatives McCaffree, Bledsoe, Copeland, North, Wanamaker, Leckenby, Zimmerman, Conway, Farr, Kiskaddon, Murray, Brown and Harris: Relating to unemployment compensation.		67							
263. Representatives Kuehnle, Bottiger, Richardson, Pardini, Evans, Kirk, Bagnariol, Schumaker, Hurley, Benitz, Flanagan, Spanton, Conway, Hatfield, Gladder, Ceccarelli, Litchman and Bozarth: Revising procedure for enjoining sale or exhibition of obscene or erotic material.		68							
264. Representative Whetzel: Pertaining to highways. ...		68							
265. Representative Ackley: Establishing a tax upon net assets of banks and savings and loan associations for the support of state government.		68							
266. Representative Murray: Granting the University of Washington power to negotiate the payment due for the services rendered by Seattle to the metropolitan tract.		68							
267. Representative Flanagan: Pertaining to water resources.		68							
268. Representative Murray: Allowing all institutions of higher education to provide protective services by contract with municipalities.		68							

269. Representatives Smythe, Fleming and Sprague: Relating to public contracts.	68				
270. Representatives Randall and Adams: Providing for the proper regulation of all types of insurance prepaid medical plans.	68				
271. Representatives Sprague and Fleming: Imposing an additional one cent per ounce tax upon liquor to be used for public assistance purposes.	68	129	274, 296, 323, 325	274, 296, 323, 325	
272. Representative Pardini: Requiring applications for individual life or disability insurance to be signed by licensed agent.	69				
273. Representatives Richardson and Kuehnle: Pertaining to the business and occupation tax as applied to real estate brokers.	69	304	336, 384	384	336
274. Representative Whetzel: Relating to cities.	69				
275. Representatives Merrill and Smythe: Relating to the purchase of certain metals.	69				
276. Representatives Swayze, Brouillet, Marzano, Jueling, Sawyer, Shera, Adams and Wojahn: Providing for the financing and construction of public buildings.	69				
277. Representatives Lynch, King and Grant: Relating to a joint vocational study.	69			92	
278. Representatives Thompson, Flanagan and Zimmerman: Defining "water" to include salt and saline waters.	69	139	209	242	209
279. Representatives Lynch, King and Smythe: Relating to community colleges.	69				
280. Representatives Lynch, King and Smythe: Relating to community colleges.	69				

SUBJECT AND HISTORY OF HOUSE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Introduction, First reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
281. Representatives Lynch, King and Smythe: Relating to community colleges.	69								
282. Representatives Lynch, King and Smythe: Relating to community colleges.	69								
283. Representative Richardson: Relating to taxation and revenue.	69								
284. Representatives Thompson and Murray: Pertaining to revenue and taxation.	70								
285. Representatives Spanton, Benitz, McCormick, Gallagher, Kalich and Kink: Relating to bingo, card rooms, mechanical devices and trade stimulants. . .	70								
286. Representatives Sprague and Fleming: Relating to discrimination in employment.	70								
287. Representative Thompson: Pertaining to foreign shore.	70								
288. Representative Williams: Creating and providing for the operation of community school programs...	70								
289. Representative Spanton: Relating to firemen and fire dispatchers.	70								

290. Representatives Randall and Adams: Providing for the proper regulation of all types of health insurance.	70								
291. Representative Flanagan: Pertaining to natural resources.	70								
292. Representative Williams: Pertaining to communications.	70	160	209	210					
293. Representatives Schumaker, Morrison, Jueling, Benitz, Anderson, Barden, Conway, Kuehnle, Wanamaker, Mentor, Haussler, Gladder, Jolly, Gallagher and Smythe: Establishing new definitions within the explosive law.	70	168	225	225	347	409	411	S. 559 CH. 72, '70 Ex	
294. Representatives King, Lynch, Shinpoch and Grant: Allowing drug addicts to seek voluntary treatment.	71								
295. Representative Clarke (George W.): Pertaining to crimes and criminal procedure.	71	183	248	248	391	423	430	S. 560 CH. 80, '70 Ex	
296. Representatives Backstrom and Richardson: Relating to real estate brokers and salesmen.	71								
297. Representatives Gallagher and May: Relating to the practice of optometry.	71								
298. Representative Kuehnle: Pertaining to abandoned irrigation district properties.	71								
299. Representative Hoggins: Relating to education.	71								
300. Representatives Hoggins, Randall and Kopet (by Superintendent of Public Instruction request): Abolishing present and prohibiting new nonoperating school districts.	71	160							
301. Representatives Hoggins and Richardson (by Superintendent of Public Instruction request): Relating to education.	71								

SUBJECT AND HISTORY OF HOUSE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	<i>Introduction, First reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Reported from Senate</i>	<i>Signed by Speaker</i>	<i>Signed by President of Senate</i>	<i>Action by Governor</i>
302. Representative Leckenby: Relating to public institutions.	71								
303. Representative Ackley: Establishing a state sales tax on personal services.	71								
304. Representatives Wanamaker, Berentson, Randall, Mentor, Beck, Leland, Cunningham, Perry and Conner (by Executive request): Relating to toll facilities and financing.	71	117	134	135, 407	407	407	423	430	558 P. V. CH. 85, '70 Ex
305. Representatives King, Lynch, Shinpoch, Grant and Marsh: Establishing procedures to allow voluntary commitment by drug addicts.	72				96				
306. Representative Evans: Prescribing age qualifications for certain purposes.	72								
307. Representative Savage: Setting minimum salaries for teachers.	72								
308. Representative Leland: Relating to highways.	72								
309. Representative Farr: Relating to public health.	72								
310. Representative Leland: Relating to highways.	72								
311. Representative Leland: Relating to motor vehicles.	72								

312. Representative Goldsworthy (by State Building Authority request): Providing for the efficient organization and for the effective operation of the state building authority.	72	172	376	118				
312. (Substitute) By Committee on Appropriations: Providing for efficient organization and for the effective operation of the state building authority.			376	377	473	503	523	S. 560 CH. 103, '70 Ex
313. Representative Farr: Licensing of nursing home operators.	72							
314. Representative Leckenby: Relating to public institutions.	72							
315. Representatives Kink, Wanamaker, Martinis, Savage, Backstrom, Mentor, King and Conner: Requesting feasibility study and preliminary design for highway tunnel under Admiralty Inlet.	72							
316. Representatives Cunningham and Conway: Relating to elections.	73	184						
317. Representatives Smythe, Fleming and Sprague: Pertaining to discrimination.	73							
318. Representative Goldsworthy (by State Building Authority request): Authorizing temporary loans from funds in the state treasury to the building authority for capital construction projects at the institutions of higher education.	73	172	377					
318. (Substitute) By Committee on Appropriations: Authorizing temporary loans from funds in the state treasury to the building authority for capital construction projects at the institutions of higher education.			377	377	473	503	523	S. 560 CH. 104, '70 Ex
319. Representative Cunningham: Providing property tax exemption for disabled women over 62 years of age.	73							

SUBJECT AND HISTORY OF HOUSE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Introduction, First Reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
320. Representative Savage: Extending public employees' retirement coverage to employees of profit or nonprofit consulting firms under contract with municipal research council.	73								
321. Representatives Randall, Murray, Thompson, Wanamaker, Williams, Pardini, McCormick, Grant, Swayze and Zimmerman: Establishing major land use districts.	73				164				
322. Representative Perry: Relating to data processing.	73								
323. Representative Perry: Relating to data processing.	73								
324. Representative Ackley: Relating to crimes and criminal procedure.	73								
325. Representative Ackley: Relating to crimes and criminal procedure.	73								
326. Representatives Bledsoe, Chatalas, Shera, Leckenby, Charette and Pardini: Permitting state agencies, municipalities and fiduciaries to invest in "A" rated bonds of specified institutions.	73	165	210	210, 439	149, 439	438	447	463	S. 560 CH. 93, '70 Ex
327. Representatives Kink and Kalich: Pertaining to the regulation of gambling.	74								
328. Representatives Farr, Veroske and Kink: Pertaining to milk.	74								

329. Representatives Clarke (George W.) and Kuehnle: Revising procedure for enjoining the sale or exhibition of obscene or erotic materials.....	74
330. Representatives Morrison, Smythe, Bledsoe, Curtis, Flanagan, Wolf, Copeland, Shera, Juelling, Chapin, Newhouse, Harris and Kopet: Relating to workmen's compensation.	74
331. Representatives Charette and Marsh: Relating to law enforcement officers and firemen.	74
332. Representative Bottiger: Relating to tax refunds and senior citizen property tax exemptions.	74

SUBJECT AND HISTORY OF HOUSE JOINT MEMORIALS

NUMBER, AUTHOR AND SUBJECT	<i>Introduction First Reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Received from Senate</i>	<i>Signed by Speaker</i>	<i>Signed by President of Senate</i>
1. Representative Grant: Repealing Washington's request for a constitutional convention.	27							
2. Representatives Kink, Veroske and Farr: Requesting Blaine Peace Arch commemorative stamp and inviting President Richard M. Nixon to attend 50th anniversary celebration.	43	165	210	211		291	291	321
3. Representatives Charette, Chatalas, Goldsworthy, Anderson, Gallagher, Swayze, King, Conner, Merrill, Kink, Kalich, Hurley, O'Brien, Bozarth, Cunningham, Haussler, Moon, Backstrom, Wojahn, Copeland, Fleming, Newhouse, Martinis, Jastad, Adams, Rosellini, Bottiger, Bagnariol, Marzano, May, Wolf, Brouillet, Richardson, Farr, Ceccarelli, Sawyer, Ackley, McCormick and Randall: Petitioning the President, Congress, and the Department of State to undertake more determined efforts in support of captured American men and those missing in action.	43	165	190	190		291	291	321

SUBJECT AND HISTORY OF HOUSE JOINT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Introduction, First Reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Received from Senate	Signed by Speaker	Signed by President of Senate
1. Representatives Clarke (George W.), Kopet, Barden, Pardini, Shera, Gladder, Bozarth, Hurley, Flanagan and Spanton: Limiting any income tax to five percentum of income taxed by constitutional amendment.	27							
2. Representatives Kalich, Beck and Hubbard: Amending the Constitution to allow legislative control of gambling and lotteries.	27				523			
3. Representatives Copeland, Chatalas, Conner, Ceccarelli, Merrill, Beck and Litchman: Providing for annual sessions of the legislature.	27							
4. Representatives Grant, King, Ceccarelli, Litchman, Wojahn, Beck, Conner, Fleming, Sprague, Hubbard, Charette, Perry, Backstrom, Williams, Adams, Shinpoch, Chatalas and Savage: Allowing 18-year-old persons to vote.	27							
5. Representatives Swayze, Ceccarelli, Brown, Bledsoe, Bluechel, Chapin, Clarke (George W.), Curtis, Kiskaddon, Kopet, Leckenby, Mahaffey, Murray, Pardini, Merrill and Litchman (by Executive request): Amending Constitution to require annual sessions of the legislature.	27	106	249	249				

SUBJECT AND HISTORY OF HOUSE JOINT RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	<i>Introduction First Reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Received from Senate</i>	<i>Signed by Speaker</i>	<i>Signed by President of Senate</i>	
6. Representatives McCaffree, Charette, Bledsoe, Backstrom, Ceccarelli, Cunningham, King, Kiskaddon, Leckenby, Marsh, Murray, Smythe, Grant and Chatalas (by Executive and Secretary of State request): Proposing constitutional amendment to lower voting age to eighteen years.	27	84	97	100	99	347	349	392	.....
7. Representatives Litchman, Murray, Copeland, Beck, Bottiger, Gallagher, Anderson, Kalich, Kink, Bagnariol, Rosellini, Kuehnle and Marzano: Delet-ing prohibition against lotteries.	31	.....	.....	.....	.....	.....	.....	.....	.....
8. Representatives Bledsoe, Kuehnle, Conway, Swayze, Bluechel, North, Amen, Chapin, McCaffree, Lynch, Veroske, Farr, Murray, Clarke (George W.), Kopet, Wanamaker, Hawley, Gladder, Mentor, Curtis, Pardini, Leckenby, Shera, Zimmerman, Copeland and Mahaffey (by Legisla-tive Council request): Changing the procedure for amending the Constitution.	31	106	122	137	.....	.....	.....	.....	.....

<p>9. Representatives Bozarth, Veroske, Jolly, Hurley, Conner, Bledsoe, Marsh, Hubbard, Richardson, Goldsworthy, Lynch, May, Haussler, Gallagher, Backstrom, Barden, Pardini, Spanton, Benitz, Gladder, Wanamaker, Hatfield, Randall, Anderson, Jastad, Ceccarelli, Merrill, Beck, Rosellini, Bagnariol, Copeland, Hawley, Harris, Clark (Newman H.), Curtis, O'Dell, Berentson, Flanagan, Swayze, Morrison, Adams, Clarke (George W.), Kink, Amen, Savage, Martinis, O'Brien, Kalich, Juelling, Shera, McCormick, Shinpoch and Fleming: Providing for an assessed valuation of 25% of the true and fair value of property.</p>	<p>43</p>
<p>10. Representatives Fleming, Haussler and Sprague: Amending Constitution of state to extend voting rights to Indians.</p>	<p>43</p>
<p>11. Representative Evans: Proposing constitutional amendment lowering voting age to eighteen on graduated time and age basis.</p>	<p>74</p>
<p>12. Representative Bluechel: Proposing an amendment to the state Constitution.</p>	<p>74</p>
<p>13. Representative Swayze: Proposing an amendment to the state Constitution.</p>	<p>74</p>
<p>14. Representative Copeland: Rewriting Article II of the Washington state Constitution on the legislature.</p>	<p>75</p>
<p>15. Representative Copeland: Rewriting Article III of the Washington state Constitution on the executive branch.</p>	<p>75</p>
<p>16. Representative Copeland: Rewriting Article IV of the Washington state Constitution on the judiciary.</p>	<p>75</p>

SUBJECT AND HISTORY OF HOUSE JOINT RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	<i>Introduction First Reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Received from Senate</i>	<i>Signed by Speaker</i>	<i>Signed by President of Senate</i>
17. Representative Copeland: Rewriting Article V of the Washington state Constitution on impeachment.	75							
18. Representative Copeland: Rewriting Article VI of the Washington state Constitution on elections.	75							
19. Representative Copeland: Rewriting Article IX of the Washington state Constitution on education. ...	75							
20. Representative Copeland: Rewriting Article XI of the Washington state Constitution on local government.	75							
21. Representatives Copeland and Bottiger: Rewriting Article XXII of the Washington state Constitution on legislative apportionment.	75							
22. Representative Copeland: Rewriting Article XXIII of the Washington state Constitution on amendments and revisions.....	75							
23. Representatives Hubbard, Harris and Copeland: Requiring all judges of courts of record to be paid by the state.	75							

SUBJECT AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Introduction, First reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
1. Representative Bledsoe: Notifying Governor that the legislature is organized.	6			6	7	11	27	34	
2. Representative Bledsoe: Joint session to receive Governor's message to the legislature.	7			7	7	11	27	34	
3. Representatives Fleming, Sprague and Whetzel: Commemorating the birthday of Dr. Martin Luther King, Jr.	44			44	44				
4. Representatives Harris, May, Pardini, Richardson, Hurley, Saling, Kopet, Gladder, Kuehnle and McCormick: Commending development of Spokane Centennial celebration.	49			50					
5. Representatives Sprague, Lynch, Zimmerman, Brouillet, Fleming, King and Litchman (by Urban Affairs Council request): Directing a review of teacher preparation program of public and private institutions of higher education.	75	130	211	211					
6. Representative Conway: Providing for study on price structure of gasoline and petroleum throughout areas of state.	75	161	211	212					
7. Representative Backstrom: Directing a study of the impact of recently announced welfare restrictions.	75								

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NUMBER, AUTHOR AND SUBJECT	Introduction, First reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Reported from Senate	Signed by Speaker	Signed by President of Senate	Action by Governor
8. Representatives Copeland and Charette: Limiting special session to thirty-two days.	447	447	447	447	448	472	473 .....	.....
9. Representative Bledsoe: Appointing committee to notify Governor legislature is about to adjourn <i>sine die</i>	520	520	520	520	522	522	523 .....	.....

SUBJECT AND HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	<i>Introduction</i>	<i>Adopted</i>	<i>Rejected</i>	<i>Other Action</i>
70-1 Representative Bledsoe: Adopting temporary rules of the 41st Second Extraordinary Session.	5	6	.....	.....
70-2 Representative Bledsoe: Notification to the Senate that the House is organized.	6	6	.....	.....
70-3 Representative Bledsoe: Weekly payment of members and employees authorized.	6	6	.....	.....
70-4 Representatives O'Brien, Perry, Chatalas, Fleming, Williams, Litchman, Ceccarelli, McCaffree, Ackley, Murray, Kirk, Clark (Newman H.), Mahaffey, Hawley, North, Bagnariol, Sprague, Leckenby, Merrill, Whetzel, Scott and Rosellini: Seattle school district special levy approval urged.	31	31	.....	.....
70-5 Representatives Newhouse, Jolly, Haussler, Wolf and Moon: Requesting the Legislative Council to study policies of federal and state agencies operating recreation projects.	44	44	.....	.....
70-6 Representative Berentson: Expressing sorrow on death of Mrs. Ann H. Wolford.	44	44	.....	.....
70-7 Representatives O'Brien, Chatalas, Charette, Bottiger, Thompson, DeJarnatt, Shinpoch, Williams, Hurley, McCormick, Randall, Jolly, Anderson, Martinis, Jastad, Adams, Kalich, Marzano, Wojahn, Ackley, King, Brouillet, Savage, May, Bozarth, Litchman, Beck, Moon, Marsh, Merrill, Haussler, Ceccarelli, Grant, Kink, Fleming, Gallagher, Sprague, Murray, Amen, Rosellini, Bagnariol, Bledsoe, Morrison, Wanamaker, Schumaker, Richardson, Farr, Cunningham and Kuehnle: Expressing sorrow over death of Dwight L. Spracher.	83	88	.....	.....
70-8 Representatives Bottiger, Wojahn and Chatalas: Urging rescinding of public assistance regulation affecting recipients eligible for unemployment compensation.	107	.....	107	.....
70-9 Representatives North, Chatalas and Pardini: Directing study of present day care facilities in state.	107	107

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SUBJECT AND HISTORY OF HOUSE FLOOR RESOLUTIONS—Continued

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NUMBER, AUTHOR AND SUBJECT	Introduction	Adopted	Rejected	Other Action
70-10 Representatives Conner, Savage, Zimmerman, O'Dell, Marsh and Smythe: Commending Crown Zellerbach Corporation on its 100th anniversary.	108	108
70-11 Representatives Backstrom and Charette: Authorizing study of methodology for procedural retrocession of state civil and criminal jurisdiction over Indians.	108	108	.....	.....
70-12 Representatives Amen, Benitz, Newhouse, Haussler, Jolly, Schumaker, Moon, Bozarth, Wanamaker, Morrison and Farr: Paying tribute to Bert L. Brown for leadership in vocational agriculture.	108	109	.....	.....
70-13 Representative Evans: Mourning death of David O. McKay, president of the Church of Jesus Christ of Latter-Day Saints.	109	109	.....	.....
70-14 Representatives Mentor, Wanamaker, Randall and Beck: Commending Debbie Amos for courage and heroism in two rescues.	109	110	.....	.....
70-15 Representatives Berentson, Haussler, Bozarth and Veroske: Requesting release of federal funds allocated for construction of North Cross-state Highway.	110	110	.....	.....
70-16 Representatives Mentor, Perry, O'Dell, Barden, Hubbard, Murray, Merrill, Bagnariol, Gallagher, Leckenby, Marsh, Newhouse, Juelling, Berentson, Ceccarelli, Hawley, Jolly, Brown, Cunningham, Wanamaker, Wolf, Clark (Newman H.), Mahaffey, Haussler and Conway: Commending efforts of state and local government officials to retain Seattle Pilots	141	141	.....	.....
70-17 Representatives Bottiger, Grant, McCormick, Martinis, Perry, Moon, Wojahn, Hurley, Jolly, Backstrom, Anderson, Hatfield and Gladder: Urging suspension of paid staff educational programs of Public Assistance Department.	161	162

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70-17	(Substitute) By Committee on Appropriations: Requesting examination of government stipends, sabbaticals and other leave policies and regulations.	348	348
70-18	Representatives Marsh, Zimmerman, Smythe, Hawley and O'Dell: Requesting restoration of federal funds cut from Columbia River fisheries program.	163	163	.....	.....
70-19	Representatives Conner, Kink, Barden, Grant, Curtis, Pardini, Bledsoe, Hatfield, Bagnariol, Bottiger, Marsh, DeJarnatt, Randall and Fleming: Commending Jaycees for fifty years of civic service.	163	163	.....	.....
70-20	Representatives Brouillet and Smythe: Directing Secretary of State to conduct a study of minority voting problems.	170	171	.....	.....
70-21	Representatives Farr, Kink, Amen, Moon, Haussler, Morrison, Veroske and Benitz: Authorizing study by Legislative Council of milk pooling among producers.	171	171	.....	.....
70-22	Representatives Hoggins, Kuehnle, Kopet, Cunningham and Wolf: Instructing Superintendent of Public Instruction to develop presentation of anticipated costs of school informational needs and a coordinated automated information system.	266	273	.....	267, 272
70-23	Representatives Conway, Cunningham, Wolf, Mentor, Randall, Curtis, Pardini, Lynch, Goldsworthy and Savage: Expressing appreciation to Thurston County service clubs and organizations for hospitality.	267	268	.....	.....
70-24	Representatives Berentson and Kink: Challenging Legislators to March of Dimes benefit basketball game with Capitol Press Corps.	268	268	.....	.....
70-25	Representatives Smythe, Thompson and Zimmerman: Directing study of higher education nonresident fees.	268	268	.....	.....
70-26	By Committee on Labor and Employment Security: Directing investigation of problem of nonpayment of wages by employers.	273	273	.....	.....
70-27	Representatives Shera, Bottiger, Wojahn, Adams, Swayze, Marzano, Conway, Brouillet, Wolf, Sawyer and Juelling (by Executive request): Congratulating the Tacoma Youth Symphony on selection to attend the International Festival of Youth Orchestras in Switzerland.	291	291	.....	.....
70-28	Representatives Brown, Smythe, Zimmerman, Copeland and Haussler: Authorizing study of local government operational and capital financial needs by Legislative Council.	392	392	.....	.....

SUBJECT AND HISTORY OF HOUSE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	<i>Introduction</i>	<i>Adopted</i>	<i>Rejected</i>	<i>Other Action</i>
70-29 Representatives Sprague, Leckenby, Brown, Barden, Zimmerman, Clark (Newman H.), Brouillet, DeJarnatt, Charette, Thompson and Merrill: Requesting federal legislation to implement research and development program for "smogless cars".	392	393	.....	.....
70-30 Representatives Conner and Savage: Commending Mrs. Mary Tozier for her courage and heroism in saving three persons from drowning.	393	393	.....	.....
70-31 Representatives Chatalas, O'Brien, Merrill, Sawyer, Sprague, Fleming, Rosellini, Marsh, Perry, Jolly, Kalich, Kink, Bagnariol, Brouillet, Grant, Litchman, Gallagher, Anderson, Wojahn, Williams, Martinis, Adams, McCormick, Jastad, Savage and Ceccarelli: Inviting Boston Patriots professional football team to utilize University of Washington stadium.	292	293	.....	.....
70-32 Representatives Bledsoe, Chatalas, DeJarnatt, Wolf, Gladder and Kopet: Calling for a study of licensure laws by Legislative Council.	393	394	.....	.....
70-33 Representatives Anderson, Charette, Hawley, Mahaffey, Kirk and King: Commending all responsible for success of Sea Resources Project for dedication and cooperation.	394	394	.....	.....
70-34 Representatives Smythe, Thompson, Zimmerman and O'Dell: Calling for study to determine impact on counties by exempting certain personal property from tax.	394	395	.....	.....

70-35	Representatives Bluechel, Thompson, Adams, Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bottiger, Brouillet, Brown, Chapin, Charette, Clark (Newman H.), Clarke (George W.), Conway, Copeland, Cunningham, DeJarnatt, Evans, Farr, Flanagan, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hawley, Hoggins, Hubbard, Jastad, Julin, Kalich, Kirk, Kiskaddon, Kopet, Kuehnle, Leckenby, Leland, Lynch, Mahaffey, Marsh, Marzano, May, McCaffree, McCormick, Mentor, Merrill, Morrison, Murray, Newhouse, North, O'Brien, O'Dell, Pardini, Perry, Randall, Richardson, Rosellini, Saling, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Sprague, Swayze, Wanamaker, Whetzel, Williams, Wolf, Wojahn and Zimmerman: Requesting review policies relating to condominium development on Forest Service lands.	395	396	.....	.....
70-36	Representatives Beck, Copeland and O'Brien: Authorizing study of proposed regional airport district.	396	396	.....	.....
70-37	Representatives Zimmerman and Murray: Reviewing policies associated with all state publications and reports.	396	396	.....	.....
70-38	Representatives Leckenby and Perry: Favoring promotion of shortest, most economical air routes to Orient between Seattle-Tacoma airport and Tokyo.	396	397	.....	.....
70-39	Representatives King, Zimmerman and Brouillet: Authorizing study of school practices in dealing with emotionally and neurologically handicapped children.	397	397	.....	.....
70-40	Representatives Wojahn, Kopet, Kirk and Brouillet: Authorizing study of nutritional status of people of state.	398	398	.....	.....
70-41	Representatives Chatalas, Conner, Moon, Charette, Bozarth, Backstrom, Merrill, O'Brien, Thompson, Kalich, Conway, Farr, Williams, Copeland, Grant and Jastad: Authorizing a study of Nisqually Delta Area as wildlife and game preserve.	398	398	.....	.....
70-42	Representatives Backstrom, Marsh, Chatalas, Shera, Curtis, Kopet, Goldsworthy, Saling and Wolf: Directing study of a legislative post auditing system by Legislative Council. ..	398	399	.....	.....
70-43	Representatives North and Merrill: Charges Municipal Interim Committee to make study of the entire scope of building codes, regulations and their enforcement.	429	429	.....	.....
70-44	Representatives O'Dell and Zimmerman: Memorializing Congress to eliminate veterans pauper oath, annual income statements, and income tax exemptions.	429	430	.....	.....
70-45	Representatives Brouillet and Whetzel: Directing study of extent of problem of married and pregnant women students.	432	432	.....	.....

SUBJECT AND HISTORY OF HOUSE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	<i>Introduction</i>	<i>Adopted</i>	<i>Rejected</i>	<i>Other Action</i>	
70-46	Representatives Evans, Amen, Bozarth, Brouillet, Ceccarelli, Chatalas, Goldsworthy, Hurley, Jastad, Jolly, Kink, Kopet, Kuehne, Litchman, May, McCormick, Morrison, Pardini, Richardson, Saling, Sprague, Wolf and Gladder: Recognizing Boy Scout Week and commending those who work to make programs a success.	432	432	.....	.....
70-47	Representatives O'Brien and Copeland: Requesting easing of federal fiscal and monetary policies causing state economic distress.	432	433	.....	.....
70-48	Representatives Lynch, King, Smythe, Brouillet, Williams, Marsh and Goldsworthy: Authorizing study of deduction from income tax for tuition payments.	433	433	.....	.....
70-49	Representatives Chatalas, Brouillet, King, McCaffree, Lynch, Newhouse and O'Brien: Directing study by Joint Committee on Education on feasibility of legislative program to financially assist children attending independent schools.	433	434	.....	.....
70-50	Representatives Swayze, Cunningham, Richardson, Bluechel and Leckenby: Directing study of lobbyist regulations and statutes.	434	434	.....	.....
70-51	Representatives Lynch and Mentor: Authorizing continuance of Applied Physics Laboratory study pursuant to House Resolution 69-91.	434	434	.....	.....
70-52	Representatives Curtis, Kopet and Hoggins: Requesting study of tuition fee schedules compared with those of sister states.	435	449	.....	435, 449
70-53	Representatives Sprague and Lynch: Directing a study of system charging tuition and fees based on ability to pay.	449	.....	451	451
70-54	Representatives Randall, Scott, Bottiger, Haussler, Smythe, Williams, Thompson, Zimmerman, Brown, Beck and Wanamaker: Requesting study of need for a state land use commission.	450	450	.....	.....

70-55	Representatives Smythe, Julin, Zimmerman, Evans, Chapin and Berentson: Study concerning creation of a reserve fund to finance immediate cleanup of oil spillage.	450	450	.....	.....
70-56	Representatives Hurley, Wojahn, McCormick, Kirk, North, McCaffree and Lynch: Directing study be made concerning a new governor's mansion.	450	450	.....	.....
70-57	Representative Benitz: Extending sympathy to family on death of Kermit McKay and paying tribute to his memory.	451	451	.....	.....
70-58	Representatives Beck, Zimmerman, Veroske, Richardson, Smythe, Kuehnle, Chapin, Evans, Randall and Marsh: Requesting Governor's proclamation of Kiwanis Family Reunion Day.	475	475	.....	.....
70-59	Representatives Hoggins and Richardson: Guaranteeing payment of architectural fees if school building project is not approved.	475	475	.....	.....
70-60	Representatives Randall, Brown and Wojahn: Requesting Legislative Council study of contingent legal fee system relating to damage judgment awards.	475	476	.....	476
70-61	Representatives Chapin, Julin, Zimmerman, Smythe, Shera, Thompson, Berentson and Evans: Requesting study concerning creation of a reserve fund to finance immediate cleanup of oil spillage.	476	.....	.....	477
70-62	Representatives Morrison, Grant and Kuehnle: Requesting Legislative Budget Committee to investigate excessive administrative costs of law enforcement and fire fighters retirement system.	477	477	.....	.....
70-63	Representatives Copeland and O'Brien: Extending gratitude to press, television and radio services.	517	517	.....	.....
70-64	Representatives Copeland and O'Brien: Directing preparation of vouchers for final payment of House expenses and closing business.	518	518	.....	.....
70-65	Representatives Copeland and O'Brien: Indefinitely postponing remaining bills in House.	521	521	.....	.....
70-66	Representatives Copeland and O'Brien: Directing completion of work of Second Extraordinary Session.	518	519	.....	.....
70-67	Representatives Copeland and O'Brien: Notifying Senate that House is about to adjourn <i>sine die</i>	522	522	.....	.....

SUBJECT AND HISTORY OF HOUSE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	<i>Introduction</i>	<i>Adopted</i>	<i>Rejected</i>	<i>Other Action</i>
70-68 Representatives Berentson and Thompson: Requesting Legislative Council study of use and management of seacoast marine lands.	519	519	.....	.....
70-69 Representatives Fleming, Sprague, Ackley, Wojahn and Williams: Directing study of suitable commemoration of Martin Luther King, Jr.'s birthday.	519	520	.....	.....
70-70 Representatives Ackley, Sprague, Wojahn and Zimmerman: Requesting consideration prohibiting transportation of nerve agents through Washington State.	520	.....	520	.....
70-71 All ninety-nine members (by Executive request): Congratulating Gay Keplinger upon betrothal announcement and extending thanks for service to the Legislature.	477	477	.....	.....

SUBJECT AND HISTORY OF SENATE BILLS IN THE HOUSE

NUMBER, AUTHOR AND SUBJECT	<i>Received from Senate</i>	<i>First Reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Signed by President of Senate</i>	<i>Signed by Speaker</i>	<i>Action by Governor</i>
1. Senators Greive, Durkan, Peterson (Lowell), Sandison and Washington: Creating a department of pollution control.	185	185	279	302, 322	323, 498	303, 427, 428, 478, 498	518	522	CH. 62, '70 Ex P. V.
2. Senators Durkan and Greive: Expediting environmental pollution cases in the courts.	140	140	305	340	341	.....	440	440	CH. 41, '70 Ex
4. Senators Durkan, Knoblauch, McCormack, Talley, Dore, Stortini and Keefe: Authorizing compensation for veterans of the Viet Nam conflict.	106	106	.....	.....	.....	.....	.....	.....	.....
7. Senators McCormack and Washington: Deferring retired persons' property taxes.	262	263	391	.....	.....	.....	.....	.....	.....
8. Senators Greive, Bailey, Ridder, Durkan, Stortini, Talley and Dore: Defining terms and establishing pay schedules for unemployment compensation.	229	229	.....	252	260	.....	269	269	CH. 2, '70 Ex
9. Senators Greive, Stortini and Odegaard: Providing workmen's compensation for permanent partial disability.	106	106	.....	.....	.....	.....	.....	.....	.....
10. Senators Greive, Bailey, McCutcheon, Herr, Talley, Dore and Stortini: Providing for increase of benefits under workmen's compensation.	140	141	.....	.....	.....	.....	.....	.....	.....

SUBJECT AND HISTORY OF SENATE BILLS IN THE HOUSE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from Senate	First Reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Signed by President of Senate	Signed by Speaker	Action by Governor
13. Senators McCormack and Washington: Exempting payment of the one percent real estate excise tax for persons incorporating their own property.	448	479	.....	480, 511	512	480-486	518	523	CH. 65, '70 Ex P. V.
15. Senator Walgren: Shortening from one year to six months residency requirement to file divorce complaint.	106	106	270	336	337, 383	337, 382	411	423	CH. 28, '70 Ex
18. Senators Dore and Holman: Providing minor students with capacity to borrow.	169	169	270	276	276	.....	300	322	CH. 4, '70 Ex
19. Senators Dore, Gissberg, Mardesich and Stortini: Establishing day care centers in class AA and class A counties.	391	392	.....	.....	.....	.....	.....	.....	.....
22. Senator McCormack: Enabling owners of destroyed motor vehicles to obtain refund of excise taxes paid.	91	92	288	.....	.....	.....	.....	.....	.....
23. Senator McCormack: Requiring necessary braking equipment on motor vehicles and trailers when sold.	91	92	288	338	.....	338	.....	.....	.....
27. Senators Francis, Durkan and Greive: Relating to the age of majority.	185	185	289	341	341	.....	391	409	CH. 17, '70 Ex
28. (Substitute) By Committee on Natural Resources, Fisheries and Game: Increasing hunting and fishing fees.	130	130	289	338, 385	386	398	411	423	CH. 29, '70 Ex

40. Senators Mardesich, Foley, Atwood and Newschwander (by Legislative Budget Committee request): Pertaining to indebtedness limitations of taxing districts.	263	263	305	342	342	269	440	440	CH. 42, '70 Ex
45. Senators Gissberg, Walgren and Twigg: Relating to salaries of public officials.	140	141	289	370	370	.....	440	440	CH. 43, '70 Ex P. V.
49. Senators Canfield, Sandison, Pritchard, Andersen, Holman, McCormack, Peterson (Ted), Talley, Ridder, Peterson (Lowell) and Greive (by Executive request): Providing for the location and regulation of thermal power facilities.	263	264	305	342	344	.....	440	440	CH. 45, '70 Ex P. V.
52. Senators Faulk, Elicker, Andersen, Peterson (Ted), Day and McCormack (by Executive request): Creating a department of social and health services.	231	231	262	294	324	.....	347	349	CH. 18, '70 Ex P. V.
55. (Substitute) By Committee on Labor and Social Security: Providing procedures to assure that all factory built housing is structurally sound and the components thereof reasonably safe.	231	232	308	345	345	.....	440	440	CH. 44, '70 Ex
58. Senators Greive, Peterson (Ted), Knoblauch and Woodall (by Legislative Council request): Restricting use of waterfront lands and providing for the acquisition of scenic easements.	231	232	399	408, 419, 420, 464	471	409, 419, 421, 465-471	.....	.....	.....
60. Senators Guess, Washington and Atwood: Allowing seventy-five year leases for school purposes.	231	232	270	294	295	.....	440	440	CH. 46, '70 Ex
61. Senators Greive, Williams, Herr, Peterson (Ted), Elicker and Walgren: Authorizing counties to acquire and develop open space and health facilities.	169	169	309	349	349	.....	411	423	CH. 30, '70 Ex
66. Senators Holman, Gissberg and Williams (by Judicial Council request): Regulating fees for transcripts.	106	106	309	371	371	.....	411	423	CH. 31, '70 Ex

SUBJECT AND HISTORY OF SENATE BILLS IN THE HOUSE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from Senate	First Reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Signed by President of Senate	Signed by Speaker	Action by Governor
67. Senators Holman, Francis and Andersen (by Judicial Council request): Providing for the election of the court of appeals judge by position number.	106	107	271	340	340	.....	391	409	CH. 19, '70 Ex
68. Senators Pritchard, Bailey and Holman : Relating to abortion and providing for a referendum.	231	233	262	274	300	275, 301	348	349	CH. 3, '70 Ex
80. (Substitute) By Committee on State Government : Establishing a state-wide drug control unit with the board of pharmacy.	185	186	309	350, 408, 419, 422	352, 422, 516	352, 408, 409, 419, 421, 431, 440, 479, 515	518	523	CH. 63, '70 Ex
81. Senators Twigg and Bailey : Increasing fees of county clerks.	231	233	309	353	353	.....	411	423	CH. 32, '70 Ex
82. Senators Woodall, Twigg, Greive and Cooney : Changing the number of jurors required for a civil verdict from 10 to 9.	149	149	.....	.....	.....	.....	.....	.....	.....
83. Senators Gissberg and Williams : Relating to judicial conference.	231	233	271	.....	.....	.....	.....	.....	.....
85. Senators Atwood, Foley and Mardesich : Adjusting county property tax millage so as to produce the same tax revenue at actual value property assessment.	231	233	309	354, 389	389	274, 354	440	440	CH. 47, '70 Ex

86. Senators Herr, Bailey, Huntley, Lewis (Harry), Andersen and Durkan (by Washington Public Employees' Retirement System request): Providing post retirement adjustments in retirement allowances for public employees' retirement system.	161	161	168	292, 354	292, 354			
87. Senators Lewis (Brian), Andersen and Knoblauch: Establishing Lake Washington State Park and Nature Conservation Area.	231	233						
88. Senators Washington, Henry, Odegaard, Wilson, Durkan, Huntley, Bailey, McCormack, Gissberg, Donohue, McDougall, Woodall, Twigg, Guess, Peterson (Lowell), Sandison and Canfield: Providing for certain high school and nonhigh districts to be declared remote and necessary for state aid purposes.	91	107						
95. Senators Mardesich, Walgren and Andersen: Authorizing sound and video recordings in certain police activities.	185	186	310	371	372	440	440	CH. 48, '70 Ex
99. (Substitute) By Committee on Judiciary: Defining crimes and establishing criminal procedures.	185	186	310	372	373	440	440	CH. 49, '70 Ex P. V.
101. Senators Walgren and Andersen: Establishing procedures and setting requirements for possession of poisonous and dangerous drugs.	185	186	310	373	374	411	423	CH. 33, '70 Ex
103. Senators Day and Woodall: Authorizing disability insurance payments for chiropractic services.	185	186						
105. Senators Odegaard, Newschwander and Foley (by Department of Institutions request): Permitting director of institutions to enter into agreements for providing rehabilitation services.	185	186	289	354, 357	358	354	440	440 CH. 50, '70 Ex P. V.

SUBJECT AND HISTORY OF SENATE BILLS IN THE HOUSE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from Senate	First Reading and Committee Referred	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Signed by President of Senate	Signed by Speaker	Action by Governor
107. Senators Lewis (Brian), Andersen and Ridder: Revising criteria for reimbursement to school districts for safe walkways for pupils.	185	186	271	293	293	.....	391	409	CH. 20, '70 Ex
120. Senators Mardesich and Dore: Prohibiting attorney general from practice of law in his private capacity as attorney.	169	170	.....	.....	.....	.....	.....	.....	.....
121. Senators Stender, Glissberg and Peterson (Ted) (by Department of Labor and Industries request): Revising inspection fees relating to boilers and pressure vessels.	185	186	271	295	295	.....	348	349	CH. 21, '70 Ex
123. (Substitute) By Committee on Ways and Means: Relating to revenue and taxation.	448	455	.....	455, 457	.....	459-461	.....	.....	.....
126. Senators Peterson (Ted), Talley, Stender and Francis: Relating to regulation of elevators, other lifting devices and moving walks.	231	233	271	337	337	.....	391	409	CH. 22, '70 Ex
129. Senators Lewis (Harry), Greive, Atwood and Peterson (Lowell): Providing for per diem for state officers and employees.	169	170	310	354	354	.....	411	423	CH. 34, '70 Ex
130. Senators Talley, Atwood and Bailey: Allowing deposit of certain materials removed for harbor and channel improvement on private land.	161	161	310	355, 374	355, 374	.....	463	472	CH. 54, '70 Ex

132. Senators Bailey, Gissberg and Peterson (Ted): Implementing state teachers' retirement system provisions.	185	186	311	.....	.....	.....	411	423	CH. 35, '70 Ex P. V.
133. (Substitute) By Committee on Commerce and Regulatory Agencies: Providing for a Washington Life Insurance Guaranty Association and setting out powers, duties and functions thereof.	263	264	296	355	356	427, 429	.....	.....	.....
139. (Substitute) By Committee on Natural Resources, Fisheries and Game: Establishing regulations for strip mining to be administered by the department of natural resources.	185	187	311	358	359, 513	427, 429, 475, 513	518	523	CH. 64, '70 Ex P. V.
141. Senators Woodall, Greive, Cooney and Twigg: Creating crimes and penalties for illegal use of credit cards.	149	149	316	360	360	.....	411	423	CH. 36, '70 Ex
144. Senators Durkan, Donohue and Stender: Changing amount of college property exempted from taxation from one hundred to four hundred acres.	263	264	316	360, 367	369	361	463	472	CH. 55, '70 Ex
145. Senators Williams, Ridder and Elicker (by Public Pension Commission request): Providing post retirement benefit increases for fire fighters and police officers.	161	161	300	361	362	.....	411	423	CH. 37, '70 Ex
146. (Substitute) By Committee on State Government: Authorizing interest rates on public bonds and warrants to be determined by the issuing authority.	231, 452, 456	233	289	339	339, 456	452	473	479	CH. 56, '70 Ex
155. Senators Greive, Faulk and Herr: Implementing law providing insurance for employees of state educational institutions.	263	264	317	.....	.....	.....	.....	.....	.....
161. (Substitute) By Committee on Medicine, Dentistry, Public Health, Air and Water Pollution: Providing for the licensing of the administrators of nursing homes.	231	236	289	325	329	261	463	472	CH. 57, '70 Ex P. V.

SUBJECT AND HISTORY OF SENATE BILLS IN THE HOUSE—Continued

NUMBER, AUTHOR AND SUBJECT	<i>Received from Senate</i>	<i>First Reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Signed by President of Senate</i>	<i>Signed by Speaker</i>	<i>Action by Governor</i>
164. Senators Day, Lewis (Harry) and Henry: Creating investment of contractor's retained percentage on public works contracts.	185	187	290	362	362	.....	411	423	CH. 38, '70 Ex
179. Senators Odegaard, Lewis (Harry) and Atwood: Establishing health care programs for state employees.	263	265	317	368	363	274	411	423	CH. 39, '70 Ex
190. Senators Wilson, Donohue, McDougall and Huntley: Relating to livestock.	263	265	.....	.....	.....	.....	.....	.....	.....
191. Senators Elicker and Herr: Setting standards for establishing county commissioner districts.	231	236	317	363	364, 428	427	463	472	CH. 58, '70 Ex
204. Senators Keefe, Twigg and Guess: Relating to Spokane judges.	169	170	271	294	294	.....	348	349	CH. 23, '70 Ex
206. Senators Sandison, Ryder and Wilson: Relating to community colleges.	391	392	435	437	437	.....	473	488	CH. 59, '70 Ex
208. (Substitute) By Committee on Cities, Towns and Counties: Requiring public sale and open bidding on the sale of all state and local bonds.	263	265	.....	.....	.....	.....	.....	.....	.....
216. Senator Durkan: Changing qualifications for those claiming the property tax exemption for senior citizens.	263	265	317	.....	.....	.....	.....	.....	.....

226. (Substitute) By Committee on Highways: Assigning state route numbers to state highways.	231	236	290	339, 386	387	339	440	440	CH. 51, '70 Ex
228. Senator Henry: Providing for appointment of state toxicologist and laboratory funds.	185	187	290	301	302	.....	348	349	CH. 24, '70 Ex
234. Senators Cooney, Marquardt and Peterson (Ted): Changing tax rate on certain spirits.	231	238	.....	.....	.....	.....	.....	.....	.....
236. Senators Greive, Day and Twigg: Providing for acceptance of certain certificate of successful examination or proficiency in lieu of taking examination for certain healing professions.	231	239	.....	.....	.....	.....	.....	.....	.....
243. Senators Elicker, Wilson and Faulk (by Department of Health request): Increasing fees for certified copies of vital statistics records. ...	272	272	290	338	338	.....	391	409	CH. 25, '70 Ex
261. Senators Woodall, Matson and Canfield: Enabling inmates of county or city jail detention facilities to receive public assistance.	185	187	446	446	446	348	473	488	CH. 60, '70 Ex
266. Senator Holman: Stipulating amount employers may withhold from wages.	231	239	318	364	364	.....	463	472	CH. 61, '70 Ex
267. Senators Guess and Cooney: Regulating public or private nonprofit schools which dismantles or substantially changes the form of any motor vehicles.	263	265	291	.....	.....	.....	.....	.....	.....
275. Senators Woodall, Cooney, Gissberg, Durkan, Twigg, Dore, McCormack and Stender: Relating to unfair business practices.	169	170	262	276	277	.....	348	349	CH. 26, '70 Ex
277. Senators Walgren and Twigg: Regulating mobile homes, commercial coaches and/or recreational units.	263	265	271	338	338	269	391	409	CH. 27, '70 Ex
288. Senators Sandison and McCormack: Clarifying the position covered by the definition of faculty appointment as applies to community colleges.	185	187	272	278	278	.....	300	322	CH. 5, '70 Ex

SUBJECT AND HISTORY OF SENATE BILLS IN THE HOUSE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from Senate	First Reading and Committee Referral	Reported from Committee	Second Reading and Amendments	Third Reading and Final Passage	Other Action in House	Signed by President of Senate	Signed by Speaker	Action by Governor
294. (Substitute) By Committee on Cities, Towns and Counties: Relating to cities operating under the optional municipal code.	231	239	318	375	375	.....	440	440	CH. 52, '70 Ex
297. Senators Odegaard, Elicker and Marquardt: Establishing the power of the director of the department of institutions to make rules and regulations concerning facilities, equipment, and personnel of the department.	169	170	291	.....	.....	.....	.....	.....	.....
311. Senators Ryder and Durkan (by State Finance Committee request): Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise funds for outdoor recreational areas and providing for a vote of the people.	263	266	320	365	365	.....	411	423	CH. 40, '70 Ex
315. Senators Ryder and Durkan (by State Finance Committee request): Permitting interest coupons to be used as an instrument of payment.	263	266	320	.....	.....	.....	.....	.....	.....
317. Senators Ryder and Durkan (by State Finance Committee request): Removing the time and interest rate limitations on the sale of capital improvement bonds by the state finance committee to support state institutions and providing for a vote of the people.	263	266	320	365	366, 506	428, 430, 479, 506	518	523	CH. 66, '70 Ex

318. Senators Ryder and Durkan (by State Finance Committee request): Removing the time and interest rate limitations on the sale of bonds by the state finance committee to raise matching funds for water pollution control facilities and providing for a vote of the people.....	263	266	321	366	366	428, 430, 479	518	523	CH. 67, '70 Ex
323. Senators Greive and Woodall (by Joint Committee on Governmental Cooperation request): Pertaining to the deposit and investment of public funds.	263	266	.....	.....	.....	.....	.....	.....	.....
324. Senators Sandison, Lewis (Harry), Atwood, Guess and Washington: Providing for retirement plans for state college employees.	185	187	321	375	375	.....	440	440	CH. 53, '70 Ex

SUBJECT AND HISTORY OF SENATE JOINT MEMORIALS IN THE HOUSE

NUMBER, AUTHOR AND SUBJECT	<i>Received from Senate</i>	<i>First Reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Signed by President of Senate</i>	<i>Signed by Speaker</i>
3. Senators Peterson (Ted), Marquardt, Francis and Greive: Requesting Congress to turn Fort Lawton over to the people of Seattle for development of a park.	91	92	139	277	277	.....	300	322
4. Senators Peterson (Lowell), Talley, Metcalf, Peterson (Ted) and Stortini: Requesting Congress to oppose changes in fishing practices in water offshore from the United States and Canada.	185	188	.....	.....	.....	.....	.....	.....
8. Senator Henry: Urging the disposal of nerve agents and prohibiting the transportation of such agents through the state of Washington. ...	161	161	.....	.....	.....	.....	.....	.....

SUBJECT AND HISTORY OF SENATE JOINT RESOLUTIONS IN THE HOUSE

NUMBER, AUTHOR AND SUBJECT		
6. Senators Walgren, Bailey, Atwood, Keefe, Twigg and Cooney: Deleting prohibition against lotteries.	161	.....
	161	.....
Received from Senate		
First Reading and Committee Referral	161	
Reported from Committee	321	
Second Reading and Amendments	378, 380, 381, 390	
Third Reading and Final Passage	390	
Other Action in House	178, 378, 380, 381	
Signed by President of Senate		.....
Signed by Speaker		.....

SUBJECT AND HISTORY OF SENATE CONCURRENT RESOLUTIONS IN THE HOUSE

NUMBER, AUTHOR AND SUBJECT	<i>Received from Senate</i>	<i>First Reading and Committee Referral</i>	<i>Reported from Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading and Final Passage</i>	<i>Other Action in House</i>	<i>Signed by President of Senate</i>	<i>Signed by Speaker</i>
1. Senators Bailey, Greive, Gissberg, Durkan, Herr, Sandison, Foley, Atwood, Ryder, Andersen, Williams, Twigg, Peterson (Ted), Stender, Lewis (Brian), Ridder and Woodall: Limiting length of second extraordinary session and setting cut-off dates for specific legislative business.	28, 89	32		32	33		46	50
2. Senators Twigg, Day, Guess, Cooney and Keefe: Commending development of Spokane Centennial celebration.	50	51		51	51	50	76	76
6. Senators Bailey, Atwood, Ryder and Greive: Extending time for consideration of revenue and budget measures.	353	353		353	353		392	409

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2nd EX.

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Livestock, shooting, killing, without permission, penalty, HB 183, SB 190, *Sub HB
169, CH. 90 2nd EX.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

AGRICULTURE AND LIVESTOCK—Continued:

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AIR SPACE:

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Liquor stores, sales tax, imposed, HB 20, HB 115.

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Salesmen, beer, wine, certificate of approval, provisions, HB 19.

Taxes, sales, additional, imposed, public assistance allocation, HB 271.

Taxes, sales, additional, imposed, Sub SB 123.

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Highway commission, maintenance operation, *HB 142, CH. 91 2nd EX.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

APPROPRIATIONS—Continued:

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*Indicates bills passed by both House and Senate.

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- Nonprofit, rehabilitation services, institutionalized persons, authorized, *SB 105, CH. 50 2nd EX. P.V.
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- Attorney general, private law practice, prohibited, SB 120.
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- Arrest warrant, existence declaration, payment provision, *Sub SB 90, CH. 49 2nd EX. P.V.

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- Bonds, public, public sale, sealed bids, provisions, Sub SB 208.

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- Nonprofit, charitable organizations, permitted, HB 50, HB 112, Sub HB 50.
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- Peace arch, commemorative stamp, issuance petitioned, *HJM 2.

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- School, state, regular school term, provisions, SB 297, *SB 105, CH. 50 2nd EX. P.V.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- Air pollution review board created, HB 1.
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- Discrimination, renamed, human rights commission, HB 254, Sub HB 258.
- Employees' insurance, created, HB 203, *SB 179, CH. 39 2nd EX.
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- Factory built housing advisory, created, HB 56, Sub HB 56, *Sub SB 55, CH. 44 2nd EX.
- Health, state, membership expanded, HB 53, *SB 52, CH. 18 2nd EX.
- Hospital districts, surplus property, sale, payment, provisions, HB 220, *Sub HB 220, CH. 7 2nd EX.
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- Northwest environmental education center, joint, created, HB 43.
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- Pharmacy, drug control division created, HB 91, *Sub SB 80, CH. 63 2nd EX.
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- Viet Nam veterans bonus, cigarette excise tax, redemption, SB 4, HB 30, *HB 9 VETOED.
- Water pollution control facilities, matching funds, sales, time, interest rate limitations, removed, *SB 318, CH. 67 2nd EX.

*Indicates bills passed by both House and Senate.

BONUSES:

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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*Indicates bills passed by both House and Senate.
 †Indicates resolution passed by House.

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- Appropriations, state, local government, title only bill, HB 144, *HB 173, CH. 99 2nd EX.
- Automobiles, use tax, imposition authorized, HB 93, HB 228.
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- Local improvement installment notes, financial institutions investment, permitted, *HB 326, CH. 93 2nd EX.
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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- Buildings, certain projects, construction authorized, HB 318, *Sub HB 318, CH. 104 2nd EX.
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- Employees, group insurance, employer contribution, limitations removed, SB 155.
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- Taxes, property, exempt acreage, amount increased, *SB 144, CH. 55 2nd EX.
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- Indian affairs, establishment, feasibility study, †HFR 11.
- Solid waste advisory, abolished, duties transferred, HB 47.
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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- Child welfare, day care advisory, membership increased, HB 141.
- Finance, capital improvements, bond sales, time, interest rate limitations, removed, *SB 317, CH. 66 2nd EX.
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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- Water resources advisory, abolished, HB 47, *SB 1, CH. 62 2nd EX. P.V.

COUNTIES:

- Appropriations, state, local government, title only bill, HB 144, *HB 173, CH. 99 2nd EX.
- Automobiles, use tax, imposition authorized, HB 93, HB 228.
- B & O tax, imposition, state tax credit, HB 28.
- Bonds, obligations, interest rate, issuing authority, determination, *Sub SB 146, CH. 56 2nd EX.
- Bonds, public sale, sealed bids, provisions, Sub SB 208.
- Card games, public rooms, licensing, authorized, HB 112.
- Commissioner districts, islands, establishment provisions, *SB 191, CH. 58 2nd EX.
- Economic opportunity act, as amended, participation, HB 71.
- Equalization boards, assessment procedures, general amendments, HB 193, *SB 144, CH. 55 2nd EX.
- Freeze, property tax, exempted, HB 86.
- Gambling, certain forms, nonprofit, authorized, HB 285.
- Gambling, local government authorization, taxation, prohibited, HB 50, HB 112, Sub HB 50.
- Government, financial needs, revenue sources, study, †HFR 28.
- Highways, air space, subsurface rights, use provisions, *SB 61, CH. 30 2nd EX.
- Intermediate school districts, superintendents, salary payments, reimbursement provisions, HB 129.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

COUNTIES—Continued:

- Justice court, act, all counties, inclusion, HB 96.
- Justice court districts, 200,000 population, additional judge, HB 176, *SB 204, CH. 23 2nd EX.
- Local government, Constitution, Article XI, rewritten, HJR 20.
- Local government, title only bill, HB 191, HB 192.
- Motor vehicles, use tax, imposition authorized, HB 93, HB 228.
- Municipal corporations, associations, officers, reports, efficiency recommendations, submission, *HB 63, CH. 69 2nd EX.
- Officials, salary establishment, state census basis, HB 119.
- Open space, park, health, storm water facilities, establishment, development authorized, *SB 61, CH. 30 2nd EX.
- Public works, building projects, local building codes, adherence, HB 89.
- Road improvement districts, resolutions, property frontage footage statement, requirement deleted, *SB 317, CH. 66 2nd EX.
- Salary fund, small counties, establishment provision, HB 215.
- Sales, use tax, imposition authorized, *HB 21, CH. 94 2nd EX. P.V.
- Taxes, personal property, certain exemptions, county impact, study, †HFR 34.
- Taxes, property, actual value assessment, indebtedness limitation calculations, HB 32, *SB 40, CH. 42 2nd EX.
- Taxes, property, actual value assessment, county millages revised, HB 87, *SB 85, CH. 47 2nd EX.
- Taxes, property, tax freeze, exempted, HB 86.
- Taxes, sales, annexations, incorporations, personal property, use, exempted, Sub HB 216, *SB 13, CH. 65 2nd EX. P.V.
- Taxes, sales, use, imposition authorized, *HB 21, CH. 94 2nd EX. P.V.
- Taxes, taxing districts, actual value assessments, indebtedness limitation calculations, HB 32, *SB 40, CH. 42 2nd EX.

COUNTY OFFICERS – ASSESSORS:

- Equalization board, clerk, appointment prohibited, HB 193, *SB 144, CH. 55 2nd EX.
- Property, periodic revaluation, requirements, Sub HB 217.

COUNTY OFFICERS – COMMISSIONERS:

- Districts, establishment, standards, *SB 191, CH. 58 2nd EX.

COUNTY OFFICERS – PROSECUTING ATTORNEYS:

- Divorce cases, service, appearance, requirements revised, HB 230.

COUPONS:

- Interest, payment instrument, use permitted, SB 315.

COURTS: (see also type of court)

- Administrator, salary, supreme court establishment, HB 104.
- Alibi witnesses, defendant use, advance notice required, *Sub SB 99, CH. 49 2nd EX. P.V.
- Appeals, judges, election filing, position number provisions, *SB 67, CH. 19 2nd EX.
- Appeals, superior, judges, election, candidacy voids, special filing provisions, Sub HB 182.
- Divorce, cases, attorneys' fees, court directed payment provision, HB 99.
- Felonies, knowledge concealment, crime, *Sub SB 99, CH. 49 2nd EX. P.V.
- Higher, judges, salaries increased, HB 107.
- Higher, judges, salary adjustment, state per capita personal income basis, HB 106.
- Judicial administration, title only bill, HB 211.
- Judicial branch, Constitution, Article IV, rewritten, HJR 16.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

COURTS—Continued:

Justice, administration, title only bill, HB 243.

Superior, appeals, judges, election, candidacy voids, special filing provisions, Sub HB 182.

Superior, filing fees, certain, increased, *SB 81, CH. 32 2nd EX.

CREDIT:

Installment loan companies, licensing, regulation, HB 130.

CREDIT CARDS:

Use, illegal, penalties, *SB 141, CH. 36 2nd EX.

CREDIT UNIONS:

B & O tax, certain activities, exempted, HB 232.

CRIMES AND CRIMINAL PROCEDURES:

Abortion, pregnancy termination, specified conditions, permitted, *SB 68, CH. 3 2nd EX.

Accused persons, uniform rendition act, HB 95.

Alibi witnesses, defendant use, advance notice required, *Sub SB 99, CH. 49 2nd EX. P.V.

Arrest, warrants, existence declaration permitted, HB 218, *Sub SB 99, CH. 49 2nd EX. P.V.

Credit cards, illegal use, penalties, *SB 141, CH. 36 2nd EX.

Criminals, mentally ill, institutionalized, release procedures, HB 105.

Drugs, poisonous and dangerous, act enforcement, defendants burden of proof, provisions, *SB 101, CH. 33 2nd EX.

Drug users, criminal insanity, defense limitation, HB 199.

Felonies, knowledge concealment, crime, *Sub SB 99, CH. 49 2nd EX. P.V.

Gambling, comprehensive law, HB 50, HB 112, Sub HB 50.

Homicide, negligent, two degrees established, *Sub SB 99, CH. 49 2nd EX. P.V.

Insanity, criminal, drug user, defense limitation, HB 199.

Larceny, by check, minimum amount, increased, HB 223.

Livestock, shooting, killing, without permission, penalty, HB 183, SB 190, *Sub HB 169, CH. 90 2nd EX.

Marijuana, incarcerated offenders, minimum terms, reduced, *HB 295, CH. 80 2nd EX.

Police, video, sound recordings, certain activities, defense availability provision, *SB 95, CH. 48 2nd EX.

Schools, all, disturbances, interference, intimidation, unlawful, penalties, *HB 162, CH. 98 2nd EX.

Title only bill, HB 324, HB 325, *HB 295, CH. 80 2nd EX.

Warrants, existence declaration, arrest permitted, HB 218, *Sub SB 99, CH. 49 2nd EX. P.V.

Warrants, public funds, insufficient funds penalties, exempted, SB 23.

CROWN ZELLERBACH:

Hundredth anniversary, leadership, commended, †HFR 10.

DAIRIES AND DAIRY PRODUCTS:

Milk pooling, title only bill, HB 328, †HFR 21.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

DAY CARE CENTERS: (see also "Child Nurseries")

- Child welfare, day care advisory committee, membership increased, HB 141.
- Facilities, state-wide, legislative council study, †HFR 9.
- King county, operation, appropriation, HB 234.
- Pilot project, class AA, A counties, SB 19.
- Public schools, title only bill, HB 166.

DEAF:

- School, state, regular school term, provisions, SB 297, *SB 105, CH. 50 2nd EX. P.V.

DEBT ADJUSTERS:

- Nonprofit organizations, definition, excluded, *HB 158, CH. 97 2nd EX.

DEBTS AND DEBTORS:

- Taxing districts, indebtedness, actual property value calculations, limitation, HB 32, *SB 40, CH. 42 2nd EX.

DEMONSTRATION CITIES:

- Federal act, participation, city agreements authorized, *HB 164, CH. 77 2nd EX.

DENTISTS AND DENTISTRY:

- Advertising, specific limitations, HB 70.
- Dental disciplinary board, established, HB 14.
- Drugs, dangerous, prescription, possession provisions, *SB 101, CH. 33 2nd EX.

DISABILITY:

- Permanent, partial, workmen's compensation, maximum increased, HB 75, SB 9.

DISADVANTAGED PERSONS: (see also "Handicapped")

- School programs, urban, racial, disadvantaged, provisions, HB 177, *Sub HB 33, CH. 95 2nd EX. P.V.
- Students, weighting, special levy relief funds, school district allocation, HB 27, *HB 13, CH. 86 2nd EX.

DISCRIMINATION:

- Civil rights, law, general revisions, HB 254.
- Human rights commission, established, HB 254, Sub HB 258.
- Public works, contracts, prohibition, reporting provisions, HB 239.
- Title only bill, HB 222, HB 258, HB 317.

DISTRICTS: (see also type of district)

- County commissioner, establishment, standards, *SB 191, CH. 58 2nd EX.
- Employment, title only bill, HB 286.
- Local improvement installment notes, cities, towns, financial institutions investment, permitted, *HB 326, CH. 93 2nd EX.
- Road improvement, county, assessments, interest rate increase, HB 202, *SB 317, CH. 66 2nd EX.

DIVORCE: (see also "Domestic Relations")

- Prosecuting attorneys, service, appearance requirements, revised, HB 230.
- Residency requirement, reduced, *SB 15, CH. 28 2nd EX.

DOMESTIC RELATIONS:

- Attorneys, fees, court directed payment provision, HB 99.
- Divorce cases, prosecuting attorney, service, appearance requirements, revised, HB 230.
- Divorce, residency requirement, reduced, *SB 15, CH. 28 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

DRUGS: (see also "Narcotics")

- Abuse, misuse, student education program, HB 157.
- Addicts, juveniles, voluntary commitment, procedures, HB 294, HB 305.
- Control division, created, HB 91, *Sub SB 80, CH. 63 2nd EX.
- Dangerous, poisonous, prescription, possession provisions, *SB 101, CH. 33 2nd EX.
- Drivers, reckless, under influence, 1st degree negligent homicide, *Sub SB 99, CH. 49 2nd EX. P.V.
- Insanity, criminals, defense limitation, HB 199.
- Marijuana, incarcerated offenders, minimum term, reduced, *HB 295, CH. 80 2nd EX.
- Possession, dangerous, poisonous prescription drugs, provisions, *SB 101, CH. 33 2nd EX.
- State patrol, drug assistance control unit, created, duties, *Sub SB 80, CH. 63 2nd EX.
- Student education program, HB 157.

ECOLOGY:

- Department, created, duties, *SB 1, CH. 62 2nd EX. P.V.

ECONOMIC OPPORTUNITY ACT:

- State, counties, cities, towns, participation, HB 71.

EDUCATION:

- Basic program, school district financial support requirements, study, HB 27, *HB 13, CH. 86 2nd EX.
- Cispus educational center, Randle, environmental education project, *Sub HB 33, CH. 95 2nd EX. P.V.
- Code, corrections, *HB 41, CH. 15 2nd EX.
- Code, new, corrections, HB 123.
- Code, old, repeal completed, *HB 42, CH. 16 2nd EX.
- Community school programs, authorized, HB 288.
- Constitution, Article IX, rewritten, HJR 19.
- Drugs, abuse, student education program, HB 157.
- Employees, governmental, sabbaticals, policies, regulations, study, Sub HFR 17, *Sub HB 33, CH. 95 2nd EX. P.V.
- Equalized opportunities, funds, property tax yield basis, apportionment, HB 146.
- Higher education commission, chairman, qualification, revision, HB 242, *HB 253, CH. 102 2nd EX.
- Higher, title only bill, HB 131, HB 132, HB 133, HB 134.
- Independent schools, students, attendance, financial assistance, study, †HFR 49.
- Informational needs, computer system costs, presentation, †HFR 22.
- Institutions, state, facilities, personnel, certain uses, authorized, SB 297, *SB 105, CH. 50 2nd EX. P.V.
- Loans, minor students, capacity to contract, *SB 18, CH. 4 2nd EX.
- Needy students, community college, criteria, tuition exemption, *SB 206, CH. 59 2nd EX.
- Northwest environmental education center, authorized, HB 43.
- Northwest outdoor laboratory, environmental education project, *Sub HB 33, CH. 95 2nd EX. P.V.
- Public land, school purposes, 75-year leases, permitted, *SB 60, CH. 46 2nd EX.
- School districts, abolished, HB 300.
- School districts, remote, state funds, weighting schedule continuance, HB 11, SB 88.
- School districts, remote, state funds, weighting schedule changed, average excess millage requirement, *HB 13, CH. 86 2nd EX.
- School districts, remote, state funds, weighting schedule changed, *HB 13, CH. 86 2nd EX.
- School districts, small school plants, high schools, weighting schedule, inclusion, HB 29.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

EDUCATION—Continued:

- Sea resources project, success, commended, †HFR 33.
- Teachers, preparation programs, review, HCR 5.
- Title only bill, HB 121, HB 122, HB 124, HB 299, HB 301.
- Tuition, payments, income tax deduction, †HFR 48.
- Vocational rehabilitation, division abolished, duties transferred, HB 53, *SB 52, CH. 18 2nd EX. P.V.

ELECTIONS:

- Campaigns, contributions, expenditures, reporting, HB 64, HB 181.
- Cities, optional municipal code, officials, provisions, *Sub SB 294, CH. 52 2nd EX.
- Cities, optional municipal code, resolution, annexation inclusion, provision, *Sub SB 294, CH. 52 2nd EX.
- Code, corrections, *HB 36, CH. 10 2nd EX.
- Commission, established, HB 64, HB 181.
- Gambling, local option, authorization, HB 25.
- Judges, appeals court, filing, position number provisions, *SB 67, CH. 19 2nd EX.
- Judges, appeals, superior courts, candidacy voids, special filing provisions, Sub HB 182.
- Lotteries, prohibition, repeal, HJR 7, SJR 6.
- Nonpartisan office, candidacy void, special filing provisions, HB 182, Sub HB 182.
- State employees, certain political activities, authorized, HB 172.
- Title only bill, HB 159, HB 160, HB 316.
- Viet Nam bonus, submit to voters, provision, HB 30.

ELECTRICITY – POWER:

- Thermal power plants, location, operation, regulation, HB 49, HB 194, *SB 49, CH. 45 2nd EX. P.V.

ELEVATORS:

- Inspection fees, schedule, establishment, *SB 126, CH. 22 2nd EX.

EMPLOYEES:

- Colleges, state, nonfaculty, retirement program, inclusion, *SB 324, CH. 53 2nd EX.
- Employees, wages, nonpayment, investigation, †HFR 26.
- Garnishment, employer, withholding, amounts, lien, provisions, HB 196, *SB 266, CH. 61 2nd EX.
- Industrial insurance, benefits increased, HB 77.
- Minimum wage, increased, HB 78.
- Public, retirement system, pensions, consumer price index, adjustment provisions, HB 73, SB 86, *HB 46, CH. 68 2nd EX.
- Schools, accumulated sick leave pay, severance pay use, HB 79.
- Schools, colleges, group insurance, employer contribution, limitations, removed, SB 155.
- Schools, colleges, health insurance, employer contribution, limitations, removed, HB 109, HB 136.
- State, certain political activities, authorized, HB 172.
- State, health care insurance, program established, HB 203, *SB 179, CH. 39 2nd EX.
- State, health insurance, employer contribution, limitation removed, HB 109.
- State, insurance, official bonds, acquisition provisions, HB 153.
- State, leave, additional, length of service basis, provisions, HB 152.
- State, per diem, rates, regulation, HB 154, *SB 129, CH. 34 2nd EX.
- State, retirement system, employer contribution rate, changed, HB 73, SB 86, *HB 46, CH. 68 2nd EX.
- Unemployment compensation benefits, rates, computations, general provisions, HB 12, HB 184, HB 262, *SB 8, CH. 2 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

EMPLOYEES—Continued:

Workmen's compensation, benefits increased, HB 76, SB 10.

Workmen's compensation, permanent, partial disability, maximum increased, HB 75, SB 9.

EMPLOYERS:

Employees, wages, nonpayment, investigation, †HFR 26.

Garnishment, employee, withholding, amounts, lien, provisions, HB 196, *SB 266, CH. 61 2nd EX.

State, retirement system, contribution rate, changed, HB 73, SB 86, *HB 46, CH. 68 2nd EX.

Unemployment compensation benefits, rates, computations, general provisions, HB 12, HB 184, HB 262, *SB 8, CH. 2 2nd EX.

EMPLOYMENT:

Discrimination, title only bill, HB 286.

ENDOWMENTS:

State capitol historical association, acceptance authorized, HB 18.

ENVIRONMENTAL QUALITY: (see also "Pollution")

Air pollution review board created, HB 1.

Cispus educational center, Randle, environmental education project, *Sub HB 33, CH. 95 2nd EX. P.V.

Department created, HB 47, *SB 1, CH. 62 2nd EX. P.V.

Department, seacoast, management, provisions, HB 58.

Department, surface mining, regulation, HB 15, *Sub SB 139, CH. 64 2nd EX. P.V.

Ecology, department created, duties, *SB 1, CH. 62 2nd EX. P.V.

Northwest environmental education center, authorized, HB 43.

Northwest outdoor laboratory, environmental education project, *Sub HB 33, CH. 95 2nd EX. P.V.

Open space, land, current usage assessment, HB 22, *HB 26, CH. 87 2nd EX.

Open space, park, health, storm water facilities, establishment, development authorized, *SB 61, CH. 30 2nd EX.

Pollution control department, created, *SB 1, CH. 62 2nd EX. P.V.

Pollution, court cases, expediting requirements, *SB 2, CH. 41 2nd EX.

Smogless cars, research, development, program, †HFR 29.

ESTATES:

Schools, state residential, care, maintenance costs, estate payment provisions, *HB 118, CH. 75 2nd EX.

ETHICS:

Attorneys' code, supreme court adoption, provision, HB 145.

EVERGREEN STATE COLLEGE:

Building, construction, specific approval, time provision, *Sub HB 312, CH. 103 2nd EX.

EXPLOSIVES:

Definitions, certain, revised, *HB 293, CH. 72 2nd EX.

FARMS AND FARMING:

Open space land, current usage assessment, HB 22, *HB 26, CH. 87 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

FEDERAL GOVERNMENT:

- Columbia river, fisheries program, funds cut, restoration requested, †HFR 18.
- Demonstration cities, metropolitan development act, contracts authorized, *HB 164, CH. 77 2nd EX.
- Federal Constitution, amendment, legislative apportionment, 1963 memorial rescinded, HJM 1.
- Forest service lands, condominiums, development, study, †HFR 35.
- Irrigation districts, improvements, financing, contracts authorized, *HB 66, CH. 70 2nd EX.
- Nerve gas, transportation through Washington, prohibition petitioned, HFR 70, SJM 8.
- North cross-state highway, construction funds, release, †HFR 15.
- Peace arch, commemorative stamp, issuance petitioned, *HJM 2.
- Recreational lands, public, federal state agencies, duplicate activities, study, †HFR 5.
- Viet Nam, prisoners, release, improved treatment, petitioned, *HJM 3.

FEES:

- Attorneys, civil cases, increased, HB 98.
- Attorneys, contingent, money damage judgments, study, †HFR 60.
- Attorneys, delinquent indigent juveniles, court counsel, state payment, *SB 66, CH. 31 2nd EX.
- Attorneys, divorce cases, court directed payment provision, HB 99.
- Boilers, pressure vessels, inspection fees, schedule revised, *SB 121, CH. 21 2nd EX.
- Commercial coaches, recreational vehicle, inspection, plan approval, schedule provision, *SB 277, CH. 27 2nd EX.
- Elevators, inspection, schedule, establishment, *SB 126, CH. 22 2nd EX.
- Hunting, fishing, fishing guide, game farmers, increased, *Sub SB 28, CH. 29 2nd EX.
- Superior courts, certain filing fees, increased, *SB 81, CH. 32 2nd EX.
- Vital statistics record, copy, fee increased, *SB 243, CH. 25 2nd EX.

FERRIES:

- Highway commission, state ferry system duties, transferred, HB 45.
- New, construction, acquisition, financing, appropriation, *HB 304, CH. 85 2nd EX. P.V.
- New, two, construction authorized, *HB 304, CH. 85 2nd EX. P.V.
- Puget Sound reserve account, excess funds, ferry system use, HB 10.
- State system, transferred, highway commission, HB 45.

FINANCIAL INSTITUTIONS: (see also type of institutions)

- B & O tax, exemption repealed, HB 232, Sub SB 123, *Sub HB 232, CH. 101 2nd EX.

FINANCIAL RESPONSIBILITY:

- Institutions, schools, residents, care, maintenance costs, estate payment provisions, *HB 118, CH. 75 2nd EX.
- Motor vehicles, proof, requirements, penalties, HB 139.

FINGERPRINTS:

- Minors, felons, permitted, *Sub SB 99, CH. 49 2nd EX. P.V.

FIREARMS: (see also "Weapons")

- Rifles, shotguns, out-of-state purchases, authorized, *HB 72, CH. 74 2nd EX.

FIREMEN:

- Firemen, fire dispatchers, definition clarified, HB 289.
- Law enforcement, fire fighters, retirement system, high administrative costs, study, HFR 62.
- Pensions, consumer price index, adjustment provisions, *HB 74, CH. 6 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

FIREMEN—Continued:

- Pensions, post retirement increases, effective date, *SB 145, CH. 37 2nd EX.
- Pensions, retirement, general amendments, *HB 74, CH. 6 2nd EX.
- Telephone, certain activities, recordings permitted, *SB 95, CH. 48 2nd EX.
- Telephone, incoming calls, recordings permitted, HB 292, *SB 95, CH. 48 2nd EX.
- Telephone, incoming calls, recording, title only bill, HB 292.
- Title only bill, HB 331.

FIRE PROTECTION:

- State capitol, provision, HB 16.

FISH: (see also "Shellfish")

- Foodfish, shellfish, title only bill, HB 155, HB 156, HB 167.

FISHERIES:

- Canada, offshore, traditional limits retention, SJM 4.
- Columbia river, program, federal funds cut, restoration requested, †HFR 18.

FISHING:

- Canada, offshore, traditional limits retention, petitioned, SJM 4.
- Guide, license, fee increased, *Sub SB 28, CH. 29 2nd Ex.
- Licenses, fees, increased, *Sub SB 28, CH. 29 2nd EX.

FLOOR RESOLUTIONS – HOUSE:

- Airport, regional district, surface transportation effect, study, †HFR 36.
- Air routes, U. S. – Orient, shortest, promotion, †HFR 38.
- Amos, Debbie, heroism, commended, †HFR 14.
- Applied physics laboratory, University of Washington, study continued, †HFR 51.
- Attorney fees, contingent, money damage judgments, study, †HFR 60.
- Basketball, legislators, newsmen, march of dimes benefit game, †HFR 24.
- Bills, legislative, indefinitely postponed, †HFR 65.
- Boston patriots, U. of W. stadium use, invitation, †HFR 31.
- Boy scout week, recognized, †HFR 46.
- Brown, Bert F., vocational agriculture leadership, tribute, †HFR 12.
- Building codes, regulations, entire scope, study, †HFR 43.
- Columbia river, fisheries program, federal funds cut, restoration requested, †HFR 18.
- Crown Zellerbach, 100th anniversary, commended, †HFR 10.
- Day care facilities, state-wide, study, †HFR 9.
- Economic distress, state, federal fiscal policies, easing requested, †HFR 47.
- Employees, stipends, sabbaticals, policies, regulations, study, †Sub HFR 17.
- Employees, wages, nonpayment, investigation, †HFR 26.
- Forest service lands, condominiums, development, study, †HFR 35.
- Handicapped children, study, †HFR 39.
- Higher education, nonresident fees, study, †HFR 25.
- Higher education, tuition fees, loan funds, study, †HFR 52.
- House members, employees, weekly payment, †HFR 3.
- House organized, Senate notified, †HFR 2.
- House, work completion, interim business, provisions, †HFR 66.
- Independent schools, students, attendance, financial assistance, study, †HFR 49.
- Indians, state civil, criminal jurisdiction, procedural retrocession, study, †HFR 11.
- Jaycees, civic service, fifty years, commended, †HFR 19.
- Keplinger, Gay, betrothal announcement, congratulations, †HFR 71.
- King, Martin Luther, Jr., suitable commemoration, study, †HFR 69.
- Kiwanis family reunion day, governor's proclamation requested, †HFR 58.
- Land use commission, establishment, study, †HFR 54.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

FLOOR RESOLUTIONS-HOUSE—Continued:

- Law enforcement, fire fighters retirement system, high administrative cost, study, †HFR 62.
- Legislative post auditing system, study, †HFR 42.
- Legislature, closing business, expenses, final payment provisions, †HFR 64.
- Licensure laws, study, †HFR 32.
- Lobbyists, regulations, statutes, study, †HFR 50.
- Local government, financial needs, revenue sources, study, †HFR 28.
- Mansion, Governor's, study requested, †HFR 56.
- McKay, David O., death, bereavement, †HFR 13.
- McKay, Kermit, death, sympathy, tribute, †HFR 57.
- Milk pooling, study by Legislative Council, †HFR 21.
- Minorities, voting problems, study, †HFR 20.
- Nerve gas, transportation through Washington, prohibition petitioned, †HFR 70.
- Nisqually Delta Area, study, †HFR 41.
- North cross-state highway, construction, federal funds release, †HFR 15.
- Nutrition, status, state residents, study, †HFR 40.
- Oil spillage, cleanup costs, reserve fund creation, study, †HF 55, HFR 61.
- Personal property tax, study, HFR 34.
- Press, radio, television services, gratitude extended, †HFR 63.
- Public assistance department, staff paid education, program suspension urged, HFR 17.
- Public assistance regulation, rescinding, unemployment compensation, †HFR 8.
- Recreation project, federal, state, policies study, †HFR 5.
- School districts, projects, architectural fees, payment guarantee, †HFR 59.
- Schools, education, informational needs, automated system, costs, presentation, †HFR 22.
- Seacoast, marine lands, use, management, study, †HFR 68.
- Sea resources project, success, commended, †HFR 33.
- Seattle pilots, efforts to retain, commended, †HFR 16.
- Seattle school district, special levy passage urged, †HFR 4.
- Sine die, notifying Senate, †HFR 67.
- Smogless cars, research, development, program, †HFR 29.
- Spracher, Dwight L., sorrow expressed, †HFR 7.
- State, publications, departmental, annual, policies, regulations, review study, †HFR 37.
- Students, emotionally, neurologically handicapped, comprehensive school program, study, †HFR 39.
- Tacoma Youth Symphony, festival selection, congratulated, †HFR 27.
- Taxes, personal property, certain exemptions, county impact, study, †HFR 34.
- Temporary rules adopted, †HFR 1.
- Thurston county, service clubs, organizations, hospitality, appreciation, †HFR 23.
- Tozier, Mrs. Mary (Woods), heroism, commended, †HFR 30.
- Tuition, payments, income tax deduction, †HFR 48.
- Tuition, student ability to pay basis, study, HFR 53.
- Veterans, certain federal oaths, reports, elimination, †HFR 44.
- Wolford, Ann M., death, sorrow expressed, †HFR 6.
- Women, students, pregnant, married, problem study, †HFR 45.

FORESHORE:

- Title only bill, HB 287.

FORESTS AND FORESTRY:

- Condominiums, forest service lands, development, study, †HFR 35.
- Open space land, current usage assessment, HB 22, *HB 26, CH. 87 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

FORT LAWTON:

Seattle, conveyance, park purposes, petitioned, *SJM 3.

FUEL:

Motor vehicle, tax, increased, income distribution revised, HB 195.
Tax, special fuel, enacted, HB 110.

FUNDS:

Colleges, universities, construction, temporary interfund loans, authority, HB 318, *Sub HB 318, CH. 104 2nd EX.
Common school property tax equalization, established, HB 146.
Ferry improvement fund of 1970, established, HB 10.
Law enforcement officers, firemen, retirement, general amendments, *HB 74, CH. 6 2nd EX.
Motor vehicle, Puget sound capital construction, created, *HB 304, CH. 85 2nd EX. P.V.
Public, deposit, investment, title only bill, SB 323.
Public, investment, A rated bonds, permitted, *HB 326, CH. 93 2nd EX.
Public, warrants issuance, insufficient funds penalties, exempted, SB 23.
Salary, small counties, establishment provision, HB 215.
School districts, remote, weighting schedule continuance, HB 11, SB 88.
School districts, remote, weighting schedule changed, *HB 13, CH. 86 2nd EX.
School districts, small school plants, high school, weighting schedule inclusion, HB 29.
State capitol historical association grants, created, HB 18.
State employees insurance, created, HB 203, *SB 179, CH. 39 2nd EX.
Veterans compensation, Viet Nam bonus, appropriation, SB 4, HB 30, *HB 9 VETOED.

GAMBLING:

Bingo, raffles, card games, nonprofit organizations, HB 112.
Bingo, raffles, nonprofit organizations, permitted, HB 50, Sub HB 50.
Cards, public rooms, social games, permitted, HB 112.
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*Indicates bills passed by both House and Senate.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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*Indicates bills passed by both House and Senate.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- Ownership, change, reporting provision, HB 174.
- Smogless, research, development, program, †HFR 29.
- Speed, violations, computer determination, provision, HB 226.
- Taxes, use, city, towns, county imposition authorized, HB 93, HB 228.
- Title only bill, HB 311.
- Transfer, ownership, change report, provision, HB 174.
- Transportation department, division, created, HB 54, Sub HB 54.
- Wheel tax, local imposition, authorized, HB 93, HB 228.
- Wheel tax, local imposition, in lieu sales tax, imposition, *HB 21, CH. 94 2nd EX. P.V.
- Wrecking, school courses, records requirement, SB 267.

MUNICIPAL CORPORATIONS:

- Associations, reports, efficiency recommendations, submission requirement, *HB 63, CH. 69 2nd EX.

MURDER:

- Homicide, negligent, two degrees established, *Sub SB 99, CH. 49 2nd EX. P.V.

MUSEUMS:

- State capitol historical association, endowments, acceptance, HB 18.

NARCOTICS: (see also "Drugs")

- Addicts, juvenile, voluntary commitment, procedures, HB 294, HB 305.
- Drivers, reckless, under influence, 1st degree negligent homicide, *Sub SB 99, CH. 49 2nd EX. P.V.
- Drug control division, created, HB 91, *Sub SB 80, CH. 63 2nd EX.

NATURAL RESOURCES:

- Department, surface mining, regulation, *Sub SB 139, CH. 64 2nd EX. P.V.
- Seacoast, marine lands, use, management, study, †HFR 68.
- Title only bill, HB 224, HB 291.

NERVE GAS:

- Transportation, through Washington, prohibition petitioned, †HFR 70, SJM 8.

NISQUALIY DELTA:

- Area, study, †HFR 41.

NORTH CROSS-STATE HIGHWAY:

- Construction, federal funds release, †HFR 15.

NORTHWEST ENVIRONMENTAL EDUCATION CENTER:

- Pilot project, Whidbey Island, HB 43.

NORTHWEST OUTDOOR LABORATORY:

- Pilot project, Whidbey Island, *Sub HB 33, CH. 95 2nd EX. P.V.

NUCLEAR ENERGY:

- Power plants, location, operation, regulation, HB 49, HB 194, *SB 49, CH. 45 2nd EX.

NURSING HOMES:

- Administrators, licensing, board, created, HB 210, Sub HB 210, *Sub SB 161, CH. 57 2nd EX. P.V.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

NURSING HOMES—Continued:

Employees, extrahazardous classification, HB 80.
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NUTRITION:

Nutrition and health advisory council, created, HB 53, HB 82.
Residents, state, status, study, †HFR 40.

OBSCENE MATERIALS:

Exhibit, sale, enjoined, procedure, HB 263, HB 329.

OCEAN:

Pacific, beaches, preservation, title only bill, HB 200.

OFFICIALS:

State, per diem, rates, regulation, HB 154, *SB 129, CH. 34 2nd EX.
State, salary recommendations, establishment, HB 108, *SB 45, CH. 43 2nd EX. P.V.

OPEN SPACE:

Counties, facilities, establishment, development authorized, *SB 61, CH. 30 2nd EX.
Land, current usage assessment, HB 22, *HB 26, CH. 87 2nd EX.
Land, joint committee created, HB 22.

OPTIONAL MUNICIPAL CODE:

Cities, election resolution, annexation inclusion, provision, *Sub SB 294, CH. 52 2nd EX.
Cities, officials, election provisions, *Sub SB 294, CH. 52 2nd EX.

OPTOMETRY:

Title only bill, HB 297.

ORDINANCES:

Cities, certain, official newspaper publication, resume authorized, HB 94.

ORGANIZATIONS: (see also "Associations")

Nonprofit, charitable, bingo, raffles, permitted, HB 50, Sub HB 50.
Nonprofit, charitable, bingo, raffles, card games, permitted, HB 112.
Nonprofit, debt adjuster definition, excluded, *HB 158, CH. 97 2nd EX.
Nonprofit, rehabilitation services, institutionalized persons, authorized, *SB 105, CH. 50 2nd EX. P.V.

OSTEOPATHS:

Licensing, national board examinations, state acceptance, HB 248, SB 236.

PARKS AND RECREATION:

Counties, facilities, establishment, development authorized, *SB 61, CH. 30 2nd EX.
Fort Lawton, Seattle conveyance, park purposes, petitioned, *SJM 3.
Indebtedness, maximum limitation, increase, vote provision, HB 32, *SB 40, CH. 42 2nd EX.
Lake Washington state park and nature conservation area, created, SB 87.
Outdoor recreation areas, bond sales, time, interest rate limitations, removed, *SB 311, CH. 40 2nd EX.
Property, real, acquisition, title only bill, HB 205, HB 206.
Recreational lands, public, federal, state agencies, duplicate activities, study, †HFR 5.
Recreational trails, system established, *HB 140, CH. 76 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

PEACE ARCH:

Stamp, commemorative, issuance petitioned, *HJM 2.

PENSIONS:

Colleges, state, nonfaculty employees, retirement program, inclusion, *SB 324, CH. 53 2nd EX.
 Community colleges, faculty, employees, deferred retirement allowances, qualification provision, *HB 251, CH. 79 2nd EX.
 Firemen, law enforcement officers, general amendments, *HB 74, CH. 6 2nd EX.
 Firemen, law enforcement officers, post retirement increases, effective date, *SB 145, CH. 37 2nd EX.
 Industrial insurance, benefits increased, HB 77.
 Industrial insurance, certain, consumer price index adjustments, HB 111.
 Judges, retirement system, public employees system, transfer provisions, *HB 127, CH. 96 2nd EX.
 Law enforcement officers, firemen, general amendments, *HB 74, CH. 6 2nd EX.
 Law enforcement officers, firemen, post retirement increases, effective date, *SB 145, CH. 37 2nd EX.
 Public employees, retirement system, consumer price index, adjustment provisions, HB 73, SB 86, *HB 46, CH. 68 2nd EX.
 Supreme court, judges, widows, minimum, provisions, *HB 127, CH. 96 2nd EX.
 Teachers, benefits increased, *SB 132, CH. 35 2nd EX. P.V.
 Teachers, consumer price index adjustments, *SB 132, CH. 35 2nd EX. P.V.
 Workmen's compensation, benefits increased, HB 76, SB 10.

PETROLEUM:

Oil discharge, spillage, state waters, unlawful, liabilities, HB 51, *Sub HB 51, CH. 88 2nd EX.
 Oil spillage, cleanup costs, reserve fund creation, study, †HFR 55, HFR 61.
 Price structure, gasoline, legislative council study, HCR 6.

PHARMACY AND PHARMACISTS:

Drug control division, created, HB 91, *Sub SB 80, CH. 63 2nd EX.
 Drugs, dangerous, poisonous, prescription, possession provisions, *SB 101, CH. 33 2nd EX.

PHOTOGRAPHS:

Minors, felons, permitted, *Sub SB 99, CH. 49 2nd EX. P.V.

PHYSICIANS AND SURGEONS:

Abortion, specified conditions, permitted, HB 67, HB 116, *SB 68, CH. 3 2nd EX.
 Drugs, dangerous, poisonous, prescription, possession provisions, *SB 101, CH. 33 2nd EX.
 Health professions, certain, national board examinations, state licensing, acceptance, HB 248, SB 236.

PICKETING:

Public properties, business, traffic obstruction, prohibited, *HB 162, CH. 98 2nd EX.

POLICE:

Academy, Olympic Community College, established, HB 4.
 Arrest warrants, existence declaration permitted, HB 218, *Sub SB 99, CH. 49 2nd EX. P.V.
 Law enforcement, fire fighters retirement system, high administration cost, study, †HFR 62.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

POLICE—Continued:

- Motor vehicles, dealers, salesmen, license applications, certificate issuance provisions, HB 8.
- Pensions, consumer price index, adjustment provisions, *HB 74, CH. 6 2nd EX.
- Pensions, post retirement increases, effective date, *SB 145, CH. 37 2nd EX.
- Pensions, retirement, general amendments, *HB 74, CH. 6 2nd EX.
- Retirement, benefits, title only bill, HB 207.
- Telephone, certain activities, recordings permitted, *SB 95, CH. 48 2nd EX.
- Telephone, incoming calls, recordings permitted, HB 292, *SB 95, CH. 48 2nd EX.
- Telephone, incoming calls, recording, title only bill, HB 292.
- Video, sound recordings, certain activities, permitted, *SB 95, CH. 48 2nd EX.

POLLUTION:

- Air, control board abolished, duties transferred, HB 47, *SB 1, CH. 62 2nd EX.
- Air, control commission, abolished, duties transferred, HB 47.
- Air, environmental quality department created, duties, HB 47.
- Air, internal combustion engines, 1980 prohibition, alternatives study, HB 170.
- Air, review board created, HB 1.
- Air, violations, fines, maximum increased, HB 1.
- Ecology department, created, *SB 1, CH. 62 2nd EX. P.V.
- Environmental, court cases, expediting requirements, *SB 2, CH. 41 2nd EX.
- Environmental quality department, created, HB 47.
- Oil discharge, spillage, state waters, unlawful, liabilities, HB 51, *Sub HB 51, CH. 88 2nd EX.
- Oil spillage, cleanup costs, reserve fund creation, study, †HFR 55.
- Pollution control department, created, *SB 1, CH. 62 2nd EX. P.V.
- Pollution control hearings board, created, *SB 1, CH. 62 2nd EX. P.V.
- Smogless cars, research, development, program, †HFR 29.
- Solid waste, advisory commission, abolished, duties transferred, HB 47.
- Water, control commission, abolished, duties transferred, HB 47, *SB 1, CH. 62 2nd EX.
- Water, control facilities construction, matching funds bond sales, time, interest rate limitations, removed, *SB 318, CH. 67 2nd EX.
- Water, control, standards maintenance, HB 52, *Sub HB 51, CH. 88 2nd EX.
- Water, standards, maintenance, HB 52, *Sub HB 51, CH. 88 2nd EX.

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- Inactive, dissolution provisions, HB 163.

PRESS SERVICES:

- Members, gratitude extended, †HFR 63.

PRINTING:

- State, 3rd class jobs, printer location, job cost, title page citations, required, HB 245.

PRISONERS:

- Earnings, expense defrayal use, prohibited, HB 69.
- Felons, furloughs authorized, HB 68.
- Hand crafted articles, public sale, permitted, *HB 6, CH. 73 2nd EX.
- Marijuana, incarcerated offenders, minimum term, reduced, *HB 295, CH. 80 2nd EX.

PRISON TERMS AND PAROLES:

- Marijuana, incarcerated offenders, minimum terms, review, *HB 295, CH. 80 2nd EX.

PROFESSIONAL CORPORATIONS:

- Shareholders, directors, number limited, HB 3.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

PROGRAM PLANNING AND FISCAL MANAGEMENT OFFICE:

Per diem, state officials, employees, rates, regulation, HB 154, *SB 129, CH. 34 2nd EX.

PROPERTY:

Taxes, actual value assessment, county millages revised, HB 87, *SB 85, CH. 47 2nd EX.

Taxes, actual value assessment, indebtedness limitation calculations, HB 32, *SB 40, CH. 42 2nd EX.

Taxes, assessed valuation, millage levy rates, reduced 50%, HB 257, *Sub HB 180, CH. 92 2nd EX.

Taxes, assessed valuation, ½ regular levies maximum amount, HB 180, *Sub HB 180, CH. 92 2nd EX.

Taxes, assessed valuation, 25%, HJR 9.

Taxes, assessor periodic revaluation, requirements, Sub HB 217.

Taxes, cities, towns, counties, tax freeze exempt, HB 86.

Taxes, excess school levies, income tax fund allocation, relief purposes, HB 27, *HB 13, CH. 86 2nd EX.

Taxes, excess school levies, payments, income tax credit, HB 88.

Taxes, sheltered workshops, exempted, *HB 5, CH. 81 2nd EX.

Taxes, taxing districts, actual value assessments, indebtedness limitations, HB 32, *SB 40, CH. 42 2nd EX.

PROPERTY – REAL:

Colleges, universities, tax exempt acreage, amount increased, *SB 144, CH. 55 2nd EX.
Incorporators, own property, real estate excise tax, exempted, *SB 13, CH. 65 2nd EX. P.V.

Major land use districts, title only bill, HB 321.

Open space land, current usage assessment, HB 22, *HB 26, CH. 87 2nd EX.

Public use purposes, acquisition, title only bill, HB 205, HB 206.

Surveys, land, evidence preservation, standards, procedures, HB 65.

Taxes, retired persons, deferral, SB 7.

PUBLIC ASSISTANCE:

Alcoholic beverages, additional tax, allocation, HB 271.

Appropriation, supplemental, *Sub HB 33, CH. 95 2nd EX. P.V.

Child welfare, day care advisory committee, membership increased, HB 141.

Day care centers, pilot projects, class AA, A counties, contracts authorized, SB 19.

Department, abolished, duties transferred, HB 53, *SB 52, CH. 18 2nd EX. P.V.

Department, staff paid education, program suspension urged, HFR 17.

Department, supplemental budget, appropriation, HB 137.

Health facilities, residents, title only bill, HB 197.

Health, social services, department created, duties, *SB 52, CH. 18 2nd EX. P.V.

Prisoners, cities, counties, eligibility, *SB 261, CH. 60 2nd EX.

Prisoners, cities, counties, indigent, medical costs, appropriation, *Sub HB 33, CH. 95 2nd EX. P.V.

Recipients, unemployment compensation, eligibility regulation, rescinded, †HFR 8.

Sales tax, increase, allocation, HB 235.

Welfare, restrictions, impact, study, HCR 7.

PUBLICATIONS:

Ordinance, 2nd, 3rd, 4th class cities, official newspaper, resume authorized, HB 94.

State, departmental, annual, policies, regulations, review study, †HFR 37.

PUBLIC LANDS:

Code corrections, *HB 40, CH. 14 2nd EX.

Harbors, improvement, dredged materials, disposal, HB 229, *SB 130, CH. 54 2nd EX.

Schools, 75-year leases, permitted, HB 117, *SB 60, CH. 46 2nd EX.

Use commission, establishment, study, †HFR 54.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

PUBLIC UTILITIES:

Thermal power plants, location, operation, regulation, HB 49, HB 194, *SB 49, CH. 45
2nd EX.

PUBLIC WORKS:

Building projects, local building codes, adherence, HB 89.
Buildings, public, financing, construction, title only bill, HB 276.
Contractors, retained percentage investment provisions, *SB 164, CH. 38 2nd EX.
Discrimination, employment, contracts, prohibition, reporting, provisions, HB 239.

PUGET SOUND:

Beaches, preservation, title only bill, HB 200.
Bridge, feasibility, construction, study, HB 31.
Cross-sound transportation, title only bill, HB 208.

RAFFLES:

Nonprofit, charitable organizations, permitted, HB 50, HB 112, Sub HB 50.

RAILROADS:

Crossings, all school buses, stop required, HB 2.

RANDLE:

Cispus educational center, environmental education project, *Sub HB 33, CH. 95 2nd
EX. P.V.

REAL ESTATE:

Brokers, B & O tax, imposed, HB 273, *SB 13, CH. 65 2nd EX. P.V.
Brokers, salesmen, title only bill, HB 296.
Excise tax, incorporators, own property, exempted, *SB 13, CH. 65 2nd EX. P.V.

REAPPORTIONMENT:

Legislative, federal Constitution amendment, 1963 memorial rescinded, HJM 1.

RECLAMATION DISTRICTS:

Land, subdivision, irrigation methods, determination, recording, *HB 126, CH. 71 2nd
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Abortion, legalization, submit to voters, HB 67, HB 116, *SB 68, CH. 3 2nd EX.

REHABILITATION:

Institutionalized persons, services, nonprofit organizations, agreements authorized, *SB
105, CH. 50 2nd EX. P.V.
Vocational, division abolished, duties transferred, HB 53, *SB 52, CH. 18 2nd EX. P.V.

RETIREMENT: (see also "Pensions")

Colleges, state, nonfaculty employees, retirement program, inclusion, *SB 324, CH. 53
2nd EX.
Community colleges, faculty, employees, deferred retirement allowances, qualification
provision, *HB 251, CH. 79 2nd EX.
Firemen, law enforcement officers, general amendments, *HB 74, CH. 6 2nd EX.
Firemen, law enforcement officers, post retirement increases, effective date, *SB 145,
CH. 37 2nd EX.
Judges, system, public employee system, transfer provisions, *HB 127, CH. 96 2nd EX.
Law enforcement officers, firemen, general amendments, *HB 74, CH. 6 2nd EX.

*Indicates bills passed by both House and Senate.

RETIREMENT—Continued:

- Law enforcement officers, firemen, post retirement increases, effective date, *SB 145, CH. 37 2nd EX.
- Law enforcement officers, firemen, retirement system, high administrative cost, study, †HFR 62.
- Municipal research council, nonprofit contractor employees, retirement coverage, HB 320.
- Police, benefits, title only bill, HB 207.
- Public employees, pensions, consumer price index, adjustment provisions, HB 73, SB 86, *HB 46, CH. 68 2nd EX.
- Teachers, pensions, benefits increased, *SB 132, CH. 35 2nd EX. P.V.
- Teachers, pensions, consumer price index adjustments, *SB 132, CH. 35 2nd EX. P.V.
- Veterans, military service time, retirement service credit, HB 24.

REVENUE DEPARTMENT:

- Appropriation, optional local sales tax, administrative costs, *HB 21, CH. 94 2nd EX. P.V.
- Assessment manual, distribution provisions, HB 193, *SB 144, CH. 55 2nd EX.
- Equalization boards, members, training school established, HB 193, *SB 144, CH. 55 2nd EX.

REVISED CODE OF WASHINGTON:

- Education, code corrections, *HB 41, CH. 15 2nd EX.
- Education, new, corrections, HB 123.
- Education, old, repeal completed, *HB 42, CH. 16 2nd EX.
- Elections, code corrections, *HB 36, CH. 10 2nd EX.
- Intoxicating liquor, code corrections, *HB 39, CH. 13 2nd EX.
- Motor vehicles, code corrections, *HB 35, CH. 9 2nd EX.
- Municipal corporations, code corrections, *HB 37, CH. 11 2nd EX.
- Revenue, taxation, code corrections, *HB 34, CH. 8 2nd EX.
- Salaries for public officials, HB 108, *SB 45, CH. 43 2nd EX. P.V.
- State government, code corrections, *HB 38, CH. 12 2nd EX.

RIVERS AND STREAMS:

- Inventory, study conservation, management, authorized, HB 48.
- Scenic shorelands system, created, HB 48.

ROADS: (see also "Highways", also "Streets")

- County, improvement district, resolutions, property frontage footage statement, requirement deleted, *SB 317, CH. 66 2nd EX.
- County, improvement districts, assessments, interest rate increase, HB 202, *SB 317, CH. 66 2nd EX.

ROBISON, C. E.:

- Snow removal, within municipalities, state removal provisions, HB 90.

SABBATICALS:

- Governmental employees, policy, regulations, study, †Sub HFR 17, *Sub HB 33, CH. 95 2nd EX. P.V.
- Public assistance department, staff, paid education, program suspension urged, HFR 17.

SAFETY:

- Building and construction safety inspection services division, safety division renamed, *SB 126, CH. 22 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

SAFETY—Continued:

- Counties, facilities, establishment, development authorized, *SB 61, CH. 30 2nd EX.
- Division, labor and industries department, renamed, building and construction safety inspection services division, *SB 126, CH. 22 2nd EX.
- Factory built housing, soundness, regulations, HB 56, Sub HB 56, *Sub SB 55, CH. 44 2nd EX.
- Mobile homes, coaches, recreational vehicles, design, equipment, regulation, *SB 277, CH. 27 2nd EX.
- Motor vehicles, sales, braking equipment requirement, SB 23.
- Nerve agents, transportation through Washington, prohibition petitioned, SJM 8.
- Prefabricated housing, soundness, regulations, HB 56, Sub HB 56, *Sub SB 55, CH. 44 2nd EX.
- School buses, all, railroad crossings, stop required, HB 2.
- Walkways, school, financial saving, time period base extended, *SB 107, CH. 20 2nd EX.

SALARIES AND WAGES: (see also "Subsistence")

- Appeals board, members, compensation increased, HB 236, *SB 13, CH. 65 2nd EX. P.V.
- County officials, establishment, state census basis, HB 119.
- Court administrator, establishment, HB 104.
- Court administrator, supreme court establishment, HB 104.
- Employers, nonpayment, investigation, †HFR 26.
- Intermediate school districts, superintendents, payment provisions, HB 129, *Sub HB 129, CH. 84 2nd EX.
- Judges, higher courts, adjustment, state per capita personal income basis, HB 106.
- Judges, higher courts, increased, HB 107.
- Judges, record courts, state payment, provision, HJR 23.
- Minimum wage, increased, HB 78.
- Public officials, state, recommendations, establishment, HB 108, *SB 45, CH. 43 2nd EX. P.V.
- Salary fund, small counties, establishment provision, HB 215.
- Teachers, minimum schedule, HB 307.

SALESMEN: (see also "Sales")

- Beer, wine, certificate of approval, provisions, HB 19.
- Motor vehicles, license applications, police certificate issuance provisions, HB 8.
- Motor vehicles, registration, renewal dates revised, HB 7.

SALES: (see also "Salesmen", also "Taxes")

- Convicts, hand crafted articles, public sale, permitted, *HB 6, CH. 73 2nd EX.
- Hospital districts, surplus property, sale, payment, provisions, HB 220, *Sub HB 220, CH. 7 2nd EX.
- Liquor stores, tax imposed, HB 115.
- Metals, certain, purchases, sales, records required, HB 275.
- Obscene materials, enjoined, procedure, HB 263, HB 329.
- Retail, customer quantity limitation, misdemeanor, HB 17.
- Tax, liquor store sales, imposed, HB 115.

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- Harbor improvement, dredged materials, disposal, *SB 130, CH. 54 2nd EX.

SAVINGS AND LOAN ASSOCIATIONS:

- Tax, net assets, imposed, HB 265.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

SCHOOL DISTRICTS:

- Buildings, project architectural fees, payment guarantee, †HFR 59.
- Dissolution, small districts, provisions, *HB 13, CH. 86 2nd EX.
- Employees, accumulated sick leave pay, severance pay use, HB 79.
- Employees, accumulated sick leave pay, severance use, authorized, HB 136.
- Income tax, distribution formula, school excess property levies, relief, HB 27, *HB 13, CH. 86 2nd EX.
- Intermediate, maximum limitation, increase, vote provision, HB 32, *SB 40, CH. 42 2nd EX.
- Intermediate, superintendents, salary payment provisions, HB 129, *Sub HB 129, CH. 84 2nd EX.
- Levies, excess, payments, income tax credit, HB 88.
- Nonoperative, abolished, HB 300.
- Professional negotiations, arbitration procedures revised, HB 138.
- Pupil conduct, rules, regulations, HB 178.
- Remote, state funds, weighting schedule changed, *HB 13, CH. 86 2nd EX.
- Remote, state funds, weighting schedule continuance, HB 11, SB 88.
- Remote, state funds, weighting schedule changed, district average excess millage requirement, *HB 13, CH. 86 2nd EX.
- Reorganization, procedures, grants, HB 249.
- School programs, urban, racial, disadvantaged, provisions, HB 177, *Sub HB 33, CH. 95 2nd EX. P.V.
- Seattle, special school levy, passage urged, †HFR 4.
- Small school plants, high schools, weighting schedule, inclusion, HB 29.
- State funds, distribution, assessed valuation factor, 80% indicated county ratio, HB 44.
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- Students, disadvantaged, urban, racial, school program provisions, HB 177.
- Students, disadvantaged, weighting, special levy relief funds, allocation, HB 27, *HB 13, CH. 86 2nd EX.
- Teachers, group insurance, employer contribution, limitations, removed, SB 155.
- Teachers, health insurance, employer contribution, limitations, removed, HB 109, HB 136.
- Walkways, financial savings, time period base extended, *SB 107, CH. 20 2nd EX.

SCHOOLS:

- Academic educational institutions, federal income tax exempted, B & O tax exempt, HB 216, Sub HB 216.
- Basic education program, district financial support requirements, study, HB 27, *HB 13, CH. 86 2nd EX.
- Blind, deaf, state, regular school term, provisions, SB 297, *SB 105, CH. 50 2nd EX. P.V.
- Buildings, project architectural fees, payment guarantee, †HFR 59.
- Buses, all, railroad crossings, stop required, HB 2.
- Community programs, authorized, HB 288.
- Contracts, teacher, duties, supplemental contract provision removed, HB 143.
- Day care centers, public, title only bill, HB 166.
- Districts, reorganization, procedures, grants, HB 249.
- Districts, small, dissolution provisions, *HB 13, CH. 86 2nd EX.
- Education, code corrections, *HB 41, CH. 15 2nd EX.
- Education, new code corrections, HB 123.
- Elementary, more effective schools program, HB 125.
- Equalization boards, members, training school established, HB 193, *SB 144, CH. 55 2nd EX.
- Funds, equalized property tax yield basis, apportionment, HB 146.
- Income tax, distribution formula, school excess property levies, relief, HB 27, *HB 13, CH. 86 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- Independent, students, attendance, financial assistance, study, †HFR 49.
- Information, needs, automated system, costs, presentation, †HFR 22.
- Levies, excess, payments, income tax credits, HB 88.
- Police academy, Olympic Community College, established, HB 4.
- Public land, 75-year leases, permitted, HB 117, *SB 60, CH. 46 2nd EX.
- Pupil conduct, rules, regulations, HB 178.
- State, residential, care, maintenance costs, estate payment provisions, *HB 118, CH. 75 2nd EX.

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- Management, use, study, †HFR 68.

SEA RESOURCES PROJECT:

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- Day care centers, King county, operation, appropriation, HB 234.
- Fort Lawton, conveyance, park purposes, petitioned, *SJM 3.
- Metropolitan tract, governmental services, amount provision, revised, HB 266.
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- School district, special school levy, passage urged, †HFR 4.

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- Retained percentage, contractors, public works, investment provisions, *SB 164, CH. 38 2nd EX.

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- Storm, county control facilities, establishment, development authorized, *SB 61, CH. 30 2nd EX.

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- Foodfish, shellfish, title only bill, HB 155, HB 156, HB 167.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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SOCIAL SERVICES:

Health, social services, department created, duties, *SB 52, CH. 18 2nd EX. P.V.

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Pollution control, ecology department created, duties, *SB 1, CH. 62 2nd EX. P.V.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- Drugs, abuse, student education program, HB 157.
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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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Automobiles, use tax, municipalities, imposition authorized, HB 93, HB 228.

Banks, savings, loan association, net assets, imposed, HB 265.

Bank stock, property tax assessment, abolished, Sub SB 123, *Sub HB 232, CH. 101 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- B & O, academic educational institutions, federal income tax exempt, exempted, HB 216, Sub HB 216.
- B & O, city, county imposition, state tax credit, HB 28.
- B & O, credit unions, associations, certain activities, exempted, HB 232, Sub SB 123.
- B & O, financial institutions, exemption, repealed, HB 232, Sub SB 123, *Sub HB 232, CH. 101 2nd EX.
- B & O, payments, tax credit provisions, Sub HB 62.
- B & O, political subdivisions, interagency service compensation, exempted, HB 216, Sub HB 216, *SB 13, CH. 65 2nd EX. P.V.
- B & O, real estate brokers, imposed, HB 273, *SB 13, CH. 65 2nd EX. P.V.
- B & O, sheltered workshops, nonprofit organizations, exempted, *HB 5, CH. 81 2nd EX.
- B & O, subsidiary, dividends, parent payment, exempted, HB 232, Sub SB 123.
- Cities, towns, counties, tax freeze, exempted, HB 86.
- Cities, towns, sales, use taxes, imposition authorized, *HB 21, CH. 94 2nd EX. P.V.
- Colleges, universities, tax exempt acreage, amount increased, *SB 144, CH. 55 2nd EX.
- Corporations, subsidiary dividend income, B & O tax, exempted, HB 232, Sub SB 123.
- Credit, B & O payments, other taxes, provisions, Sub HB 62.
- Credit, excess school levies, payments, HB 88.
- Credit unions, associations, certain activities, exempt, HB 232, Sub SB 123.
- Equalization boards, assessment procedures, general amendments, HB 193, *SB 144, CH. 55 2nd EX.
- Excise, cigarettes, Viet Nam veterans bonus, bonds redemption, SB 4, HB 30, *HB 9 VETOED.
- Excise, motor vehicles, destroyed, refund provisions, SB 22.
- Financial institutions, B & O, exemption repealed, HB 232, Sub SB 123, *Sub HB 232, CH. 101 2nd EX.
- Freeze, cities, towns, counties, exempted, HB 86.
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- Income, credit, excess school levy payments, HB 88.
- Income, distribution formula, school excess property levies, relief, HB 27, *HB 13, CH. 86 2nd EX.
- Income, state, 5% limitation, HJR 1.
- Income, technical changes, amendments, revisions, HB 241.
- Income, tuition payments, deduction, †HFR 48.
- Levies, excess, various rates, permitted, HB 113.
- Local government, financial needs, revenue sources, study, †HFR 28.
- Local option, sales, use, imposition authorized, *HB 21, CH. 94 2nd EX. P.V.
- Motor vehicle fuel, additional ferries, acquisition, allocation, *HB 304, CH. 85 2nd EX. P.V.
- Motor vehicle fuel, distribution, allocation, provisions revised, *HB 304, CH. 85 2nd EX. P.V.
- Motor vehicle fuel, increased, distribution revised, HB 195.
- Motor vehicle fuel, special, enacted, HB 110.
- Motor vehicle fuel, two ferries, construction, allocation, *HB 304, CH. 85 2nd EX. P.V.
- Motor vehicles, use tax, municipalities, imposition authorized, HB 93, HB 228.
- Open space land, current usage assessment, HB 22, *HB 26, CH. 87 2nd EX.
- Personal services, sales tax, levied, HB 303.
- Property, actual value assessment, indebtedness limitation calculations, HB 32, *SB 40, CH. 42 2nd EX.
- Property, actual value assessment, county millages revised, HB 87, *SB 85, CH. 47 2nd EX.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

TAXES—Continued:

- Property, assessed valuation, millage levy rates, reduced 50%, HB 257, *Sub HB 180, CH. 92 2nd EX.
- Property, assessed valuation, ½ regular levies maximum amount, HB 180, *Sub HB 180, CH. 92 2nd EX.
- Property, assessed valuation, 25%, HJR 9.
- Property, assessor periodic revaluation requirements, Sub HB 217.
- Property, excess school levy, payments, income tax credit, HB 88.
- Property, freeze, cities, towns, counties, exempted, HB 86.
- Property, personal, certain exemptions, county impact, study, †HFR 34.
- Property, real, disabled women, over 62, exemption provision, HB 225, HB 319, HB 332, SB 216.
- Property, real, retired persons, tax deferral, SB 7.
- Property, sheltered workshops, exempted, *HB 5, CH. 81 2nd EX.
- Public assistance, sales tax increase, allocation, HB 235.
- Real estate brokers, imposed, HB 273, *SB 13, CH. 65 2nd EX. P.V.
- Real estate excise, incorporators, own property, exempted, *SB 13, CH. 65 2nd EX. P.V.
- Revenue, taxation, code corrections, *HB 34, CH. 8 2nd EX.
- Revenue, taxation, measures, consideration, time extended, *SCR 6.
- Revenue, taxation, title only bill, HB 60, HB 61, HB 62, HB 128, HB 165, HB 217, HB 221, HB 247, HB 283, HB 284.
- Sale, political subdivisions, annexation, incorporation, personal property, exempted, Sub HB 216.
- Sales, cities, towns, imposition authorized, *HB 21, CH. 94 2nd EX. P.V.
- Sales, contractors, public roads, bridges, labor, services, exempt, HB 216, Sub HB 216.
- Sales, hotel, motel rentals, 1st class cities, stadium fund allocation, *Sub HB 60, CH. 89 2nd EX.
- Sales, increase, public assistance allocation, HB 235.
- Sales, liquor, additional, imposed, public assistance allocation, HB 271.
- Sales, liquor, additional, imposed, Sub SB 123.
- Sales, liquor, store sales, imposed, HB 20, HB 115.
- Sales, local imposition, appropriated state funds, distribution formula, HB 120, *Sub HB 33, CH. 95 2nd EX. P.V.
- Sales, local option, administrative costs, revenue department appropriation, *HB 21, CH. 94 2nd EX. P.V.
- Sales, local option, imposition authorized, *HB 21, CH. 94 2nd EX. P.V.
- Sales, personal services, levied, HB 303.
- Sales, use, cities, towns, imposition authorized, *HB 21, CH. 94 2nd EX. P.V.
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- School districts, 80% indicated county ratio, state funds distribution factor, HB 44.
- School levies, excess, payments, income tax credit, HB 88.
- Sheltered workshops, property, exempted, *HB 5, CH. 81 2nd EX.
- Special vehicle, enacted, HB 110.
- Taxing districts, actual value property assessments, indebtedness limitation calculations, HB 32, *SB 40, CH. 42 2nd EX.
- Tax reform, effective date changed, HB 88.
- Title only bill, HB 60, HB 61, HB 62, HB 128.
- Townships, excess levies, authorized, HB 135.
- Use, motor vehicles, county imposition authorized, HB 93, HB 228.
- Wheel, local, imposition, HB 93, HB 228.
- Wheel, local, in lieu sales tax, imposition, *HB 21, CH. 94 2nd EX. P.V.
- Wine, gallongage increased, sales tax removed, SB 234.
- Wine, gallongage increased, SB 234, Sub SB 123, *SB 13, CH. 65 2nd EX. P.V.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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Women, disabled, over 62, real property, exemption provision, HB 225, HB 319, HB 332, SB 216.

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Police, certain activities, sound, video recordings, permitted, *SB 95, CH. 48 2nd EX.
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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

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- Discrimination, HB 222, HB 258, HB 317.
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- Judicial administration, HB 211.
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- Law enforcement officers, firemen, HB 331.
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- Major land use districts, HB 321.
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- Natural resources, HB 224, HB 291.
- Nursing homes, licensing, HB 313.
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- Public funds, deposit investment, SB 323.
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- Public health, HB 212, HB 213, HB 219.
- Public institutions, HB 302, HB 314.
- Public schools, day care centers, HB 166.
- Puget Sound, cross-sound, HB 208.
- Real estate brokers, salesmen, HB 296.
- Residential care facilities, HB 252.
- Revenue, taxation, HB 60, HB 61, HB 62, HB 128, HB 165, HB 217, HB 221, HB 247, HB 283, HB 284.
- Snowmobile, licensing, HB 244.
- State building authority, operation, HB 312.
- State government, HB 185, HB 186.
- Thermal power, HB 231, HB 233.
- Toll facilities, HB 260.
- Unemployment compensation, HB 81, HB 85.
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 Ferries, two new, construction, financing, *HB 304, CH. 85 2nd EX. P.V.
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Heroism, commended, †HFR 30.

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Colleges, universities, increased, *HB 253, CH. 102 2nd EX.
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 Community colleges, needy students, criteria, exemption, *SB 206, CH. 59 2nd EX.
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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

UNFAIR TRADE PRACTICES:

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Minor students, capacity to borrow, *SB 18, CH. 4 2nd EX.

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Viet Nam, nonservice connected death, certain circumstances, burial expense provisions,
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VIET NAM:

Prisoners, release, improved treatment, petitioned, *HJM 3.

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Sheltered workshops, property, B & O, taxes, exempt, *HB 5, CH. 81 2nd EX.

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Voting age, reduced to 18, graduated basis, HJR 11.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

VOTERS AND VOTING—Continued:

- Voting age, reduced to 18, HJR 4, HJR 6.
- Voting age, reduced to 19, *HJR 6.

WARRANTS:

- Arrest, existence declaration permitted, HB 218, *Sub SB 99, CH. 49 2nd EX. P.V.
- Public funds, issuance, insufficient funds penalties, exempted, SB 23.
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- Oil discharge, spillage, state waters, unlawful, liabilities, HB 51, *Sub HB 51, CH. 88 2nd EX.
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- Pollution control, environmental quality department created, duties, HB 47.
- Pollution control, facilities construction, matching funds bond sales, time, interest rate limitations, removed, *SB 318, CH. 67 2nd EX.
- Pollution, control, standards maintenance, HB 52, *Sub HB 51, CH. 88 2nd EX.
- Pollution, court cases, expediting requirements, *SB 2, CH. 41 2nd EX.
- Reclamation lands, subdivision, irrigation methods, determination, recording, *HB 126, CH. 71 2nd EX.
- Resources department, abolished, duties transferred, *SB 1, CH. 62 2nd EX. P.V.
- Resources, title only bill, HB 267.
- Rivers, marine shorelines, study, inventory, HB 48.
- Salt, beneficial use purposes, defined, HB 278.
- Scenic shorelands system, created, HB 48.
- Seacoast, marine lands, use, management, study, †HFR 68.
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- Sea resources project, success, commended, †HFR 33.
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- Storm, county control facilities, establishment, development authorized, *SB 61, CH. 30 2nd EX.

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- Department, abolished, duties transferred, HB 47.

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- Ammunition, handloader components, state regulation provision, *HB 293, CH. 72 2nd EX.
- Rifles, shotguns, out-of-state purchases, authorized, *HB 72, CH. 74 2nd EX.

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- Motor vehicles, local option, authorized, HB 93, HB 228.
- Motor vehicles, local option, in lieu sales tax, imposition, *HB 21, CH. 94 2nd EX. P.V.

*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

WHIDBEY ISLAND:

Northwest environmental education center, site, HB 43.

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*Indicates bills passed by both House and Senate.

†Indicates resolution passed by House.

