

HOUSE JOURNAL
OF THE
Forty-Fifth Legislature
OF THE
STATE OF WASHINGTON
AT
Olympia, the State Capitol

Convened January 10, 1977
Adjourned Sine Die March 10, 1977
First Extraordinary Session
Convened March 11, 1977
Adjourned Sine Die June 21, 1977



John A. Bagnariol, *Speaker*
John L. O'Brien, *Speaker Pro Tempore*
Dean R. Foster, *Chief Clerk*
Eljo Sutherland, *Minute Clerk*

INDEX—VOLUME I

Regular Session, January 10 through
March 10, 1977 pages 1 through 551

First Extraordinary Session, March 11 through
May 9, 1977 pages 552 through 1352

VOLUME II

May 10 through June 21, 1977 pages 1353 through Tables
and General Index

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

FIRST DAY

NOON SESSION

House Chamber, Olympia, Wash., Monday, January 10, 1977.

The Chief Clerk of the House of Representatives of the Forty-fourth Legislature, Dean R. Foster, called the House to order at 12:00 noon.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tina Champagne and John Dimico. Prayer was offered by Father Gerald Lovett of St. Paul's Parish in Seattle:

"Our Father, we ask You to bless this assembly as we come together today to take up again the tasks of our representative government. We have been chosen by the people of this state and we ask that You lead us in this service. Help us to begin our work, never certain of the direction, but finding satisfaction in consistency and integrity, never possessing all the answers, but continuing to ask the questions. Lord, we need most of all Your gifts of wisdom and courage. We ask for wisdom to understand the course our decisions must take to follow democracy's dream of a human society governed in peace, justice and fellowship. We ask for the courage to follow that dream. Amen."

The Chief Clerk appointed Representatives Newhouse and Knowles to escort the Honorable Chief Justice Charles T. Wright of the Supreme Court of the State of Washington to the rostrum.

MESSAGE FROM THE SECRETARY OF STATE

Department of State
January 10, 1977

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

I, Bruce K. Chapman, 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 second day of November, 1976, as shown by the official returns of said election now on file in the office of the Secretary of State, and that all of the following are entitled to seats in the House of Representatives of the State of Washington at its forty-fifth biennial session commencing on the tenth day of January, A.D., 1977, as appears from said election returns:

DISTRICT	NAME	COUNTIES REPRESENTED
No. 1	Audrey Gruger	King, part and Snohomish, part
No. 1	Rick S. Bender	King, part and Snohomish, part
No. 2	Wayne Ehlers	Pierce, part and Thurston, part
No. 2	Phyllis Erickson	Pierce, part and Thurston, part
No. 3	Margaret Hurley	Spokane, part
No. 3	William J.S. May	Spokane, part
No. 4	Jack W. Grier	Spokane, part and Whitman, part
No. 4	Walt O. Knowles	Spokane, part and Whitman, part
No. 5	Geraldine McCormick	Spokane, part
No. 5	Jerry Hughes	Spokane, part
No. 6	A. J. Pardini	Spokane, part
No. 6	R. M. "Dick" Bond	Spokane, part
No. 7	Helen Fancher	Ferry, Lincoln, Pend Oreille, Stevens and parts of Okanogan and Spokane

DISTRICT	NAME	COUNTIES REPRESENTED
No. 7	Scott Barr	Ferry, Lincoln, Pend Oreille, Stevens and parts of Okanogan and Spokane
No. 8	James M. Boldt	Benton and Yakima, part
No. 8	Claude L. Oliver	Benton and Yakima, part
No. 9	Otto Amen	Adams, Asotin, Garfield, and parts of Columbia, Grant and Whitman
No. 9	E. G. "Pat" Patterson	Adams, Asotin, Garfield, and parts of Columbia, Grant and Whitman
No. 10	Sim Wilson	Island and Snohomish, part
No. 10	Eleanor Fortson	Island and Snohomish, part
No. 11	A. N. Shipoch	King, part
No. 11	John Bagnariol	King, part
No. 12	Rollie Schmitt	Chelan, Douglas and parts of Grant and Okanogan
No. 12	Earl F. Tilly	Chelan, Douglas and parts of Grant and Okanogan
No. 13	S. E. "Sid" Flanagan	Kittitas and parts of Grant and Yakima
No. 13	Frank "Tub" Hansen	Kittitas and parts of Grant and Yakima
No. 14	Alex Deccio	Yakima, part
No. 14	Jim Whiteside	Yakima, part
No. 15	Irv Newhouse	Yakima, part
No. 15	Harold Clayton	Yakima, part
No. 16	Gene Struthers	Franklin, Walla Walla, and Columbia, part
No. 16	Charles Kilbury	Franklin, Walla Walla, and Columbia, part
No. 17	Dennis Heck	Klickitat, Skamania and Clark, part
No. 17	Harold S. Zimmerman	Klickitat, Skamania and Clark, part
No. 18	Alan Thompson	Cowlitz, part and Clark, part
No. 18	William Paris	Cowlitz, part and Clark, part
No. 19	Robert L. Charette	Grays Harbor and Pacific, part
No. 19	Carol Monohon	Grays Harbor and Pacific, part
No. 20	Joseph Enbody	Lewis, Wahkiakum and parts of Cowlitz, Pacific and Thurston
No. 20	Bill Fuller	Lewis, Wahkiakum and parts of Cowlitz, Pacific and Thurston
No. 21	John M. Fischer	Snohomish, part
No. 21	Gary A. Nelson	Snohomish, part
No. 22	Myron "Mike" Kreidler	Thurston, part
No. 22	Ron Keller	Thurston, part
No. 23	Ellen Craswell	Kitsap, part
No. 23	Rick Smith	Kitsap, part
No. 24	Paul H. Conner	Clallam, Jefferson, Mason and Thurston, part
No. 24	Brad Owen	Clallam, Jefferson, Mason and Thurston, part
No. 25	George Walk	King, part and Pierce, part
No. 25	Daniel K. "Dan" Grimm	King, part and Pierce, part
No. 26	John R. Hawkins	Kitsap, part and Pierce, part
No. 26	Ron Hanna	Kitsap, part and Pierce, part
No. 27	Jim Salatino	Pierce, part
No. 27	A. A. Adams	Pierce, part
No. 28	Shirley Winsley	Pierce, part
No. 28	Ted Haley	Pierce, part
No. 29	P. J. Gallagher	Pierce, part
No. 29	Cathy Pearsall	Pierce, part
No. 30	Frank Warnke	King, part
No. 30	Robert Gaines	King, part
No. 31	Georgette Valle	King, part
No. 31	King Lysen	King, part
No. 32	Al Williams	King, part
No. 32	R. P. "Dick" Nelson	King, part
No. 33	Eleanor Lee	King, part

DISTRICT	NAME	COUNTIES REPRESENTED
No. 33	Dick Barnes	King, part
No. 34	William S. Leckenby	King, part
No. 34	Paul Pruitt	King, part
No. 35	John L. O'Brien	King, part
No. 35	Gene Lux	King, part
No. 36	Helen Sommers	King, part
No. 36	Joe Taller	King, part
No. 37	John Eng	King, part
No. 37	Peggy Maxie	King, part
No. 38	Richard "Dick" King	Snohomish, part
No. 38	John Martinis	Snohomish, part
No. 39	Art Clemente	King, part and Snohomish, part
No. 39	Paul Shinoda, Jr.	King, part and Snohomish, part
No. 40	Jerry L. Vrooman	San Juan, Skagit and Whatcom, part
No. 40	Duane Berentson	San Juan, Skagit and Whatcom, part
No. 41	William M. Polk	King, part
No. 41	Ron Dunlap	King, part
No. 42	Mary Kay Becker	Whatcom, part
No. 42	Art Moreau	Whatcom, part
No. 43	Jeff Douthwaite	King, part
No. 43	Bill Burns	King, part
No. 44	Donn Charnley	King, part
No. 44	George S. Hurley	King, part
No. 45	Rod Chandler	King, part
No. 45	Will R. Knedlik	King, part
No. 46	Irv Greengo	King, part
No. 46	Scott Blair	King, part
No. 47	Marion Sherman	King, part
No. 47	Frances C. North	King, part
No. 48	James E. Gilleland	King, part
No. 48	Kemper Freeman	King, part
No. 49	Al Bauer	Clark, part
No. 49	John S. McKibbin	Clark, part

I further certify that on December 31, 1976, Representative Kemper Freeman resigned his position in the 48th Legislative District and that, on January 3, 1977, the King County Council duly appointed Paul F. Sanders to fill the vacancy caused by the resignation.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this tenth day of January, A.D., 1977.
(SEAL OF THE STATE OF WASHINGTON)

BRUCE K. CHAPMAN
Secretary of State

The roll was called and all members were present except Representative Haley.

Chief Justice Wright administered the oath of office to all members present of the House of Representatives.

RESOLUTION

HOUSE RESOLUTION NO. 77-1 by Representative King:

BE IT RESOLVED, That the permanent House rules of the Forty-fourth Legislative Session be adopted by this House as temporary rules of the House of Representatives, Forty-fifth Session, with the following amendments:

Strike all of Rule 79 and insert the following:

*Rule 79. The standing committees of the house shall be as follows:

1. Agriculture	9
2. Appropriations	26
3. Commerce	12
4. Constitution	6
5. Ecology	13
6. Education	17

7. Elections and Governmental Ethics	9
8. Energy and Utilities	16
9. Financial Institutions	12
10. Higher Education	10
11. Institutions	10
12. Insurance	12
13. Judiciary	11
14. Labor	9
15. Local Government	15
16. Natural Resources	15
17. Parks and Recreation	6
18. Revenue	15
19. Rules	21
20. Social and Health Services	14
21. State Government	11
22. Transportation	21*

Amend Rule 81 to read as follows:

***DUTIES OF COMMITTEE MEETINGS**

Rule 81. Standing committees shall act upon all referred bills, memorials and resolutions. Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill. A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out. ((That all bills, memorials, and resolutions, referred to the subcommittee on (a) Appropriations or (b) Revenue and Taxation of the Ways and Means Committee may be acted upon by the subcommittee concerned and those signed by a majority of the membership of such subcommittee shall be reported back to the House with the recommendation of such subcommittee reported thereon, except that the Omnibus Appropriation Bill, Supplemental Appropriation Bill, and any bill containing an appropriation with a financial impact over a four year period in excess of ten million dollars and any bill estimated to raise or lower a revenue source by five million dollars or more over a four year period shall be acted upon and reported by the whole Ways and Means Committee.)) Majority recommendations of a committee can only be 'do pass,' 'do pass as amended,' or that 'the attached substitute be substituted therefor and that the attached substitute bill do pass.' Minority reports, 'do not pass' or 'without recommendation,' may be submitted with the majority report. Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation, which shall be signed by those members of the committee subscribing thereto. All committee reports shall be spread upon the journal. The journal of the House shall contain an exact copy of all committee reports, together with the names of the members signing such reports: PROVIDED, That a majority of members elected to the House may require a committee to report a bill back to the House during the order of business at which it may be considered.

All bills including a direct appropriation must be referred to the ((Ways and Means)) Appropriations Committee before appearing on the second reading calendar.

No standing committee shall vote on any issue by secret written ballot.

During its consideration of or vote on any bill, resolution or memorial, the deliberations of any Standing Committee of the House of Representatives shall be open to the public.

When a bill has been presented to a standing committee by its chairman, if the motion to report out fails for want of a majority favoring, one-sixth of the members of such committee may demand that the vote be recorded and filed with the Chief Clerk of the House who shall preserve such record for a period of four years.*

Mr. King moved adoption of the resolution.

Mr. Newhouse moved adoption of the following amendments to the resolution:

On page 1, line 9 after "Appropriation" strike "26" and insert "27"

On page 1, line 15 after "Utilities" strike "16" and insert "17"

On page 1, line 26 after "Rules" strike "21" and insert "22"

Representatives Newhouse and Berentson spoke in favor of the amendments, and Mr. King spoke against them. The amendments were not adopted.

Representative Haley appeared at the bar of the House.

The Chief Clerk appointed Representatives Wilson and Nelson (Gary) to escort Representative Haley to the rostrum and Chief Justice Wright administered the oath of office to him.

The House resumed consideration of House Resolution No. 77-1.

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

On page 3, line 8 after "ballot," insert "All votes in standing committees shall be taken by yeas and nays and shall be recorded by the committee clerk and made a part of the legislative history of the bill, memorial or resolution under consideration."

Representatives Pardini and Chandler spoke in favor of the amendment, and Representatives King and Hurley (George) spoke against it.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Pardini, would your motion also mean that the record would show those members absent from committee meetings?"

Mr. Pardini: "I would assume that only present members would be voting."

Mr. Whiteside spoke in favor of the amendment.

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

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to House Resolution No. 77-1, and the amendment was not adopted by the following vote: Yeas, 39; nays, 59; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hughes, Leckenby, Lee, Nelson D., Nelson G. A., Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Valle, Whiteside, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimmer, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Newhouse, North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Vrooman, Walk, Warnke, Williams, Zimmerman.

House Resolution 77-1 was adopted.

STATEMENT FOR THE JOURNAL

Re: Representative Pardini's proposed amendment to Rules of the House to record all votes on all bills in committee, I voted against this proposal for these reasons:

1. Rules changes should be considered all at one time with careful review of their effects on the total legislative process.
2. This proposal was not discussed in the minority caucus before it was introduced. Past committee chairmen might well have explained its impact.
3. Instead of providing more "open government" the proposal primarily would slow down the process, would delay action, and would take additional time of all legislators and staff.
4. The proposal would cost not only more in paper, staff time, and storage space, but would make the meetings more boring and probably discourage the interest of some citizens who might otherwise be encouraged to take part in the legislative process.

HAROLD S. ZIMMERMAN, 17th District.

ELECTION OF SPEAKER

The Chief Clerk declared nominations for Speaker of the House were in order.

Mr. King: "The man whose name I place in nomination today has been a labor organizer; he has been involved in management; he now owns his own business. If there is one word that I would apply to him in the conduct of his affairs as Chairman of the House Ways and Means Committee in the past session, as Speaker-designate since November, that word would be fair. He has appointed key opponents to top positions. He has demonstrated his willingness to reward talent by picking the best person for a job regardless of personalities. He has avoided the temptation to punish those who opposed him and made no promises to those who supported him, except one, to put our House in order.

"In the past weeks I have observed firsthand the fairness and organizing ability of this man. As reported in a recent article, with this man as our Speaker we are 'broadly-based and intelligently run.' There is no vacuum in leadership in the statehouse. With the election of John Bagnariol our House will be in order. I shall be pleased to look up to the rostrum and say to Representative John Bagnariol, 'Mr. Speaker.'"

Mr. Knowles: "Mr. Chief Clerk and ladies and gentlemen of the House: It's my privilege this morning to second the nomination of John Bagnariol as Speaker of the House of Representatives. I'm going to do so by making a couple of comments. On November 2nd the

people of the state of Washington elected each and every one of us to the House of Representatives and in so doing they have said to us, in effect, that there are a great many problems the people of the state seek solutions for. I think that we can do it. We can work on those problems and one of the essentials to accomplish solutions to those problems is to have a strong leadership. It's my belief that John Bagnariol is that strong leadership. If there is one word—one key word—that I think is necessary, it's cooperation. We need cooperation from the Senate and Representative Bagnariol has demonstrated that he can do that for us. We need cooperation from the executive branch and I am confident that cooperation will be forthcoming. And so in anticipation of cooperation from this body, I consider it a privilege to second the nomination of John Bagnariol."

Ms. Becker: "Mr. Chief Clerk, it is my privilege also to second the nomination of John Bagnariol as Speaker of the House. Each of us here on the floor represents a portion of the people of this state and each of us is entitled to full participation in the legislative process, but with ninety-eight members participating it is necessary to elect a Speaker, a central leader to preside over the resolution of conflicts and the accomplishment of the session. Representative Bagnariol is the person who can fill the office of Speaker in the best way. He is fair; he is dedicated to democratic leadership and he is committed to the hard work that will be necessary to determine a conclusive majority opinion on issues that we confront. It is with great pride in the potential that this body represents, with great optimism about the legislative process and with great faith in his ability to lead that I second the nomination for John Bagnariol as Speaker."

Mr. Polk: "Thank you, Mr. Chief Clerk. Ladies and gentlemen of the House, I rise to place in nomination the name of Duane Berentson for Speaker of the House of Representatives. The person that we elect here today to serve in this important position will make a lasting impact on the life of every person that is serving in this body and indeed on the entire state. We saw this in the past few years. The Speaker of the House must be a person of great integrity, wisdom, proven leadership, constructional background in this body. Precisely these characteristics, these qualities, lead me to nominate Duane Berentson to the position of Speaker of the House. During Duane's fourteen years serving here he has been a committee chairman and served with the State Transportation Committee. He has held positions and important responsibilities for the entire body of the House, serving on the Executive Rules Committee and has led our caucus in many different ways—many different functions. I have no illusions about the outcome of the election—I know the votes are not here to elect the minority party leader to the position of Speaker of the House. As a matter of fact when I came in this morning and looked up on the tote board and saw Bagnariol was already there—it makes one wonder—it's sort of the handwriting on the wall or something. So why do it? Well, the simple answer is so that we don't have to vote for your guy, but it's really more than that. In fact we see our responsibility to the people of the state of Washington as a minority party to offer alternatives, offer choices, and as we proceed then there are choices and better alternatives. We offer the name of Duane Berentson in precisely that spirit—as a better choice. I ask you to give your consideration to Duane Berentson to be the next Speaker of the House."

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

ROLL CALL

The Clerk called the roll for election of the Speaker of the House, and Mr. Bagnariol was elected by the following vote: Mr. Bagnariol, 62; Mr. Berentson, 36.

Those voting for Mr. Bagnariol were: Representatives Adams, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Those voting for Mr. Berentson were: Representatives Amen, Bagnariol, Barnes, Barr, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittens, Shinoda, Struthers, Tallor, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

The Chief Clerk appointed Representatives Polk and Bauer to escort Representative Bagnariol to the rostrum. The oath of office was administered to Representative Bagnariol by Chief Justice Wright.

The Chief Clerk presented the gavel to the Speaker.

The Speaker: "It really is a tremendous honor that you have bestowed upon me electing me as Speaker of the House of Representatives. I stand before you today promising you that I will do everything in my power to help this legislature accomplish the work that it needs to accomplish during the trying session that we're going to face here in 1977. At least you are elected by your constituents and are responsible to come to the legislature and do the best job you can. You have elected me Speaker and I am responsible to each and every one of you to do the best job I can, and I pledge that to you.

"One of the reasons that the galleries are so packed here today is because I have such a large family. I won't take your time to introduce you to every one of them, but I have seven of my eight children here and my wife, my mother-in-law, a number of my aunts, my brother-in-law, my sister—if they will all stand you can see who they are."

POINT OF PERSONAL PRIVILEGE

Mr. Berentson: "Mr. Speaker, on behalf of the Republican caucus I would like to extend our congratulations to you. Mr. Speaker, we would also like to point out that we on this side of the aisle have grown to know you very well, those of us that have been here for several years, and we consider you to be a very fair man. We have noticed that you are slow to anger and we have also noticed that your word is very good. That's an important thing in this body, and I think most of us will relax with that in mind. I would also like to point out that we stand ready to cooperate with you in every way possible. I'm sure that you are going to have some very fine help on your side of the aisle—Representatives Shinpoch, King and Bauer will be ready to assist you if you run into any difficulties, but if you do and you can't solve them over there we want you to know that you can come over on this side for help. One last point. In talking to Representatives Pardini and Deccio we want you to know that if any black gloves appear on our desks they will get right on them."

Mr. Bagnariol: "You probably don't realize the trouble that Representatives Deccio and Pardini are in for voting against my mother's son. Thank you, Duane; with that kind of cooperation I'm confident we will have a successful session."

ELECTION OF SPEAKER PRO TEMPORE

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

Mrs. North: "Mr. Speaker, fellow members of the House, I am indeed pleased to nominate John L. O'Brien as Speaker Pro Tem of the House of Representatives. John has served many years in this House and is a respected member. His reputation for fairness and his knowledge of parliamentary procedure makes him an excellent choice for this office. He is much loved by his district as shown by the huge majority by which he is elected year after year. I ask you to vote for John L. O'Brien."

Mr. Lux: "Mr. Speaker, members of the House, Justice Wright: It gives me a great deal of pride and privilege to second the nomination of my seatmate, John L. O'Brien as Speaker Pro Tem of this august body. John O'Brien is now serving his eighteenth term. He has served four terms as Speaker, and has served as caucus chairman. He has served as minority floor leader and is probably more qualified than any person who has served in this House over its history. It is with a great deal of pride that I second the nomination of John L. O'Brien."

Mr. Boldt: "Mr. Speaker, Mr. Chief Justice, ladies and gentlemen of the House: I, too, rise to second the nomination of John L. O'Brien as Speaker Pro Tem of the House of Representatives. You only have to have been here for awhile to realize the growing responsibilities of the office of Speaker Pro Tem and the job that he does and the time and responsibilities in his office. It is an experience and a pleasure to second the nomination of John L. O'Brien. An experience because I found out about it last night, and a pleasure because he is chairman of facilities, and perhaps I will get a filing cabinet for the session. In all seriousness, the Democratic party prides itself in its numbers here and probably more importantly we pride ourselves in our depth, breadth and our experience. If there is an individual that brings all three of those characteristics to this body, it's John L. O'Brien."

On motion of Mr. Newhouse, nominations for Speaker Pro Tempore were closed.

ROLL CALL

The Clerk called the roll on the election of Speaker Pro Tempore and John L. O'Brien was unanimously elected.

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

The Speaker appointed Representatives Hurley (Margaret) and Flanagan to escort Representative John L. O'Brien to the rostrum.

Chief Justice Wright administered the oath of office to Mr. O'Brien.

Mr. O'Brien: "Mr. Speaker, Mr. Chief Justice and ladies and gentlemen of the House: Thank you very much for granting me this high honor of electing me to the office of Speaker Pro Tem. This Forty-fifth Legislative Session promises to be quite a challenging one. It's going to be a little bit different for the members on our side because it's the first time in twelve years we have a Governor that's of the same political faith, so I know that the people of the state of Washington are going to be looking on us for many pieces of constructive legislation that will not only benefit the people of the state, but the economy as well. We have all of the talent necessary to meet that challenge and I know that personally I am greatly impressed with the new members that were elected to the House of Representatives, and with the cooperation of all of us I think we can dedicate ourselves to the forthcoming days in a very constructive manner.

"I don't have as large a family as John Bagnariol. The Irish have large families, but the Italians seem to go a little bit better or a little bit larger. I have my wife and son, Paul, here and at this time I would like them to stand.

"Thank you very much, and I am looking forward to serving with Speaker Bagnariol and I know that the combination of the two of us will do the very best that we possibly can for all of you."

POINT OF PERSONAL PRIVILEGE

Mr. Pardini: "I would like to extend to Speaker Pro Tem O'Brien, on behalf of all our colleagues, our pledge to you for cooperation. We know of your honesty, your fairness, your keen sense of humor, your good wit. We're not asking for filing cabinets, we're not asking for any facilities; just give us a fair shake and keep your right eye open and recognize us once in a while."

VISITING DIGNITARIES

The Speaker appointed Representatives Keller and Kreidler to escort Mayor Tom Allen of Olympia and Mayor Wes Barclift of Tumwater to the rostrum.

Mayor Allen and Mayor Barclift addressed the House briefly, welcoming the legislators to the Olympia area.

The Speaker requested the committee to escort the mayors from the House Chamber.

ELECTION OF CHIEF CLERK

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

Mr. Smith (Rick): "I've had the pleasure of working with Dean Reeder Foster since the fall of 1972 when we worked together on the House staff. Dean also worked seven years for the Senate staff before he was Chief Clerk. Dean has a degree in political science; he was an intelligence officer in the Army and has been active twenty years in politics and government. Dean has the same dedication and commitment to representative democracy as the members have.

"It is interesting to note the contribution the staff members with these qualities can make. All our staff has it, but Dean really epitomizes these qualities. I am proud to nominate Dean Foster as Chief Clerk."

Mr. Hanna: "Dean, remember the time you turned my per diem down, June 19, 1975? I think Dean is highly respected by people on both sides of the aisle. He is probably the most competent and knowledgeable person around regarding the rules of order and procedures of the House with the exception of Representative O'Brien. You will notice that Speaker Bagnariol

will look to Dean for a great deal of guidance on how to get out of various jams in the next months, and Dean will surely know the answers. Dean is also extremely competent in managing the affairs of the House. He's responsible for the staff. Dean is very tight with money for the people of the state—he watches it like a hawk to make sure no one gets away with anything. I am very happy to ask your support for Dean Foster for Chief Clerk of the House."

Mr. Newhouse: "Mr. Speaker, I, too, would like to second the nomination for Dean Foster and I think I can do it without incriminating myself. In my years in the legislature in this House, we, in my first term here some twelve years ago, had a Chief Clerk and an Assistant Chief Clerk from both parties. When we assumed the majority for six years we instituted something that I would like to see happen—that we have the Chief Clerk placed into position by the majority party and the minority party would have the right to name the Assistant Chief Clerk, so that we would have bipartisan operation, but more than that when the worm turns, as it will I assure you, that the minority party when it becomes the majority will have one trained for that job. I do not attempt at all to offer any opposition to Dean Foster. He has been more than fair and he is certainly qualified. He has done an excellent job as Chief Clerk and I want to second his nomination."

On motion of Mr. Tilly, nominations for Chief Clerk were closed.

On motion of Mr. King, a unanimous ballot was cast for Dean Foster as Chief Clerk of the House of Representatives.

The Speaker appointed Representatives Gallagher and Berentson to escort Mr. Foster to the rostrum.

Chief Justice Wright administered the oath of office to Mr. Dean R. Foster.

ELECTION OF SERGEANT AT ARMS

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

Mr. Conner: "I would like to place for your consideration the name of Ross Young for Sergeant at Arms of the House of Representatives. I might mention that Ross' father served with dedication and distinction in this House for some sixteen years. Ross has taken it to continue the family tradition of dedication and service. He has served as the Sergeant at Arms of this House. He does have a personal commitment, as those of us who have been here previously know, of dedication and a willingness to spend the hours and the time. He has developed a staff who is willing to carry forward the feelings of the Sergeant at Arms of this House and I urge that you vote for Ross Young as Sergeant at Arms of the House of Representatives."

Mr. Fischer: "It's a privilege to second the name of Ross Young as Sergeant at Arms. I have known him for two years. He acts very quietly, very efficiently for all the members of the House and I urge your support for Ross Young."

On motion of Mr. King, nominations for Sergeant at Arms were closed, and Ross Young was unanimously elected as Sergeant at Arms of the House of Representatives.

The Speaker appointed Representatives McCormick and Hanna to escort Mr. Ross Young to the rostrum.

Chief Justice Wright administered the oath of office to Mr. Ross Young.

The Speaker appointed Representatives Knowles and Leckenby to escort Chief Justice Charles T. Wright from the House Chamber.

The House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 77-2, by Representatives King and Berentson:
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. King, House Resolution No. 77-2 was adopted.

Under the provisions of House Resolution No. 77-2, the Speaker appointed Representatives Charette, Thompson and Berentson as a committee to notify the Senate that the House was organized and ready for business.

The committee retired.

COMMITTEE FROM THE SENATE

Senators Wojahn, Hayner, Gaspard and Bausch appeared at the bar of the House, and Senator Wojahn reported that the Senate was organized and ready for business.

RESOLUTION

HOUSE RESOLUTION NO. 77-3, by Representatives King and Berentson:

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

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

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

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 3, by Representatives King and Berentson:

Notifying the Governor that the Legislature is organized.

MOTIONS

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

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 3 was adopted.

REPORT OF SPECIAL COMMITTEE

The special committee, appointed under the provisions of House Resolution No. 77-2, appeared before bar of the House and reported they had notified the Senate the House was organized and ready for business.

The report was received and the committee was discharged.

APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 3, the Speaker appointed Representatives Conner, May and Amen, along with a committee from the Senate, to notify the Governor that the Legislature was organized and ready for business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 5, by Representatives King and Berentson:

Calling Joint Session to canvass the vote of elective state officers, receive the State of State message from Governor Evans, and to inaugurate Governor-elect Dixy Lee Ray.

MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 5 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 5 was adopted.

On motion of Mr. King, House Concurrent Resolution No. 3 and House Concurrent Resolution No. 5 were ordered transmitted immediately to the Senate.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1, by Representatives Conner, Pruitt and Vrooman:

AN ACT Relating to lease of port district property; and amending section 2, chapter 87, Laws of 1973 and RCW 53.08.085.

To Committee on Local Government

HOUSE BILL NO. 2, by Representatives Leckenby and Knedlik:

AN ACT Relating to public contracts; and adding a new section to chapter 39.24 RCW.

To Committee on State Government

HOUSE BILL NO. 3, by Representatives Kilbury, Boldt and Oliver:

AN ACT Relating to revenue and taxation; amending section 7, chapter 278, Laws of 1957 as last amended by section 22, chapter 26, Laws of 1967 ex. sess. and RCW 54.28.010; amending section 5, chapter 278, Laws of 1957 as last amended by section 32, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.050; amending section 10, chapter 278, Laws of 1957 and RCW 54.28.090; and adding new sections to chapter 54.28 RCW.

To Committee on Revenue

HOUSE BILL NO. 4, by Representative Fischer:

AN ACT Relating to hazardous substances; adding a new chapter to Title 69 RCW; repealing section 1, chapter 82, Laws of 1929 and RCW 69.36.010; repealing section 2, chapter 82, Laws of 1929 and RCW 69.36.020; repealing section 3, chapter 82, Laws of 1929 and RCW 69.36.030; repealing section 5, chapter 82, Laws of 1929 and RCW 69.36.040; repealing section 6, chapter 82, Laws of 1929 and RCW 69.36.050; repealing section 4, chapter 82, Laws of 1929 and RCW 69.36.060; repealing section 7, chapter 82, Laws of 1929 and RCW 69.36.070; prescribing penalties; and declaring an emergency.

To Committee on Agriculture

HOUSE BILL NO. 5, by Representative Fischer:

AN ACT Relating to salaries of state officers and employees; amending section 1, chapter 130, Laws of 1891 as last amended by section 1, chapter 59, Laws of 1969 and RCW 42.16.010; and adding a new section to chapter 42.16 RCW.

To Committee on State Government

HOUSE BILL NO. 6, by Representatives Fischer and Knedlik:

AN ACT Relating to governmental immunity; amending section 4, chapter 164, Laws of 1967 and RCW 4.96.020; amending section 35.31.020, chapter 7, Laws of 1965 as amended by section 12, chapter 164, Laws of 1967 and RCW 35.31.020; amending section 35.31.040, chapter 7, Laws of 1965 as amended by section 13, chapter 164, Laws of 1967 and RCW 35.31.040; amending section 36.45.010, chapter 4, Laws of 1963 as amended by section 14, chapter 164, Laws of 1967 and RCW 36.45.010; and creating a new section.

To Committee on Local Government

HOUSE BILL NO. 7, by Representatives Fischer, Knedlick and Lee:

AN ACT Relating to public highways; and adding new sections to chapter 47.44 RCW.

To Committee on Transportation

HOUSE BILL NO. 8, by Representative Fischer:

AN ACT Relating to controlled substances; amending section 69.50.301, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.301; amending section 69.50.302, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.302; amending section 69.50.304, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.304; and amending section 69.50.305, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.305.

To Committee on Social and Health Services

HOUSE BILL NO. 9, by Representatives Fischer, Burns, Pruitt and Salatino:

AN ACT Relating to public health; and amending section 2, chapter 82, Laws of 1967 as amended by section 1, chapter 27, Laws of 1976-'76 2nd ex. sess. and RCW 70.83.020.

To Committee on Social and Health Services

HOUSE BILL NO. 10, by Representatives Fischer and Hughes:

AN ACT Relating to public employees' collective bargaining; and amending section 10, chapter 108, Laws of 1967 ex. sess. as amended by section 21, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.100.

To Committee on Labor

HOUSE BILL NO. 11, by Representatives Fischer and Clemente:

AN ACT Relating to youth development; and adding new sections to Title 43 RCW.

To Committee on State Government

HOUSE BILL NO. 12, by Representative Fischer:

AN ACT Relating to bus warning lights; and amending section 46.37.290, chapter 12, Laws of 1961 as amended by section 6, chapter 100, Laws of 1970 ex. sess. and RCW 46.37.290.

To Committee on Transportation

HOUSE BILL NO. 13, by Representatives Fischer and Clemente:

AN ACT Relating to the work or treatment release program; amending section 1, chapter 17, Laws of 1967 and RCW 72.65.010; amending section 2, chapter 17, Laws of 1967 and RCW 72.65.020; amending section 3, chapter 17, Laws of 1967 and RCW 72.65.030; amending section 4, chapter 17, Laws of 1967 and RCW 72.65.040; amending section 5, chapter 17, Laws of 1967 and RCW 72.65.050; amending section 6, chapter 17, Laws of 1967 and RCW 72.65.060; amending section 7, chapter 17, Laws of 1967 and RCW 72.65.070; amending section 8, chapter 17, Laws of 1967 as amended by section 1, chapter 109, Laws of 1969 and RCW 72.65.080; amending section 9, chapter 17, Laws of 1967 and RCW 72.65.090; amending section 10, chapter 17, Laws of 1967 and RCW 72.65.100; amending section 11, chapter 17, Laws of 1967 and RCW 72.65.110; amending section 12, chapter 17, Laws of 1967 and RCW 72.65.120; and amending section 13, chapter 17, Laws of 1967 as amended by section 1, chapter 58, Laws of 1971 ex. sess. and RCW 72.65.130.

To Committee on Institutions

HOUSE BILL NO. 14, by Representative Fischer:

AN ACT Relating to the practice of pharmacy; providing for pharmacy technicians and the licensing thereof; creating a new chapter in Title 18 RCW; and prescribing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 15, by Representatives Fischer and Schmitt:

AN ACT Relating to first aid; and adding new sections to chapter 51.36 RCW.

To Committee on Labor

HOUSE BILL NO. 16, by Representatives Fischer, Burns and Clemente:

AN ACT Relating to jitneys; adding a new chapter to Title 46 RCW; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 17, by Representative Fischer:

AN ACT Relating to medical records; and adding new sections to Title 70 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 18, by Representatives Sherman, Knedlik and North:

AN ACT Relating to municipal gasworks; amending section 35.21.290, chapter 7, Laws of 1965 and RCW 35.21.290; and amending section 35.21.300, chapter 7, Laws of 1965 and RCW 35.21.300.

To Committee on Local Government

HOUSE BILL NO. 19, by Representatives Sherman and North:

AN ACT Relating to highways; creating a new section; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 20, by Representatives Greengo, Paris, Warnke, Leckenby and Sanders:

AN ACT Relating to revenue and taxation; and amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 6, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.270.

To Committee on Revenue

HOUSE BILL NO. 21, by Representatives Greengo, Warnke, Leckenby, Barnes and Sanders:

AN ACT Relating to banks and trust companies; and amending section 1, chapter 185, Laws of 1959 and RCW 30.04.126.

To Committee on Financial Institutions

HOUSE BILL NO. 22, by Representatives Gaines, Warnke, Boldt, Fortson, Knedlik, Polk, Moreau and Vrooman:

AN ACT Relating to tourism; creating new sections; and making an appropriation.

To Committee on Commerce

HOUSE BILL NO. 23, by Representatives Valle, Burns, Charnley, Craswell, Erickson, Fischer, Grimm, Gruger, Hawkins, Kreidler, Maxie, Paris, Pruitt, Sanders and Whiteside:

AN ACT Relating to the practice of dentistry; amending section 22, chapter 112, Laws of 1935 and RCW 18.32.080; amending section 8, chapter 112, Laws of 1935 and RCW 18.32.230; amending section 7, chapter 93, Laws of 1953 as amended by section 38, chapter 52, Laws of 1957 and RCW 18.32.350; amending section 23, chapter 112, Laws of 1935 and RCW 18.32.380; adding new sections to chapter 18.32 RCW; repealing section 32, chapter 52, Laws of 1957 and RCW 18.32.240; repealing section 33, chapter 52, Laws of 1957 and RCW 18.32.250; repealing section 6, chapter 93, Laws of 1953, section 34, chapter 52, Laws of 1957 and RCW 18.32.260; repealing section 35, chapter 52, Laws of 1957 and RCW 18.32.270; repealing section 36, chapter 52, Laws of 1957, section 59, chapter 81, Laws of 1971 and RCW 18.32.280; prescribing penalties; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 24, by Representatives Gaines, Greengo, Warnke, Valle, Leckenby, Dunlap and Sanders:

AN ACT Relating to revenue and taxation; and amending section 82.04.430, chapter 15, Laws of 1961 as last amended by section 1, chapter 13, Laws of 1971 and RCW 82.04.430.

To Committee on Revenue

HOUSE BILL NO. 25, by Representatives Gaines, Greengo, Warnke, Leckenby, Enbody and Salatino:

AN ACT Relating to cities, towns, and counties; amending section 2, chapter 61, Laws of 1971 ex. sess. and RCW 35.21.700; and amending section 1, chapter 61, Laws of 1971 ex. sess. and RCW 36.32.450.

To Committee on Local Government

HOUSE BILL NO. 26, by Representatives Warnke, Greengo and Struthers:

AN ACT Relating to retail sales taxes; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW.

To Committee on Revenue

HOUSE BILL NO. 27, by Representatives Paris, Warnke, Leckenby, Deccio, Lee and Salatino:

AN ACT Relating to small business and minority small business development; adding new sections to chapter 43.31 RCW; making an appropriation; and providing an effective date.

To Committee on Commerce

HOUSE BILL NO. 28, by Representatives Warnke, Leckenby, Deccio, Lee and Salatino:

AN ACT Relating to small business; and adding new sections to chapter 43.31 RCW.

To Committee on Commerce

HOUSE BILL NO. 29, by Representatives Warnke, Greengo, Paris, Dunlap, Leckenby, Valle, Grier, Barnes, Boldt, Bond, Deccio, Enbody, Fancher, Fortson, Knedlik, Polk, Sanders, Shinoda and Struthers:

AN ACT Relating to state government; amending section 3, chapter 237, Laws of 1967 as amended by section 17, chapter 250, Laws of 1971 ex. sess. and RCW 34.04.025; amending section 6, chapter 234, Laws of 1959 as amended by section 5, chapter 237, Laws of 1967 and RCW 34.04.060; adding new sections to chapter 34.04 RCW; repealing section 1, chapter 117, Laws of 1975-'76 2nd ex. sess. and RCW 43.21H.010; repealing section 2, chapter 117, Laws of 1975-'76 2nd ex. sess. and RCW 43.21H.020; repealing section 3, chapter 117, Laws of 1975-'76 2nd ex. sess. and RCW 43.21H.030;

repealing section 4, chapter 117, Laws of 1975-'76 2nd ex. sess. and RCW 43.21H.900; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 30, by Representatives Erickson and North:

AN ACT Relating to water and sewer facilities; adding a new section to chapter 58.19 RCW; and adding new sections to chapter 65.08 RCW.

To Committee on Local Government

HOUSE BILL NO. 31, by Representatives Fischer, Erickson and Pruitt:

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 32, by Representatives Warnke, Valle and Conner:

AN ACT Relating to port district financing; amending section 13, chapter 288, Laws of 1971 ex. sess. as amended by section 88, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.04.140; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 33, by Representative Fischer:

AN ACT Relating to water districts; and amending section 8, chapter 114, Laws of 1929 as amended by section 1, chapter 108, Laws of 1959 and RCW 57.08.010.

To Committee on Local Government

HOUSE BILL NO. 34, by Representatives Gaines, Greengo and Warnke:

AN ACT Relating to the support of state government; providing for the construction of public facilities; providing for the financing thereof by the issuance of bonds and anticipation notes; creating new sections; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 35, by Representatives Heck, Hawkins, Zimmerman, Nelson (Dick) and Tilly:

AN ACT Relating to elections; amending section 4, chapter 1, Laws of 1931 as last amended by section 1, chapter 106, Laws of 1969 and RCW 54.12.010; and amending section 29.21.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.010.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 36, by Representatives Warnke, Greengo, Paris, Valle, Dunlap, Leckenby, Conner, Grier, Bond, Craswell, Enbody, Fancher, Sanders, Shinoda, Tilly and Whiteside:

AN ACT Relating to state government; creating new sections; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 37, by Representatives Hurley (Margaret), Paris, North, Lee and Gaines:

AN ACT Relating to state parks; adding new sections to chapter 8, Laws of 1965 and to chapter 43.51 RCW; and making appropriations.

To Committee on Parks and Recreation

HOUSE BILL NO. 38, by Representatives Hanna and Conner:

AN ACT Relating to public employee collective bargaining; amending section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020; amending section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 15, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.030; amending section 5, chapter 131, Laws of 1973 and RCW 41.56.460; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 39, by Representatives Clemente, Lux, King and Pruitt:

AN ACT Relating to industrial insurance; amending section 51.08.030, chapter 23, Laws of 1961 as last amended by section 37, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 51.08.030; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 1, chapter 124, Laws of 1973

and RCW 51.12.020; amending section 51.16.120, chapter 23, Laws of 1961 as amended by section 13, chapter 43, Laws of 1972 ex. sess. and RCW 51.16.120; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 2, chapter 45, Laws of 1975-'76 2nd ex. sess. and RCW 51.32.050; amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 9, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.32.060; amending section 1, chapter 19, Laws of 1975-'76 2nd ex. sess. and RCW 51.32.073; amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 1, chapter 235, Laws of 1975 1st ex. sess. and RCW 51.32.090; amending section 12, chapter 289, Laws of 1971 ex. sess. as amended by section 23, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.095; amending section 51.32.110, chapter 23, Laws of 1961 as amended by section 13, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.110; amending section 26, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.210; amending section 51.44.040, chapter 23, Laws of 1961 as amended by section 27, chapter 43, Laws of 1972 ex. sess. and RCW 51.44.040; amending section 51.48.050, chapter 23, Laws of 1961 and RCW 51.48.050; adding a new section to chapter 23, Laws of 1961 and to chapter 51.04 RCW; repealing section 51.40.010, chapter 23, Laws of 1961 and RCW 51.40.010; repealing section 51.40.020, chapter 23, Laws of 1961, section 1, chapter 36, Laws of 1965, section 2, chapter 80, Laws of 1965 ex. sess. and RCW 51.40.020; repealing section 51.40.030, chapter 23, Laws of 1961 and RCW 51.40.030; repealing section 51.40.040, chapter 23, Laws of 1961, section 29, chapter 106, Laws of 1973 and RCW 51.40.040; repealing section 51.40.050, chapter 23, Laws of 1961 and RCW 51.40.050; repealing section 51.40.060, chapter 23, Laws of 1961 and RCW 51.40.060; repealing section 51.40.070, chapter 23, Laws of 1961 and RCW 51.40.070; and providing an effective date.

To Committee on Labor

HOUSE BILL NO. 40, by Representatives Fortson, Fischer, Hurley (George), North, Clemente, Grimm, Burns, Charnley, Douthwaite, Gallagher, Hanna, Hansen, Lee, Pruitt, Walk:

AN ACT Relating to real property taxes; and amending section 1, chapter 182, Laws of 1974 ex. sess. as amended by section 14, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.381.

To Committee on Revenue

HOUSE BILL NO. 41, by Representatives Hurley (Margaret), Lee and North:

AN ACT Relating to a mounted ranger program; creating new sections; and making an appropriation.

To Committee on Parks and Recreation

HOUSE BILL NO. 42, by Representatives Hurley (Margaret), Paris, North and Lee:

AN ACT Relating to the use of state parks; and adding new sections to chapter 8, Laws of 1965 and to chapter 43.51 RCW.

To Committee on Parks and Recreation

HOUSE BILL NO. 43, by Representatives Hurley (Margaret), Lee, North and Gaines:

AN ACT Relating to urban area state parks; amending section 43.51.040, chapter 8, Laws of 1965 as amended by section 1, chapter 90, Laws of 1967 ex. sess. and RCW 43.51.040; adding a new section to chapter 5, Laws of 1965 and to chapter 43.99 RCW; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.51 RCW.

To Committee on Parks and Recreation

HOUSE BILL NO. 44, by Representatives Hurley (Margaret), North, Paris and Lee:

AN ACT Relating to state park moorage fees; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.51 RCW.

To Committee on Parks and Recreation

HOUSE BILL NO. 45, by Representatives Flanagan, Hansen, Amen, Oliver and Patterson:

AN ACT Relating to liens; and amending section 2, chapter 264, Laws of 1961 and RCW 60.22.020.

To Committee on Agriculture

HOUSE BILL NO. 46, by Representatives Clemente, Lux and Fischer:

AN ACT Relating to adjustment of workmen's compensation payments; amending section 17, chapter 289, Laws of 1971 ex. sess. as last amended by section 1, chapter 19, Laws of 1975-'76 2nd ex. sess. and RCW 51.32.073; amending section 2, chapter 286, Laws of 1975 1st ex. sess. and RCW 51.32.075; and prescribing an effective date.

To Committee on Labor

HOUSE BILL NO. 47, by Representatives Heck, King, Hawkins, Burns and Nelson (Dick):

AN ACT Relating to elections; amending section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160; amending section 29.36.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.010; adding a new section to chapter 9, Laws of 1965 and to chapter 29.36 RCW; repealing section 1, chapter 73, Laws of 1967 ex. sess., section 3, chapter 178, Laws of 1971 ex. sess., section 7, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.010; repealing section 2, chapter 73, Laws of 1967 ex. sess., section 4, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.020; repealing section 3, chapter 73, Laws of 1967 ex. sess., section 6, chapter 178, Laws of 1971 ex. sess., section 8, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.030; repealing section 4, chapter 73, Laws of 1967 ex. sess., section 7, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.040; repealing section 5, chapter 73, Laws of 1967 ex. sess., section 9, chapter 178, Laws of 1971 ex. sess., section 9, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.050; repealing section 6, chapter 73, Laws of 1967 ex. sess., section 10, chapter 178, Laws of 1971 ex. sess., section 10, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.060; repealing section 7, chapter 73, Laws of 1967 ex. sess., section 11, chapter 178, Laws of 1971 ex. sess., section 11, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.070; repealing section 8, chapter 73, Laws of 1967 ex. sess., section 12, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.080; and repealing section 14, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.910.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 48, by Representatives Hurley (Margaret), Paris, North and Lee:

AN ACT Relating to the possession or consumption of alcoholic beverages in state parks; adding new sections to chapter 8, Laws of 1965 and to chapter 43.51 RCW; defining crimes; and prescribing penalties.

To Committee on Parks and Recreation

HOUSE BILL NO. 49, by Representatives Clemente, Lux, King, Gruger and Knedlik:

AN ACT Relating to industrial insurance; amending section 51.04.010, chapter 23, Laws of 1961 as amended by section 1, chapter 43, Laws of 1972 ex. sess. and RCW 51.04.010; amending section 51.04.030, chapter 23, Laws of 1961 as amended by section 74, chapter 289, Laws of 1971 ex. sess. and RCW 51.04.030; amending section 51.04.060, chapter 23, Laws of 1961 and RCW 51.04.060; amending section 51.04.070, chapter 23, Laws of 1961 and RCW 51.04.070; amending section 51.04.090, chapter 23, Laws of 1961 and RCW 51.04.090; amending section 51.04.100, chapter 23, Laws of 1961 and RCW 51.04.100; amending section 67, chapter 289, Laws of 1971 ex. sess. as last amended by section 150, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 51.04.110; amending section 3, chapter 107, Laws of 1961 and RCW 51.08.013; amending section 51.08.015, chapter 23, Laws of 1961 as amended by section 3, chapter 43, Laws of 1972 ex. sess. and RCW 51.08.015; amending section 51.08.020, chapter 23, Laws of 1961 as amended by section 91, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.08.020; amending section 51.08.050, chapter 23, Laws of 1961 and RCW 51.08.050; amending section 51.08.070, chapter 23, Laws of 1961 as amended by section 1, chapter 289, Laws of 1971 ex. sess. and RCW 51.08.070; amending section 51.08.160, chapter 23, Laws of 1961 and RCW 51.08.160; amending section 14, chapter 289, Laws of 1971 ex. sess. and RCW 51.08.178; amending section 51.08.180, chapter 23, Laws of 1961 and RCW 51.08.180; amending section 4, chapter 43, Laws of 1972 ex. sess. and RCW 51.08.185; amending section 1, chapter 20, Laws of 1971 as last amended by section 1, chapter 79, Laws of 1975 1st ex. sess. and RCW 51.12.035; amending section 51.12.050, chapter 23, Laws of 1961 as amended by section 8, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.050; amending section 51.12.060, chapter 23, Laws of 1961 and RCW 51.12.060; amending section 51.12.090, chapter 23, Laws of 1961 as amended by section 10, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.090; amending section 51.12.100, chapter 23, Laws of 1961 as last amended by section 3, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.12.100; amending section 51.12.110, chapter 23, Laws of 1961 as amended by section 85, chapter 289, Laws of 1971 ex. sess. and RCW 51.12.110; amending section 82, chapter 289, Laws of 1971 ex. sess. as amended by section 12, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.120; amending section 16, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.035; amending section 2, chapter 151, Laws of 1963 as amended by section 84, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.042; amending section 51.16.060, chapter 23, Laws of 1961 as last amended by section 1, chapter 32, Laws of 1973 1st ex. sess. and RCW 51.16.060; amending section 51.16.105, chapter 23, Laws of 1961 as last amended by section 8, chapter 52, Laws of 1973 1st ex. sess. and RCW 51.16.105; amending section 51.16.120, chapter 23, Laws of 1961 as amended by section 13, chapter 43, Laws of 1972 ex. sess. and RCW 51.16.120; amending section 51.16.140, chapter 23, Laws of 1961 as last amended by section 2, chapter 110, Laws of 1973 and RCW 51.16.140; amending section 51.24.010, chapter 23, Laws of 1961 as last amended by section 93, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.24.010; amending section 51.24.020, chapter 23, Laws of 1961 as amended by section 94, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.24.020; amending section 51.28.010, chapter 23, Laws of 1961 as last amended by section 4, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.28.010; amending section 51.28.020, chapter 23, Laws of 1961 as amended by section 38, chapter 289, Laws of 1971 ex. sess. and RCW 51.28.020; amending section 51.28.055, chapter 23, Laws of 1961 and RCW 51.28.055; amending section 51.28.060, chapter 23, Laws of 1961 and RCW 51.28.060; amending section 51.28.070, chapter 23, Laws of 1961 as

amended by section 6, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.28.070; amending section 51.32.010, chapter 23, Laws of 1961 as last amended by section 7, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.32.010; amending section 1, chapter 107, Laws of 1961 as amended by section 41, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.015; amending section 51.32.020, chapter 23, Laws of 1961 as amended by section 42, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.020; amending section 51.32.030, chapter 23, Laws of 1961 and RCW 51.32.030; amending section 1, chapter 30, Laws of 1974 ex. sess. as amended by section 8, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.32.040; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 2, chapter 45, Laws of 1975-'76 2nd ex. sess. and RCW 51.32.050; amending section 46, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.055; amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 9, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.32.060; amending section 1, chapter 19, Laws of 1975-'76 2nd ex. sess. and RCW 51.32.073; amending section 51.32.080, chapter 23, Laws of 1961 as last amended by section 21, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.080; amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 1, chapter 235, Laws of 1975 1st ex. sess. and RCW 51.32.090; amending section 12, chapter 289, Laws of 1971 ex. sess. as amended by section 23, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.095; amending section 51.32.100, chapter 23, Laws of 1961 as amended by section 44, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.100; amending section 51.32.110, chapter 23, Laws of 1961 as amended by section 13, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.110; amending section 51.32.120, chapter 23, Laws of 1961 and RCW 51.32.120; amending section 51.32.135, chapter 23, Laws of 1961 as amended by section 98, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.32.135; amending section 51.32.180, chapter 23, Laws of 1961 as amended by section 49, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.180; amending section 47, chapter 289, Laws of 1971 ex. sess. as amended by section 25, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.190; amending section 26, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.210; amending section 51.36.010, chapter 23, Laws of 1961 as last amended by section 1, chapter 234, Laws of 1975 1st ex. sess. and RCW 51.36.010; amending section 51.36.020, chapter 23, Laws of 1961 as last amended by section 14, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.36.020; amending section 51.36.030, chapter 23, Laws of 1961 and RCW 51.36.030; amending section 2, chapter 107, Laws of 1961 and RCW 51.36.040; amending section 54, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.070; amending section 51.40.010, chapter 23, Laws of 1961 and RCW 51.40.010; amending section 51.40.020, chapter 23, Laws of 1961 as last amended by section 2, chapter 80, Laws of 1965 ex. sess. and RCW 51.40.020; amending section 51.40.030, chapter 23, Laws of 1961 and RCW 51.40.030; amending section 51.40.040, chapter 23, Laws of 1961 as amended by section 29, chapter 106, Laws of 1973 and RCW 51.40.040; amending section 51.40.050, chapter 23, Laws of 1961 and RCW 51.40.050; amending section 51.40.060, chapter 23, Laws of 1961 and RCW 51.40.060; amending section 51.40.070, chapter 23, Laws of 1961 and RCW 51.40.070; amending section 51.44.110, chapter 23, Laws of 1961 as amended by section 30, chapter 106, Laws of 1973 and RCW 51.44.110; amending section 51.48.010, chapter 23, Laws of 1961 as amended by section 61, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.010; amending section 51.48.050, chapter 23, Laws of 1961 and RCW 51.48.050; amending section 51.48.060, chapter 23, Laws of 1961 as amended by section 20, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.060; amending section 51.48.070, chapter 23, Laws of 1961 and RCW 51.48.070; amending section 1, chapter 78, Laws of 1972 ex. sess. and RCW 51.48.105; amending section 51.52.010, chapter 23, Laws of 1961 as last amended by section 151, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 51.52.010; amending section 51.52.050, chapter 23, Laws of 1961 as amended by section 1, chapter 58, Laws of 1975 1st ex. sess. and RCW 51.52.050; amending section 51.52.060, chapter 23, Laws of 1961 as last amended by section 2, chapter 58, Laws of 1975 1st ex. sess. and RCW 51.52.060; amending section 51.52.070, chapter 23, Laws of 1961 as last amended by section 18, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.52.070; amending section 51.52.095, chapter 23, Laws of 1961 as last amended by section 3, chapter 148, Laws of 1963 and RCW 51.52.095; amending section 51.52.100, chapter 23, Laws of 1961 as amended by section 4, chapter 148, Laws of 1963 and RCW 51.52.100; amending section 1, chapter 40, Laws of 1973 and RCW 51.52.110; amending section 51.52.120, chapter 23, Laws of 1961 as amended by section 1, chapter 63, Laws of 1965 ex. sess. and RCW 51.52.120; and amending section 51.52.130, chapter 23, Laws of 1961 and RCW 51.52.130.

To Committee on Labor

HOUSE BILL NO. 50, by Representatives Kilbury, Boldt and Martinis:

AN ACT Relating to the regulation of railroads; adding new sections to chapter 81.44 RCW; creating a new section; defining crimes; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 51, by Representatives King, Charnley, Fischer, Burns and Pruitt:

AN ACT Relating to unemployment compensation; amending section 21, chapter 3, Laws of 1971 as last amended by section 1, chapter 67, Laws of 1975 1st ex. sess. and RCW 50.44.040; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 52, by Representatives Kilbury and Boldt:

AN ACT Relating to revenue and taxation; and amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 7, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.260.

To Committee on Revenue

HOUSE BILL NO. 53, by Representatives Fischer and Salatino:

AN ACT Relating to public utilities; and adding a new section to chapter 80.36 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 54, by Representatives Ehlers, Boldt and Polk:

AN ACT Relating to state government; and amending section 43.01.090, chapter 8, Laws of 1965 as last amended by section 1, chapter 82, Laws of 1973 1st ex. sess. and RCW 43.01.090.

To Committee on State Government

HOUSE BILL NO. 55, by Representatives Deccio, Boldt, Becker, Kilbury, Amen, Flanagan, Hansen, Erickson and Clayton (by request of Committee on Agriculture of the 44th Legislature):

AN ACT Relating to stream patrolmen; amending section 1, chapter 162, Laws of 1925 ex. sess. and RCW 90.08.040; amending section 2, chapter 162, Laws of 1925 ex. sess. as last amended by section 180, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 90.08.050; amending section 3, chapter 162, Laws of 1925 ex. sess. and RCW 90.08.060; and amending section 4, chapter 162, Laws of 1925 ex. sess. and RCW 90.08.070.

To Committee on Ecology

HOUSE BILL NO. 56, by Representatives Shinpoch, Hanna, Adams, Amen, Eng, Fischer, McCormick, Paris and Blair:

AN ACT Relating to jails; amending section 35.21.330, chapter 7, Laws of 1965 and RCW 35.21.330; amending section 35.22.280, chapter 7, Laws of 1965 as last amended by section 1, chapter 16, Laws of 1971 ex. sess. and RCW 35.22.280; amending section 35.23.440, chapter 7, Laws of 1965 as amended by section 7, chapter 116, Laws of 1965 ex. sess. and RCW 35.23.440; amending section 35.24.160, chapter 7, Laws of 1965 and RCW 35.24.160; amending section 35.24.290, chapter 7, Laws of 1965 as amended by section 10, chapter 116, Laws of 1965 ex. sess. and RCW 35.24.290; amending section 35.27.240, chapter 7, Laws of 1965 as amended by section 1, chapter 125, Laws of 1965 and RCW 35.27.240; amending section 35.27.370, chapter 7, Laws of 1965 as last amended by section 15, chapter 116, Laws of 1965 ex. sess. and RCW 35.27.370; adding a new chapter to Title 70 RCW; repealing sections 36.63.010 through 36.63.110, chapter 4, Laws of 1963 and RCW 36.63.010 through 36.63.110; repealing section 36.63.120, chapter 4, Laws of 1963, section 1, chapter 17, Laws of 1969 and RCW 36.63.120; repealing sections 36.63.130 through 36.63.250, chapter 4, Laws of 1963 and RCW 36.63.130 through 36.63.250; repealing sections 1 through 9, chapter 81, Laws of 1974 ex. sess. and RCW 36.63A.010 through 36.63A.910; repealing sections 36.63.260 through 36.63.440, chapter 4, Laws of 1963 and RCW 36.63.260 through 36.63.440; repealing section 2214, Code of 1881 and RCW 70.20.140; repealing section 32, chapter 171, Laws of 1961 and RCW 72.01.420; making an appropriation; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 57, by Representatives Valle, Hughes, Charnley, Hawkins, Douthwaite, Flanagan, Chandler, Zimmerman, Lux and Becker (by request of Committee on Ecology of the 44th Legislature):

AN ACT Relating to the environmental coordination procedures act; amending section 1, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.010; amending section 2, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.020; amending section 4, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.040; amending section 5, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.050; amending section 6, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.060; amending section 8, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.080; amending section 9, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.090; amending section 10, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.100; adding a new section to chapter 90.62 RCW; and creating a new section.

To Committee on Ecology

HOUSE BILL NO. 58, by Representatives Ehlers, Boldt and Polk:

AN ACT Relating to criminal cost bills in felony cases; amending section 2106, Code of 1881 as amended by section 1, page 35, Laws of 1883 and RCW 10.46.220; amending section 316, page 250, Laws of 1873 as last amended by section 1, page 35, Laws of 1883 and RCW 10.46.230; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 59, by Representatives King, Burns, Fischer, Charnley, Pearsall, Bender, Douthwaite, Knowles, Lux, May, McKibbin, Moreau and Salatino:

AN ACT Relating to labor relations; amending section 4, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.58.020; adding a new chapter to Title 41 RCW; repealing section 1, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.010; repealing section 2, chapter 196, Laws of 1971 ex. sess., section 1, chapter 205, Laws of 1973 1st ex. sess., section 12, chapter 296, Laws of 1975 1st ex. sess. and RCW 28B.52.020; repealing section 3, chapter 196, Laws of 1971 ex. sess., section 2, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.030; repealing section 4, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.035; repealing section 4, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.050; repealing section 5, chapter 196, Laws of 1971 ex. sess., section 3, chapter 205, Laws of 1973 1st ex. sess., section 13, chapter 296, Laws of 1975 1st ex. sess. and RCW 28B.52.060; repealing section 6, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.070; repealing section 7, chapter 196, Laws of 1971 ex. sess., section 5, chapter 205, Laws of 1973 1st ex. sess., section 14, chapter 296, Laws of 1975 1st ex. sess. and RCW 28B.52.080; repealing section 8, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.090; repealing section 9, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.100; repealing section 6, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.200; repealing section 5, chapter 288, Laws of 1975 1st ex. sess., section 92, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.59.040; and repealing section 6, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.050.

To Committee on Labor

HOUSE BILL NO. 60, by Representatives Sommers, Dunlap, Conner, Greengo and Sanders (by Executive request of Governor Evans):

AN ACT Relating to the state civil service law; and adding a new section to chapter 41.06 RCW.

To Committee on State Government

HOUSE BILL NO. 61, by Representatives Sommers, Dunlap, Conner and Leckenby (by Executive request of Governor Evans):

AN ACT Relating to the department of personnel; amending section 3, chapter 1, Laws of 1961 and RCW 41.06.030; amending section 1, chapter 11, Laws of 1972 ex. sess. as amended by section 1, chapter 133, Laws of 1973 1st ex. sess. and RCW 41.06.070; amending section 1, chapter ... (HB ...), Laws of 1977 and RCW 41.06.110; amending section 12, chapter 1, Laws of 1961 as amended by section 2, chapter 43, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.120; amending section 13, chapter 1, Laws of 1961 and RCW 41.06.130; amending section 14, chapter 1, Laws of 1961 and RCW 41.06.140; amending section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter 75, Laws of 1973 1st ex. sess. and RCW 41.06.150; amending section 16, chapter 1, Laws of 1961 and RCW 41.06.160; amending section 17, chapter 1, Laws of 1961 as amended by section 3, chapter 43, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.170; amending section 22, chapter 1, Laws of 1961 and RCW 41.06.220; amending section 24, chapter 1, Laws of 1961 and RCW 41.06.240; amending section 26, chapter 1, Laws of 1961 and RCW 41.06.260; amending section 27, chapter 1, Laws of 1961 and RCW 41.06.270; amending section 28, chapter 1, Laws of 1961 as amended by section 1, chapter 215, Laws of 1963 and RCW 41.06.280; amending section 1, chapter 45, Laws of 1969 and RCW 41.06.300; amending section 1, chapter 152, Laws of 1969 ex. sess. and RCW 41.06.350; amending section 1, chapter ... (HB ...), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB ...), Laws of 1977 and RCW 43.17.020; and repealing section 9, chapter 1, Laws of 1961 and RCW 41.06.090.

To Committee on State Government

HOUSE BILL NO. 62, by Representatives King, Clemente, Fischer, Lux, Pearsall, Gallagher and May:

AN ACT Relating to labor relations; enacting a state labor-management relations act; amending section 15, chapter 234, Laws of 1959 as last amended by section 17, chapter 57, Laws of 1971 ex. sess. and RCW 34.04.150; amending section 1, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.58.005; amending section 1, chapter 5, Laws of 1975 2nd ex. sess. and RCW 41.58.010; amending section 2, chapter 5, Laws of 1975 2nd ex. sess. as amended by section 91, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.015; amending section 4, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.58.020; amending section 7, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.58.050; and adding a new chapter to Title 49 RCW.

To Committee on Labor

HOUSE BILL NO. 63, by Representatives Ehlers, Nelson (Gary) and Sommers:

AN ACT Relating to state civil service; amending section 1, chapter 1, Laws of 1961 and RCW 41.06.010; amending section 1, chapter 12, Laws of 1970 ex. sess. and RCW 41.06.020; amending section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter 75, Laws of 1973 1st ex. sess. and RCW 41.06.150; adding new sections to chapter 41.06 RCW; and making an appropriation.

To Committee on State Government

HOUSE BILL NO. 64, by Representatives Nelson (Gary), Ehlers, Sommers, Bender, Boldt, Burns, Clayton, Deccio, Greengo, Heck, Knedlik, Lee, May, Polk, Sanders, Struthers and Taller:

AN ACT Relating to boards, commissions, councils, and committees in state government; amending section 5, chapter 101, Laws of 1957 as last amended by section 29, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.140; amending section 16, chapter 215, Laws of 1937 as amended by section 15, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.230; amending section 10, chapter 245, Laws of 1971 ex. sess. as amended by section 1, chapter 163, Laws of 1973 1st ex. sess. and RCW 18.44.230; amending section 11, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.240; amending section 12, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.250; amending section 7, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.070; amending section 9, chapter 218, Laws of 1937 and RCW 19.24.140; amending section 10, chapter 169, Laws of 1935 as amended by section 2, chapter 117, Laws of 1965 ex. sess. and RCW 19.28.060; amending section 5, chapter 207, Laws of 1963 as last amended by section 60, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.065; amending section 8, chapter 169, Laws of 1935 as last amended by section 2, chapter 129, Laws of 1971 ex. sess. and RCW 19.28.210; amending section 2, chapter 169, Laws of 1935 and RCW 19.28.260; amending section 13, chapter 169, Laws of 1935 and RCW 19.28.300; amending section 7, chapter 169, Laws of 1935 and RCW 19.28.310; amending section 10, chapter 27, Laws of 1970 ex. sess. and RCW 43.22.430; amending section 3, chapter 110, Laws of 1967 ex. sess. and RCW 71.20.030; creating new sections; adding a new section to chapter 43.22 RCW; repealing section 14, chapter 3, Laws of 1965 ex. sess., section 31, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.18.251; repealing section 8, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.210; repealing section 12, chapter 169, Laws of 1935, section 63, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.270; repealing section 5, chapter 178, Laws of 1951, section 6, chapter 171, Laws of 1974 ex. sess., section 82, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 38.52.040; repealing section 43.22.160, chapter 8, Laws of 1965, section 80, chapter 154, Laws of 1973 1st ex. sess. and RCW 43.22.160; repealing section 43.22.170, chapter 8, Laws of 1965, section 81, chapter 154, Laws of 1973 1st ex. sess. and RCW 43.22.170; repealing section 3, chapter 229, Laws of 1969 ex. sess., section 9, chapter 27, Laws of 1970 ex. sess., section 1, chapter 82, Laws of 1971 ex. sess., section 103, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.22.420; repealing section 6, chapter 44, Laws of 1970 ex. sess., section 4, chapter 22, Laws of 1973 1st ex. sess., section 104, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.22.475; repealing section 43.32.010, chapter 8, Laws of 1965, section 6, chapter 85, Laws of 1971 ex. sess. and RCW 43.32.010; repealing section 43.32.020, chapter 8, Laws of 1965 and RCW 43.32.020; repealing section 46.48.190, chapter 12, Laws of 1961 and RCW 46.48.190; repealing section 27, chapter 271, Laws of 1969 ex. sess., section 9, chapter 85, Laws of 1971 ex. sess. and RCW 58.17.260; repealing section 2, chapter 75, Laws of 1965 and RCW 71.16.020; repealing section 3, chapter 75, Laws of 1965 and RCW 71.16.030; repealing section 4, chapter 75, Laws of 1965 and RCW 71.16.040; repealing section 1, chapter 203, Laws of 1969 ex. sess., section 1, chapter 87, Laws of 1971 ex. sess. and RCW 74.32.100; repealing section 2, chapter 203, Laws of 1969 ex. sess., section 170, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 74.32.110; repealing section 3, chapter 203, Laws of 1969 ex. sess. and RCW 74.32.120; repealing section 4, chapter 203, Laws of 1969 ex. sess., section 2, chapter 87, Laws of 1971 ex. sess. and RCW 74.32.130; repealing section 1, chapter 298, Laws of 1971 ex. sess. and RCW 74.32.140; repealing section 2, chapter 298, Laws of 1971 ex. sess. and RCW 74.32.150; repealing section 3, chapter 298, Laws of 1971 ex. sess. and RCW 74.32.160; repealing section 4, chapter 298, Laws of 1971 ex. sess. and RCW 74.32.170; repealing section 5, chapter 298, Laws of 1971 ex. sess. and RCW 74.32.180; repealing section 1, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.010; 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., section 1, chapter 36, Laws of 1967, section 181, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 91.12.030; repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; repealing section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; and repealing section 6, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.060.

To Committee on State Government

HOUSE BILL NO. 65, by Representatives Thompson, Hanna, Blair, Charnley, Douthwaite and Lee:

AN ACT Relating to land use planning; adding a new chapter to Title 64 RCW; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 58.17 RCW.

To Committee on Local Government

HOUSE BILL NO. 66, by Representatives Clemente, Bender and Lee:

AN ACT Relating to education; providing for educational clinics; providing for state aid for students enrolled in certain of such clinics; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW as a new chapter thereof.

To Committee on Education

HOUSE BILL NO. 67, by Representatives Sommers, Nelson (Gary), McKibbin and Douthwaite:

AN ACT Relating to state government; amending section 43.31.040, chapter 8, Laws of 1965 as last amended by section 2, chapter 221, Laws of 1967 and RCW 43.31.040; adding new sections to chapter 43.21F RCW; repealing section 1, chapter 10, Laws of 1965 and RCW 43.31.280; repealing section 3, chapter 10, Laws of 1965 and RCW 43.31.290; repealing section 5, chapter 10, Laws of 1965, section 11, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.300; repealing section 8, chapter 10, Laws of 1965 and RCW 43.31.310; repealing section 9, chapter 10, Laws of 1965 and RCW 43.31.320; repealing section 7, chapter 10, Laws of 1965 and RCW 43.31.330; and repealing section 4, chapter 207, Laws of 1961, section 4, chapter 10, Laws of 1965 and RCW 70.98.040.

To Committee on State Government

HOUSE BILL NO. 68, by Representatives Ehlers, Sommers, Nelson (Gary) and North:

AN ACT Relating to boards, councils, and committees in state government; amending section 11, chapter 117, Laws of 1951 as amended by section 1, chapter 85, Laws of 1971 ex. sess. and RCW 18.51.100; amending section 4, chapter 208, Laws of 1973 1st ex. sess. as amended by section 43, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.73.040; amending section 31, chapter 290, Laws of 1953 and RCW 68.05.040; amending section 32, chapter 290, Laws of 1953 and RCW 68.05.050; amending section 9, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.090; amending section 11, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.110; creating a new section; repealing section 26, chapter 290, Laws of 1953 and RCW 68.05.010; repealing section 27, chapter 290, Laws of 1953 and RCW 68.05.020; repealing section 28, chapter 290, Laws of 1953 and RCW 68.05.030; repealing section 31, chapter 290, Laws of 1953, section 4, chapter ... (HB ...), Laws of 1977 and RCW 68.05.040; repealing section 32, chapter 290, Laws of 1953, section 5, chapter ... (HB ...), Laws of 1977 and RCW 68.05.050; repealing section 33, chapter 290, Laws of 1953, section 156, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 68.05.060; repealing section 34, chapter 290, Laws of 1953 and RCW 68.05.070; repealing section 35, chapter 290, Laws of 1953 and RCW 68.05.080; repealing section 39, chapter 290, Laws of 1953 and RCW 68.05.090; repealing section 36, chapter 290, Laws of 1953 and RCW 68.05.100; repealing section 37, chapter 290, Laws of 1953 and RCW 68.05.110; repealing section 38, chapter 290, Laws of 1953 and RCW 68.05.120; repealing section 42, chapter 290, Laws of 1953, section 12, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.130; repealing section 43, chapter 290, Laws of 1953, section 13, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.140; repealing section 44, chapter 290, Laws of 1953, section 14, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.150; repealing section 45, chapter 290, Laws of 1953, section 15, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.160; repealing section 46, chapter 290, Laws of 1953, section 1, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.170; repealing section 40, chapter 290, Laws of 1953, section 16, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.180; repealing section 41, chapter 290, Laws of 1953 and RCW 68.05.190; repealing section 47, chapter 290, Laws of 1953 and RCW 68.05.200; repealing section 48, chapter 290, Laws of 1953, section 2, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.210; repealing section 50, chapter 290, Laws of 1953, section 3, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.220; repealing section 51, chapter 290, Laws of 1953, section 4, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.230; repealing section 52, chapter 290, Laws of 1953 and RCW 68.05.240; repealing section 49, chapter 290, Laws of 1953 and RCW 68.05.250; repealing section 5, chapter 99, Laws of 1969 ex. sess., section 17, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.255; repealing section 53, chapter 290, Laws of 1953 and RCW 68.05.260; repealing section 29, chapter 290, Laws of 1953 and RCW 68.05.270; repealing section 30, chapter 290, Laws of 1953, section 1, chapter 133, Laws of 1961 and RCW 68.05.280; and providing effective dates.

To Committee on State Government

HOUSE BILL NO. 69, by Representatives Nelson (Gary), Sommers, Leckenby, Boldt, Clayton, Deccio, Ehlers, Greengo, Knedlik, Lee, Polk and Taller:

AN ACT Relating to state government; adding new sections to chapter 43.88 RCW; and creating new sections.

To Committee on State Government

HOUSE BILL NO. 70, by Representatives O'Brien, Nelson (Gary), Ehlers, Burns, Greengo, Knedlik and Lysen (by Executive request of Governor Evans):

AN ACT Relating to state government; providing for an office of archaeology and historic preservation; providing for an advisory council on historic preservation; providing for the transfer of certain powers, duties and functions as between state agencies; amending section 2, chapter 134, Laws of 1975 1st ex.

sess. as amended by section 1, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.020; amending section 3, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.030; amending section 6, chapter 134, Laws of 1975 1st ex. sess. as amended by section 2, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.060; adding new sections as a new chapter to Title 43 RCW; creating new sections; repealing section 1, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.750; repealing section 2, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.760; repealing section 3, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.770; repealing section 4, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.780; repealing section 5, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.790; repealing section 6, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.800; repealing section 7, chapter 19, Laws of 1967 ex. sess., section 117, chapter 134, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.810; repealing section 8, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.820; and making an effective date.

To Committee on State Government

HOUSE BILL NO. 71, by Representatives Sommers, Zimmerman, Burns, Charnley and Greengo (by Executive request of Governor Evans):

AN ACT Relating to revenue and taxation; adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW; and prescribing expiration dates.

To Committee on Revenue

HOUSE BILL NO. 72, by Representatives O'Brien, Zimmerman, Sommers, Burns, Greengo, Lysen and Schmitt (by Executive request of Governor Evans):

AN ACT Relating to taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; creating new sections; and providing penalties.

To Committee on Revenue

HOUSE BILL NO. 73, by Representatives Ehlers, Nelson (Gary), Bauer and Burns:

AN ACT Relating to state government; regulating agency housing; and adding a new section to chapter 43.82 RCW.

To Committee on State Government

HOUSE BILL NO. 74, by Representatives Williams, Chandler, Ehlers, Burns and Greengo:

AN ACT Relating to historic preservation; creating new sections; adding new sections to chapter 19, Laws of 1967 ex. sess. and to chapter 43.51 RCW; and providing penalties.

To Committee on State Government

HOUSE BILL NO. 75, by Representatives Douthwaite, Chandler, Gaines, Burns and Greengo:

AN ACT Relating to archaeological resources; amending section 2, chapter 134, Laws of 1975 1st ex. sess. as amended by section 1, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.020; amending section 3, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.030; amending section 5, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.050; amending section 6, chapter 134, Laws of 1975 1st ex. sess. as amended by section 2, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.060; amending section 9, chapter 134, Laws of 1975 1st ex. sess. as amended by section 4, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.090; creating new sections; adding a new section to chapter 27.53 RCW; and providing penalties.

To Committee on State Government

HOUSE BILL NO. 76, by Representatives Williams, Polk, Ehlers and Burns:

AN ACT Relating to buildings designated as historic structures; and adding a new section to chapter 19.27 RCW.

To Committee on State Government

HOUSE BILL NO. 77, by Representatives Fortson and North:

AN ACT Relating to education; amending section 10, chapter 15, Laws of 1975 2nd ex. sess. as amended by section 10, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.137; and repealing section 3, chapter 254, Laws of 1975 1st ex. sess. and RCW 28A.02.260.

To Committee on Education

HOUSE BILL NO. 78, by Representatives Fischer, Clemente and Pruitt:

AN ACT Relating to school district certificated employees; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW; and providing penalties.

To Committee on Education,

HOUSE BILL NO. 79, by Representatives Erickson and Knedlik:

AN ACT Relating to counties; amending section 36.32.010, chapter 4, Laws of 1963 and RCW 36.32.010; and adding new sections to chapter 36.32 RCW.

To Committee on Local Government

HOUSE BILL NO. 80, by Representatives Erickson, Barnes, Bender, Charnley, Conner, Ehlers, Gallagher, Gaines, Grimm, Lee, Salatino, Smith and Walk:

AN ACT Relating to revenue and taxation; amending section 1, chapter 182, Laws of 1974 ex. sess. as amended by section 14, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.381; prescribing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 81, by Representatives Sherman, Charnley, Nelson (Dick) and Smith:

AN ACT Relating to beverage containers; adding a new chapter to Title 70 RCW; and providing penalties.

To Committee on Ecology

HOUSE BILL NO. 82, by Representatives Boldt, Polk, Deccio, Ehlers, Hansen, Knedlik, Lee, Owen, Whiteside and Winsley:

AN ACT Relating to state government; amending section 1, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1967 and RCW 34.04.010; amending section 3, chapter 237, Laws of 1967 as amended by section 17, chapter 250, Laws of 1971 ex. sess. and RCW 34.04.025; amending section 4, chapter 237, Laws of 1967 and RCW 34.04.027; amending section 3, chapter 234, Laws of 1959 and RCW 34.04.030; adding new sections to chapter 34.04 RCW; and repealing section 1, chapter 186, Laws of 1963 and RCW 34.04.160.

To Committee on State Government

HOUSE BILL NO. 83, by Representatives Boldt, Deccio, Knedlik, Owen, Pruitt and Smith:

AN ACT Relating to legislative hearings; adding a new section to chapter 6, Laws of 1895 and to chapter 44.16 RCW; prescribing a penalty; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 84, by Representatives Boldt, Knowles and Oliver:

AN ACT Relating to superior courts; amending section 6, chapter 125, Laws of 1951 as last amended by section 1, chapter 192, Laws of 1974 ex. sess. and RCW 2.08.064.

To Committee on Judiciary

HOUSE BILL NO. 85, by Representatives Fischer, Pearsall and King:

AN ACT Relating to public employees' collective bargaining; amending section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020; amending section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 15, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.030; and amending section 1, chapter 101, Laws of 1967 and RCW 53.18.010.

To Committee on Labor

HOUSE BILL NO. 86, by Representatives Hawkins and Boldt:

AN ACT Relating to the legislature; creating new sections; adding a new chapter to Title 44 RCW; and repealing sections 1 through 58, chapter 6, Laws of 1965 and RCW 44.07.005 through 44.07.910 and sections 1 through 12, chapter 123, Laws of 1974 ex. sess. and RCW 44.07A.001 through 44.07A.900.

To Committee on State Government

HOUSE BILL NO. 87, by Representatives Ehlers and Charnley:

AN ACT Relating to public assistance; and amending section 4, chapter 51, Laws of 1973 1st ex. sess. and RCW 74.08.560.

To Committee on Labor

HOUSE BILL NO. 88, by Representatives Oliver and Boldt:

AN ACT Relating to state highways; and adding a new section to chapter 47.17 RCW.

To Committee on Transportation

HOUSE BILL NO. 89, by Representatives Hansen, Patterson, Boldt, Clayton, Deccio, Gallagher and Gaines:

AN ACT Relating to speeding violations; amending section 46.08.110, chapter 12, Laws of 1961 as amended by section 3, chapter 32, Laws of 1967 and RCW 46.01.250; amending section 4, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.020; adding a new section to chapter 46.61 RCW; adding a new section to chapter 48.30 RCW; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 90, by Representative Kilbury:

AN ACT Relating to revenue and taxation; amending section 28A.45.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.030; amending section 28A.45.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.040; amending section 28A.45.050, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 135, Laws of 1975 1st ex. sess. and RCW 28A.45.050; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.060; amending section 28A.45.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.100; amending section 28A.45.105, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.105; amending section 28A.45.120, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.120; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.45 RCW.

To Committee on Revenue

HOUSE BILL NO. 91, by Representatives Erickson, Gallagher, Ehlers, Greengo, Grimm, Hughes, Salatino and Walk:

AN ACT Relating to nursing homes; amending section 2, chapter 117, Laws of 1951 as last amended by section 1, chapter 108, Laws of 1973 1st ex. sess. and RCW 18.51.010; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 92, by Representatives Gaines, Conner, Fortson, Gallagher and Martinis:

AN ACT Relating to the establishment and operation of a state lottery; adding a new section to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW; adding a new chapter to Title 67 RCW; prescribing penalties; and making an appropriation.

To Committee on State Government

HOUSE BILL NO. 93, by Representatives Gaines, Charnley, Eng, Fortson, Hanna and Martinis:

AN ACT Relating to energy; adding a new chapter to Title 74 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 94, by Representatives Conner and Owen:

AN ACT Relating to pollution; adding new sections to chapter 90.48 RCW; declaring an emergency; and providing an effective date.

To Committee on Ecology

HOUSE BILL NO. 95, by Representatives Sherman, Charnley and Lee:

AN ACT Relating to motor vehicles; amending section 46.04.500, chapter 12, Laws of 1961 and RCW 46.04.500; amending section 64, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.560; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 96, by Representatives Hurley (Margaret) and May:

AN ACT Relating to employment of illegal aliens; adding a new chapter to Title 49 RCW; defining crimes; and prescribing penalties.

To Committee on Labor

HOUSE BILL NO. 97, by Representatives Warnke, Lee and Pruitt:

AN ACT Relating to alcohol beverage control; and adding a new section to chapter 66.24 RCW.

To Committee on Commerce

HOUSE BILL NO. 98, by Representatives Bauer, Charnley, Douthwaite, Kilbury, Lee, Lysen, Nelson (Gary) and Smith:

AN ACT Relating to thermal performance standards for new dwellings; amending section 3, chapter 96, Laws of 1974 ex. sess. as amended by section 8, chapter 110, Laws of 1975 1st ex. sess. and RCW 19.27.030; amending section 4, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.040; adding new sections to chapter 96, Laws of 1974 ex. sess. and to chapter 19.27 RCW; creating new sections; and providing for an expiration date.

To Committee on Energy and Utilities

HOUSE BILL NO. 99, by Representative North:

AN ACT Relating to public contracts; and amending section 36.32.250, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1975 1st ex. sess. and RCW 36.32.250.

To Committee on Local Government

HOUSE BILL NO. 100, by Representatives North and Smith:

AN ACT Relating to motor vehicles; and adding a new section to chapter 46.08 RCW.

To Committee on Insurance

HOUSE BILL NO. 101, by Representatives Warnke, Fortson, Gallagher and Hansen:

AN ACT Relating to gambling; adding a new chapter to Title 67 RCW; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 102, by Representatives McKibbin, Nelson (Gary) and Sommers:

AN ACT Relating to mobile homes; amending section 46.16.100, chapter 12, Laws of 1961 as last amended by section 18, chapter 25, Laws of 1975 and RCW 46.16.100; amending section 68, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.530; amending section 84.60.020, chapter 15, Laws of 1961 and RCW 84.60.020; adding new sections to chapter 46.44 RCW; creating new sections; repealing section 20, chapter 231, Laws of 1971 ex. sess., section 6, chapter 103, Laws of 1973 and RCW 46.16.104; repealing section 21, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.105; repealing section 22, chapter 231, Laws of 1971 ex. sess., section 7, chapter 103, Laws of 1973 and RCW 46.16.106; repealing section 73, chapter 299, Laws of 1971 ex. sess., section 5, chapter 103, Laws of 1973 and RCW 82.50.902; defining crimes; prescribing penalties; and declaring an emergency.

To Committee on Transportation

HOUSE JOINT RESOLUTION NO. 1, by Representatives Sommers, Conner and Smith (by Executive request of Governor Evans):

Amending the Constitution to authorize the governor to organize and reorganize the executive branch of state government.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 2, by Representatives Williams, Polk, Sommers, Blair,

Zimmerman, Burns and Charnley (by Executive request of Governor Evans):

Proposing constitutional amendment designating historic sites as property which may be assessed based on current use.

To Committee on Revenue

HOUSE CONCURRENT RESOLUTION NO. 1, by Representatives Valle, Warnke and Leckenby:

Providing for state assistance to small and minority-owned businesses.

To Committee on Commerce

HOUSE CONCURRENT RESOLUTION NO. 2, by Representatives Martinis, Moreau, Greengo, Gaines and Smith:

Petitioning for the formation of a tri-state legislative fisheries committee for Idaho, Oregon and Washington.

To Committee on State Government

HOUSE CONCURRENT RESOLUTION NO. 4, by Representatives Sherman and North:

Directing that the next state ferry be named the "Issaquah."

To Committee on Transportation

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and were referred to the committees so designated with the exception of **HOUSE CONCURRENT RESOLUTION NO. 2**, which was referred to Committee on Natural Resources.

STANDING COMMITTEE APPOINTMENTS

The Speaker announced the following standing committee appointments:

AGRICULTURE: Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan, Hansen.

APPROPRIATIONS: Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Boldt, Chandler, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Zimmerman.

COMMERCE: Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Grier, Hansen, Hawkins, Owen, Paris, Shinoda, Struthers.

CONSTITUTION: Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

ECOLOGY: Valle, Chairwoman; Pruitt, Vice Chairman; Zimmerman, Ranking Minority Member; Barr, Chandler, Douthwaite, Gruger, Hughes, Hurley (George), Kreidler, Oliver, Tilly, Walk.

EDUCATION: Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitt, Valle, Warnke, Whiteside.

ELECTIONS AND GOVERNMENTAL ETHICS: Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Grimm, Heck, Hughes, Hurley (Margaret).

ENERGY AND UTILITIES: Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Berentson, Bond, Charnley, Conner, Grimm, Kilbury, Leckenby, Martinis, McCormick, McKibbin, Pearsall, Williams, Wilson.

FINANCIAL INSTITUTIONS: Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

HIGHER EDUCATION: Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Haley, Moreau, Oliver, Patterson, Thompson.

INSTITUTIONS: Hanna, Chairman; Hurley (George), Vice Chairman; Struther, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

INSURANCE: Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Blair, Erickson, Keller, Knedlik, Leckenby, Maxie, Monohon, Sanders, Taller.

JUDICIARY: Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Monohon, Newhouse, Shinpoch, Smith, Tilly, Winsley.

LABOR: Lux, Chairman; Pearsall, Vice Chairwoman; Bond, Ranking Minority Member; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

LOCAL GOVERNMENT: Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Barnes, Bender, Douthwaite, Eng, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside.

NATURAL RESOURCES: Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Conner, Enbody, Fuller, Gilleland, Greengo, Lysen, May, Schmitt, Shinoda, Smith, Vrooman.

PARKS AND RECREATION: Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; King, Owen, Paris.

REVENUE: Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Bond, Craswell, Eng, Erickson, Flanagan, Hurley (George), Kilbury, Moreau, Nelson (Dick), O'Brien, Tilly, Winsley.

RULES: Bagnariol, Chairman; O'Brien, Vice Chairman; Berentson, Ranking Minority Member; Amen, Bauer, Charette, Charnley, Flanagan, Gaines, Gallagher, King, Maxie, May, McCormick, Newhouse, North, Pardini, Polk, Smith, Williams, Zimmerman.

SOCIAL AND HEALTH SERVICES: Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmitt.

STATE GOVERNMENT: Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), O'Brien, Salatino, Sanders, Sherman, Sommers, Struthers.

TRANSPORTATION: Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Dunlap, Gallagher, Gaines, Grier, Lysen, Martinis, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

MESSAGE FROM SECRETARY OF STATE

January 10, 1977

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

Dear Sir:

On December 21, 1976, the sponsor of Initiative to the Legislature No. 59, filed 10,472 signature petition sheets and, on December 30 and December 31, the sponsor submitted 1,771 additional petition sheets and 20 additional petition sheets respectively. We have canvassed these petitions and determine that they contain 191,012 signatures.

We are presently verifying the sufficiency of the signatures on this Initiative to the Legislature as provided in RCW 29.79.200. We expect to have this verification completed and to certify the results thereof to the Legislature before January 14, 1977.

Sincerely,
BRUCE K. CHAPMAN
Secretary of State

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Tuesday, January 11, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 11, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laura Fry and Kenton Brine. Prayer was offered by the Reverend Charles Loyer of Westminster Presbyterian Church of Olympia.

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

REPORT OF SPECIAL COMMITTEE

The special committee, appointed by the Speaker under the provisions of House Concurrent Resolution No. 3 to notify the Governor that the Legislature was organized and ready for business, appeared at the bar of the House and reported that the Governor had been notified.

The report was received and the committee was discharged.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 103, by Representatives Warnke, Greengo, Paris and Sanders:

AN ACT Relating to investment tax deferrals; amending section 13, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.130; amending section 14, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.140; amending section 15, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.150; amending section 16, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.160; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 104, by Representatives King, Berentson, Conner, Erickson, Fortson, Grier, Hansen, Knedlik, Kreidler, Moreau, North, Owen, Pearsall, Sherman, Shipoch, Struthers, Vrooman, Walk:

AN ACT Relating to the minimum wage act; and amending section 1, chapter 294, Laws of 1959 as last amended by section 1, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.010.

To Committee on Labor

HOUSE BILL NO. 105, by Representatives Warnke, Valle, Greengo, Gaines and Sanders:

AN ACT Relating to economic development; and amending section 13, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.130.

To Committee on Commerce

HOUSE BILL NO. 106, by Representatives Conner, McCormick, Patterson, Fancher, Fuller and Struthers (by Department of Motor Vehicles request):

AN ACT Relating to vehicle licenses; amending section 46.16.090, chapter 12, Laws of 1961 as amended by section 1, chapter 169, Laws of 1969 ex. sess. and RCW 46.16.090; and adding a new section to chapter 46.16 RCW.

To Committee on Transportation

HOUSE BILL NO. 107, by Representatives Warnke, Greengo, Valle, Wilson, Gaines, Dunlap, Deccio, Enbody, Flanagan, Fuller, Knedlik, Maxie, Pardini, Salatino, Sanders, Sherman and Whiteside:

AN ACT Relating to state government; amending section 3, chapter 237, Laws of 1967 as amended by section 17, chapter 250, Laws of 1971 ex. sess. and RCW 34.04.025; amending section 4, chapter 237, Laws of 1967 and RCW 34.04.027; amending section 3, chapter 234, laws of 1959 and RCW

34.04.030; adding new sections to chapter 34.04 RCW; repealing section 1, chapter 186, Laws of 1963 and RCW 34.04.160; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 108, by Representatives Conner and McCormick (by Department of Motor Vehicles request):

AN ACT Relating to the taxation of fuel utilized for propulsion of motor vehicles; amending section 12, chapter 175, Laws of 1971 ex. sess. as amended by section 4, chapter 156, Laws of 1973 1st ex. sess. and RCW 82.38.110; amending section 14, chapter 175, Laws of 1971 ex. sess. and RCW 82.38.130; amending section 18, chapter 175, Laws of 1971 ex. sess. as last amended by section 7, chapter 156, Laws of 1973 1st ex. sess. and RCW 82.38.170; and amending section 28, chapter 175, Laws of 1971 ex. sess. and RCW 82.38.270.

To Committee on Transportation

HOUSE BILL NO. 109, by Representatives Conner, McCormick, Patterson and Knedlik (by Department of Motor Vehicles request):

AN ACT Relating to financial responsibility; and repealing section 38, chapter 169, Laws of 1963 and RCW 46.29.380.

To Committee on Transportation

HOUSE BILL NO. 110, by Representatives McCormick and Patterson (by Department of Motor Vehicles request):

AN ACT Relating to driver's license fees; and amending section 4, chapter 25, Laws of 1965 as last amended by section 20, chapter 293, Laws of 1975 1st ex. sess. and RCW 46.68.041.

To Committee on Transportation

HOUSE BILL NO. 111, by Representatives Conner, McCormick, Patterson and Fancher (by Department of Motor Vehicles request):

AN ACT Relating to the taxation of fuel utilized for the propulsion of motor vehicles; amending section 82.36.040, chapter 15, Laws of 1961 and RCW 82.36.040; and amending section 82.36.270, chapter 15, Laws of 1961 as last amended by section 3, chapter 96, Laws of 1973 and RCW 82.36.270.

To Committee on Transportation

HOUSE BILL NO. 112, by Representatives Warnke, Greengo, Valle, Wilson and Gaines:

AN ACT Relating to unemployment compensation; amending section 68, chapter 35, Laws of 1945 as last amended by section 6, chapter 73, Laws of 1973 and RCW 50.20.010; amending section 12, chapter 3, Laws of 1971 and RCW 50.20.043; amending section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100; adding a new section to chapter 50.20 RCW; adding a new chapter to Title 50 RCW; providing penalties; and prescribing an effective date.

To Committee on Labor

HOUSE BILL NO. 113, by Representatives Warnke, King, Paris, Valle, Greengo and Gaines:

AN ACT Relating to foreign trade zones; amending section 4, chapter 65, Laws of 1955 as amended by section 31, chapter 42, Laws of 1970 ex. sess. and RCW 53.08.030; adding new sections to Titles 24, 35, and 36 RCW; providing an effective date; and declaring an emergency.

To Committee on Commerce

HOUSE BILL NO. 114, by Representatives Warnke, King, Paris, Greengo, Gaines, Flanagan and Sanders:

AN ACT Relating to excise taxes; amending section 1, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.010; and amending section 6, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.060.

To Committee on Revenue

HOUSE BILL NO. 115, by Representatives Conner and Owen:

AN ACT Relating to revenue and taxation; and adding a new section to chapter 82.04 RCW.

To Committee on Revenue

HOUSE JOINT MEMORIAL NO. 1, by Representatives Warnke, Paris, Greengo and Gaines:

Requesting the federal government to give the state more administrative freedom under the federal insecticide, fungicide and rodenticide act.

To Committee on Agriculture

HOUSE JOINT RESOLUTION NO. 3, by Representatives Warnke, King and Valle:

Amending the Constitution to allow for special revenues.

To Committee on Revenue

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and were passed to the committees designated.

MESSAGE FROM THE SENATE

January 10, 1977

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 3,
HOUSE CONCURRENT RESOLUTION NO. 5,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 3,
HOUSE CONCURRENT RESOLUTION NO. 5.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 55 was rereferred from Committee on Ecology to Committee on Agriculture.

On motion of Mr. Bender, HOUSE BILL NO. 102 was rereferred from Committee on Transportation to Committee on Revenue.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President of the Senate, Lieutenant Governor John A. Cherberg, the President Pro Tempore of the Senate, Al Henry, and the Vice President Pro Tempore of the Senate, James E. Keefe, to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators to seats within the House.

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

The Secretary of the Senate called the roll of the Senate and all members were present except Senators Benitz, Francis, Grant, Guess and Woody, who were excused.

The Speaker: "The Joint Session is called for the purpose of canvassing the votes cast for and against referendums and initiatives which appeared on the ballot at the last general

election, and also to canvass the vote for constitutional elective officers of the state of Washington."

MESSAGE FROM THE SECRETARY OF STATE

Department of State
January 10, 1977

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

Sir:

I have the honor of herewith submitting a recapitulation of the votes cast on state measures and on federal and statewide offices at the State General Election held throughout the State of Washington on the second day of November, 1976, as canvassed by me from the returns made to this department by the respective County Auditors of the State.

Initiative Measure 322

"Shall fluoridation of public water supplies be made unlawful and violations subject to criminal penalties?"

YES 469,929
NO 870,631

Initiative Measure 325

"Shall future nuclear power facilities which do not meet certain conditions and receive two-thirds approval by the legislature be prohibited?"

YES 482,953
NO 963,756

Referendum Bill 36

"Shall certain appointed state officers be required to file reports of their financial affairs with the Public Disclosure Commission?"

YES 963,309
NO 419,693

Senate Joint Resolution 137

"Shall the voters be permitted to approve excess levies for school support for two-year periods?"

YES 763,263
NO 596,722

Senate Joint Resolution 139

"Shall any increase or decrease in the salaries of state legislators become effective for all legislators at the same time?"

YES 493,187
NO 860,405

House Joint Resolution No. 64

"Shall a state agency be created to draft several alternative model county home-rule charters for possible adoption by any county?"

YES 347,555
NO 892,419

PRESIDENT AND VICE PRESIDENT

FORD, Gerald R. and DOLE, Robert	Republican	777,732
CARTER, Jimmy and MONDALE, Walter	Democratic	717,323
McCARTHY, Eugene J. and MAXEY, Carl	Independent	36,986
LEVIN, Julius and BLOMEN, Constance	Socialist Labor	713
MADDOX, Lester G. and DYKE, William D.	American Independent	8,585
	American Independent	

LaROUCHE, Jr. Lyndon H. and EVANS, Wayne	U.S. Labor	903
WRIGHT, Margaret and SPOCK, Benjamin	U. S. Labor Bicentennial Reality	1,124
ZEIDLER, Frank P. and BRISBEN, J. Quinn	Bicentennial Reality Socialist	358
ANDERSON, Thomas Jefferson and SHACKELFORD, Rufus E.	Socialist American Constitution	5,046
HALL, Gus and TYNER, Jarvis	American Constitution Communist	817
CAMEJO, Peter and REID, Willie Mae	Communist Socialist Workers	905
MacBRIDE, Roger L. and BERGLAND, David P.	Socialist Workers Libertarian	5,042
BROWN, George M.	Libertarian U. S. SENATE	
JACKSON, Henry M.	Republican	361,546
SMITH, Dave	Democratic	1,071,219
WERTZ, Jr. William F.	American Independent	28,182
BERMANN, Karl	U. S. Labor	3,389
KENNEY, Richard K.	Socialist Workers	7,402
	Libertarian	19,373
HOUSE OF REPRESENTATIVES		
1ST CONGRESSIONAL DISTRICT		
PRITCHARD, Joel	Republican	161,354
WOOD, Dave	Democratic	58,006
RUCKERT, Patrick	U. S. Labor	971
GOTTLIEB, Alan M.	Libertarian	4,230
2ND CONGRESSIONAL DISTRICT		
GARNER, John Nance	Republican	106,786
MEEDS, Lloyd	Democratic	107,328
RUCKERT, Carol	U. S. Labor	1,781
BLY, Tom	American Constitution	1,963
3RD CONGRESSIONAL DISTRICT		
ELHART, Chuck	Republican	57,517
BONKER, Don	Democratic	145,198
KILBER, David	U. S. Labor	2,357
4TH CONGRESSIONAL DISTRICT		
GRANGER, Dick	Republican	81,813
McCORMACK, Mike	Democratic	115,364
ANDROMIDAS, Ted	U. S. Labor	901
BUSBY, Jeff W.	American Constitution	1,586
5TH CONGRESSIONAL DISTRICT		
ALTON, Duane	Republican	84,262
FOLEY, Thomas S.	Democratic	120,415
LIEBOWITZ, Ira	U. S. Labor	935
SANDAHL, D. E. Bear	Libertarian	1,959
6TH CONGRESSIONAL DISTRICT		
REYNOLDS, Robert M.	Republican	47,539
DICKS, Norman D.	Democratic	137,964
DUANE, Michael	U.S. Labor	2,251
7TH CONGRESSIONAL DISTRICT		
PRITCHARD, Raymond	Republican	46,448
ADAMS, Brock	Democratic	133,673
WERTZ, Marianna	U. S. Labor	1,333

GOOSMAN, Gene	American Constitution	1,668
GOVERNOR		
SPELLMAN, John D.	Republican	687,039
RAY, Dixy Lee	Democratic	821,797
KILLMAN, Henry	Socialist Labor	4,137
MANNING, Art	American Independent	12,406
OLAFSON, Evelyn	U. S. Labor	1,364
KELLY, Red	OWL	12,400
BETHARD, Patricia A.	Socialist Workers	3,106
WILLEY, Jr., Maurice W.	Libertarian	4,133
LIEUTENANT GOVERNOR		
LONG, Philip H.	Republican	402,459
CHERBERG, John A.	Democratic	983,395
STANLEY, Dick	American Independent	23,922
NORRIS, Ned	U. S. Labor	4,085
LEMON, Jack "The Ripoff"	OWL	39,252
HENNIGAN, Barbara	Socialist Workers	7,688
SECRETARY OF STATE		
CHAPMAN, Bruce K.	Republican	825,388
CORCORAN, Bob	Democratic	562,092
LANTZ, Brian	U. S. Labor	8,812
GRISWOLD, "Fast" Lucie	OWL	41,807
STATE TREASURER		
GOUGH, A. William "Bill"	Republican	362,167
O'BRIEN, Robert S.	Democratic	996,219
PERCIFUL, Jack T.	OWL	41,285
STATE AUDITOR		
PURI, R. K. "Raj"	Republican	380,080
GRAHAM, Robert V. "Bob"	Democratic	935,402
McINNIS, Ruthie "BoomBoom"	OWL	45,573
ATTORNEY GENERAL		
GORTON, Slade	Republican	818,084
BURNS, J. Bruce	Democratic	592,477
KELLY, "Bunco" Bob	OWL	33,746
HONTS, Craig	Socialist Workers	4,755
SUPERINTENDENT OF PUBLIC INSTRUCTION		
BROUILLET, Frank "Buster"	Nonpartisan	879,532
COMMISSIONER OF PUBLIC LANDS		
MARCLEY, Richard A.	Republican	371,985
COLE, Bert L.	Democratic	979,286
OBER, Don "Earthquake"	OWL	45,815
INSURANCE COMMISSIONER		
MARQUARDT, Richard G.	Republican	754,150
HERRMANN, Karl	Democratic	615,118
COUCH, Lynn	U. S. Labor	15,109
BRESLIN, Archie "Whiplash"	OWL	31,803
STATE SUPREME COURT		
Position No. 1 (6-year term)		
HICKS, Floyd V.	Nonpartisan	851,427
Position No. 2 (6-year term)		
STAFFORD, Charles F.	Nonpartisan	794,859
Position No. 3 (6-year term)		
BRACHTENBACH, Robert F.	Nonpartisan	763,416
Position No. 4 (4-year unexpired term)		
DORE, Fred H.	Nonpartisan	594,070
DOLLIVER, James M.	Nonpartisan	635,509

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington, at Olympia, this tenth day of January, A.D., 1977.
(SEAL OF THE STATE OF WASHINGTON)

BRUCE K. CHAPMAN
Secretary of State

The Speaker: "In view of the election results just read, certified to by the Secretary of State, and to which there have been no protests, this Joint Session now declares the following qualified citizens to be elected the constitutionally elected officials for the State of Washington:

DIXY LEE RAY, GOVERNOR

JOHN A. CHERBERG, LIEUTENANT GOVERNOR

BRUCE K. CHAPMAN, SECRETARY OF STATE

ROBERT S. O'BRIEN, STATE TREASURER

ROBERT V. "BOB" Graham, STATE AUDITOR

SLADE GORTON, ATTORNEY GENERAL

FRANK B. BROUILLET, SUPERINTENDENT OF PUBLIC INSTRUCTION

BERT L. COLE, COMMISSIONER OF PUBLIC LANDS

RICHARD G. "DICK" MARQUARDT, INSURANCE COMMISSIONER

"The certificates of election will be signed by the President of the Senate and the Speaker of the House of Representatives at the Joint Session for Inauguration on Wednesday, January 12, 1977."

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

The President appointed the following committee to escort the Supreme Court Justices from the State Reception Room to seats within the House Chamber: Representatives Knowles, Smith, Enbody, Leckenby and Shinpoch; and Senators Washington and Clarke.

The committee retired.

The President appointed the following committee to escort the elected state officials from the State Reception Room to seats within the House Chamber: Representatives Douthwaite, Charnley, North and Amen; Senators Day, Cunningham and Gould.

The committee retired.

The Sergeants at Arms of the Senate and House of Representatives announced the arrival of the Supreme Court Justices, and the President instructed the committee to escort them to seats within the House Chamber.

The Sergeants at Arms of the Senate and House of Representatives announced the arrival of the elected state officials and the President instructed the committee to escort them to seats within the House Chamber.

The Sergeants at Arms of the Senate and 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: "Mr. Speaker, honored members of the Legislature, ladies and gentlemen: It is a rare pleasure and privilege for the President to present to you at this time His Excellency, The Honorable Daniel J. Evans, Governor of the State of Washington."

GOVERNOR'S ADDRESS TO THE LEGISLATURE

Governor Evans: "Thank you.

"Mr. President, Mr. Speaker, Ladies and Gentlemen of the Legislature, and many, many friends in the audience. I see my cabinet, my staff, my family. I guess most of all, to the citizens of the State of Washington. I do not intend to present a State of the State Message this morning. But this won't be a farewell address either. The State of the State message will properly be given by Dr. Ray tomorrow. And this will be no farewell since I intend to always retain a fierce citizen's interest in the public affairs of this state and in the well-being of Washington and its citizens. I don't promise anything else either.

"As I stand before you the memories of twenty years flood back. In looking through the book this year, I find that only eleven members of the Legislature who stood there in January of 1957 still serve as members of this body. And 1957 was an easier time. A true citizen legislature met only every other year. There were relatively few federal programs and rules. We had not yet seen the trauma brought about by an incomprehensible war, by urban and campus unrest, foreign oil boycotts, and a national nightmare called Watergate.

"You face today a state far more complex than a decade ago. Intergovernmental relationships are increasingly more intricate but not necessarily better. The challenge of coping

with a modern technological world will require the best of each of you just as it will require excellence from those leaders of private enterprise.

"On each of your desks this morning are three documents. If they are not, they soon should be. A report on the hopes and the desires of thousands of Washington citizens and their specific recommendations for the future as expressed through Alternatives for Washington. That summary document has volumes behind it available for the use and the guidance of those who serve in both public and private enterprise.

"The second is a brief but nonetheless important list of suggested executive request subjects which would certainly be placed before you in final bill form if I were to remain as chief executive.

"And third, a history of the past twelve years delineating some of the successes and some of the failures, but more importantly the changes which have occurred during that tumultuous, interesting, and I believe, productive time

"I do intend this morning to speak to five overriding issues, however, which I could not in good conscience ignore in this final day in office.

"Public pensions are neither as sound as some public employee groups would have you believe nor as chaotic as some watchdog groups suggest. The public employee pension system is in good financial shape and it is on target toward full funding. The teachers system is somewhat more expensive, but it is also on its way toward a reasonable full funding program. The law enforcement and firefighters' system, however, is seriously out of control. It will require during the next biennium more than 50 percent of total police and fire payrolls to fund pension requirements. When it is necessary to set more than three times as much money aside for disability pensions as for normal retirement and when upwards of three-quarters of some of our uniformed personnel in many of our communities retire on disability, there are obvious and serious loopholes. We should provide adequately for service-connected disabilities, but cannot continue the current ultra-liberal programs for our uniformed personnel.

"Tax reform still represents the major unresolved issue of this state. Recent reports have tagged Washington with the nation's most regressive tax structure. In that position we are number one, not a very enviable spot. Our neighboring state Oregon has the most progressive tax structure in the nation. The end result is that Oregon's legislature meeting this week will face a biennial budget suggested by their chief executive of increased investment, an increased quality in Oregon programs without necessary tax increases. We here in Washington will have to deal with difficult spending priorities, crippled by the knowledge that increased taxes in our current structure will fall most heavily on the poor and that citizens have shown little inclination to change the system.

"School finance is the third and compelling and overriding issue. School finance represents a ticking time bomb which may soon explode with the issuance of pending court decisions. During the last legislative session, you took extensive action to improve the management and insure better results in our public schools. Now it is important to provide long-term, consistent and dependable financing for basic education. Adequate financial support means that administrators can return to administering, teachers can return to teaching, parents and students can be involved in the learning process, rather than all spending inordinate amounts of time passing special levies.

"As we approach the centennial of Washington statehood, it is time to prepare for the remainder of this century and the beginning of the next by thoroughly reviewing the most fundamental document of our state, our Constitution. A constitutional convention need not send shudders down the spine of this legislature. The people of today have every bit the wisdom and the capabilities as had their forefathers and a better grasp of current needs and future priorities. Setting the questions of taxation completely aside, the Constitution needs overhaul to provide new strengths to the legislative branch, new streamlining to the executive branch, new management to the judicial branch, and freedom from excessive restrictions to units of local governments throughout this state. Let the citizens decide through their vote whether a convention is desirable. None of us should ever fear the people and their decision.

"And lastly, both the executive and legislative branches of government need to spend more time in oversight of laws already passed and regulations already written. We do not really need artificial sunset laws, but rather a change in emphasis which makes it just as important to review what we have done as it is to initiate new ideas and new concepts.

"Well, as we look ahead to the next few years, we can take pride in a healthy economy with expectation over the next several years of substantial new job growth. Unemployment is going to remain high as record numbers of young people enter our labor force. But more people

will be working than ever before in this state's history and more importantly a higher percentage of our labor force will be at productive work.

"The Western World is now joined economically to Japan and the developing countries of Asia. We, here in Washington, are precisely halfway between the major centers of European commerce and those of the Far East. We have an outstanding opportunity to become a leader in world trade and more importantly, the center for those who study and research and manage these major foreign relationships.

"We are blessed in Washington with productive natural resources under excellent management. Our forests each year are more productive than the previous. We can and we are rebuilding a major fishery resource. And our agricultural potential in Washington is virtually limitless.

"As I now step down from public office, let me speak of those people who have done so much to bring credit to this administration.

"Thirty thousand direct state employees in public service represent a profession which I believe is a high calling and of which I am exceptionally proud. They are neither saints nor sinners, but they are every bit as productive, as concerned, and as dedicated as their counterparts in private industry. For every Watergate, there is a Lockheed; for every bribe-taker in public service, there is a bribe-payer in private enterprise; for every development of remarkable new products however privately, there is a major stride forward publicly; for every private charity, there is a public sacrifice. The public and the private sectors cannot act as armed camps—one in conflict with the other, but as cooperators for the common good.

"The press has a massive responsibility. They must be the translators and the interpreters of public policy to our private citizens. The press must not unduly build up public heroes just so they can be brought down. Much as a judge, they cannot let personal feelings color a story. I am and have been gratified by the excellence of our Washington press. You are skilled and concerned. I wince occasionally at the barbs, but then I am not always right, and neither are you.

"I share executive responsibilities with eight other elected officials. Now while I believe that an inordinately large number, I am sure that feeling is not shared by my executive colleagues. But, I, of course, have had a close and a warm working relationship with my two Republican counterparts—the Attorney General and the Secretary of State—who I believe have done outstanding jobs. But I have equal gratitude for the kindnesses shown by my Democratic colleagues. The relationship between a Governor and a Lt. Governor has always been a difficult one in the fifty American states, even if they represent the same political party. But I have never in twelve years feared leaving the state and have always been proud to have John Cherberg represent me. I serve as a member of two boards which are chaired by other elected officials—the Board of Natural Resources under Bert Cole and the State Finance Committee led by Treasurer Bob O'Brien. They have done an excellent job in their responsibilities and I am grateful to them for much that I have learned and those shared responsibilities which have done so much for those particular areas so important to our state.

"Part of the teamwork necessary for a successful government is a close working relationship with our Congressional delegation. Partisan differences have never stood in the way of full cooperation when the interests of Washington State were at stake. They have been immensely successful in resolving the problems we have had with our federal government and we are all the better for it.

"My cabinet and the Governor's office staff have been dedicated, loyal, and exceptionally competent leaders of state government. They have responded to my idiosyncrasies and have always produced, and especially produced during crisis conditions.

"My former colleagues, those in this audience, and members of the Legislature haven't always agreed with executive positions. But while we may differ on issues, I hope I will always have the personal friendship of those of you who serve in such a difficult and challenging responsibility. And that goes for you, too, Slim.

"No one succeeds in public life without a dedicated and an understanding family. My parents and my mother-in-law are in the audience. And they, along with the rest of my family, have made this challenge worthwhile. Most of all, my wife, Nancy has served as, I think, a simply smashing First Lady. Our Christmas card this year showed pictures of our family ten years ago and today. I received no comment at all, but Nancy had many letters back saying that she didn't look older, just better. Her responsibilities with the Seattle Symphony, as a board member of Whitman College, her extensive work with retarded children, and in the fight to save and restore the mansion will make her remembered as an independent force of the past dozen years.

"Finally, to the people of the state who three times gave me the opportunity to serve as Governor. Through your support I have been given a rare privilege accorded to only sixteen men in the history of our state. Through thousands of letters, personal contacts, and more than a million handshakes and opportunities to speak to people directly, you have helped to teach, guide, and influence my actions as Governor.

"The people have now asked Dr. Ray to take on Chief Executive responsibilities. I wish you well during the next four years. You will assume direction tomorrow of a state of incredible beauty matched nowhere in these United States. A state of enormous plenty, whose varied natural resources can sustain Washingtonians for centuries to come. A state increasingly recognized nationally and internationally for its excellence and its ability. A state whose people are creative, imaginative, productive, and most of all confident of their own future. It is a state in which I was born, where I have lived my entire life, and a state I never intend to leave.

"This has been an exciting, a challenging, and a rewarding era—a privilege to serve which I shall never forget.

"Twelve years now is all history. Nothing can be changed. Nothing can be added. As years go by memories will dim, and the impact of these years will diminish. If only one epitaph remains, I hope it will be 'He left it a better state than when he began.'"

The President directed the committee to escort Governor Evans from the House Chamber.

The President directed the committees to escort the Supreme Court Justices and the state elected state officials from the House Chamber.

MOTION

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

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

The Speaker directed the committees to escort President Cherberg, President Pro Tem Al Henry, Vice President Pro Tem Keefe and the members of the Washington State Senate to the Senate Chamber.

The Speaker called the House to order.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Wednesday, January 12, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 12, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Diane Rohrbeck and Phil St. Jean. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 116, by Representatives Douthwaite, Becker, Conner, Barnes, Burns, Charnley, Eng, Fortson, Grier, Hughes, Moreau, Nelson (Dick), North, Sherman, Walk and Wilson:

AN ACT Relating to the pilotage act; and amending section 3, chapter 18, Laws of 1935 as last amended by section 2, chapter 297, Laws of 1971 ex. sess. and RCW 88.16.050.

To Committee on Transportation

HOUSE BILL NO. 117, by Representatives Conner, Burns, Charnley, Fortson, Grier, Hughes, Knedlik, Lysen, Moreau, North, Owen, Salatino, Sherman, Valle, Vrooman and Wilson:

AN ACT Relating to oil tankers; adding new sections to chapter 88.16 RCW; and prescribing a penalty.

To Committee on Transportation

HOUSE BILL NO. 118, by Representatives Warnke, King, Valle, Greengo, Gaines, Fancher and Knedlik:

AN ACT Relating to state government; and creating new sections.

To Committee on Local Government

HOUSE BILL NO. 119, by Representatives Warnke, Gaines, Knedlik and McCormick:

AN ACT Relating to economic development; adding a new chapter to Title 43 RCW; and making an appropriation.

To Committee on State Government

HOUSE BILL NO. 120, by Representatives Warnke, Greengo, Paris, Gaines, Dunlap, Bond, Fancher, Knedlik, Leckenby, Salatino and Struthers:

AN ACT Relating to business licensing and registration; amending section 3, chapter 206, Laws of 1959 and RCW 70.72.030; amending section 8, chapter 206, Laws of 1959 and RCW 70.72.080; amending section 82.24.220, chapter 15, Laws of 1961 as amended by section 69, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.24.220; adding new sections to Title 19 RCW; creating new sections; repealing section 26, chapter 165, Laws of 1947 and RCW 14.04.260; repealing section 27, chapter 165, Laws of 1947 and RCW 14.04.270; repealing section 9, chapter 83, Laws of 1961 and RCW 15.14.090; repealing section 22, chapter 165, Laws of 1927 and RCW 16.44.100; repealing section 18, chapter 232, Laws of 1963 and RCW 16.65.423; repealing section 19, chapter 232, Laws of 1963 and RCW 16.65.424; repealing section 6, chapter 321, Laws of 1955 and RCW 16.72.050; repealing section 20, chapter 226, Laws of 1949 and RCW 18.04.210; repealing section 21, chapter 226, Laws of 1949, section 4, chapter 114, Laws of 1969, section 3, chapter 229, Laws of 1975 1st ex. sess. and RCW 18.04.220; repealing section 12, chapter 286, Laws of 1957 and RCW 19.91.120; repealing section 13, chapter 286, Laws of 1957, section 14, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.130; repealing section 14, chapter 286, Laws of 1957, section 15, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.140; repealing section 15, chapter 286, Laws of 1957, section 16, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.150; repealing section 16, chapter 286, Laws of 1957 and RCW 19.91.160; repealing section 17, chapter 286, Laws of 1957 and RCW 19.91.170; repealing section 18,

chapter 286, Laws of 1957, section 17, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.180; repealing section 46.08.060, chapter 12, Laws of 1961 and RCW 46.08.060; repealing section 8, chapter 184, Laws of 1933, section 3, chapter 305, Laws of 1959 and RCW 67.08.020; repealing section 20, chapter 184, Laws of 1933 and RCW 67.08.025; repealing section 4, chapter 206, Laws of 1959 and RCW 70.72.040; repealing section 5, chapter 206, Laws of 1959 and RCW 70.72.050; repealing section 75.28.310, chapter 12, Laws of 1955 and RCW 75.28.310; repealing section 12, chapter 36, Laws of 1917, section 8, chapter 306, Laws of 1927, section 1, chapter 211, Laws of 1943 and RCW 78.40.100; repealing section 13, chapter 36, Laws of 1917 and RCW 78.40.103; repealing section 15, chapter 36, Laws of 1917, section 9, chapter 306, Laws of 1927 and RCW 78.40.109; repealing section 16, chapter 36, Laws of 1917, section 10, chapter 306, Laws of 1927 and RCW 78.40.112; repealing section 18, chapter 36, Laws of 1917 and RCW 78.40.115; repealing section 19, chapter 36, Laws of 1917 and RCW 78.40.118; repealing section 20, chapter 36, Laws of 1917 and RCW 78.40.121; repealing section 21, chapter 36, Laws of 1917 and RCW 78.40.130; repealing section 22, chapter 36, Laws of 1917 and RCW 78.40.133; repealing section 23, chapter 36, Laws of 1917 and RCW 78.40.136; repealing section 24, chapter 36, Laws of 1917 and RCW 78.40.139; repealing section 25, chapter 36, Laws of 1917 and RCW 78.40.142; repealing section 26, chapter 36, Laws of 1917 and RCW 78.40.145; prescribing penalties; and making an appropriation.

To Committee on Commerce

HOUSE BILL NO. 121, by Representatives Warnke, Dunlap, Wilson, Valle, Greengo, Gaines and Hanna:

AN ACT Relating to the development of a supplemental job training and employment referral program; adding a new chapter to Title 74 RCW; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 122, by Representatives Conner, Owen and Vrooman:

AN ACT Relating to ferry advisory committees; and amending section 47.60.310, chapter 13, Laws of 1961 and RCW 47.60.310.

To Committee on Transportation

HOUSE BILL NO. 123, by Representatives Charnley, Owen, Moreau, Burns, Gruger, Knedlik, Lux, Salatino and Vrooman:

AN ACT Relating to postsecondary education; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; providing penalties; and declaring an emergency.

To Committee on Higher Education

HOUSE BILL NO. 124, by Representatives Ehlers and Charnley:

AN ACT Relating to mobile homes; and adding a new section to chapter 43.22 RCW.

To Committee on State Government

HOUSE BILL NO. 125, by Representatives Ehlers, Hawkins, Erickson, Hanna and Salatino:

AN ACT Relating to public institutions; reenacting and amending section 72.36.040, chapter 28, Laws of 1959 as last amended by section 1, chapter 101, Laws of 1973 and section 102, chapter 154, Laws of 1973 1st ex. sess. and RCW 72.36.040; amending section 72.36.060, chapter 28, Laws of 1959 and RCW 72.36.060; amending section 72.36.070, chapter 28, Laws of 1959 and RCW 72.36.070; amending section 72.36.080, chapter 28, Laws of 1959 as last amended by section 2, chapter 13, Laws of 1975 and RCW 72.36.080; amending section 72.36.090, chapter 28, Laws of 1959 and RCW 72.36.090; creating new sections; and adding new sections to chapter 28, Laws of 1959 and to chapter 72.36 RCW.

To Committee on State Government

HOUSE BILL NO. 126, by Representatives Ehlers, Hawkins, Sherman, Erickson and Charnley:

AN ACT Relating to elections; adding a new chapter to Title 29 RCW; and prescribing penalties.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 127, by Representatives Ehlers, Lee, Thompson, Gaines, Grimm and Knedlik:

AN ACT Relating to the establishment of community corporations within counties and defining their powers and duties; and adding a new chapter to Title 36 RCW.

To Committee on Local Government

HOUSE BILL NO. 128, by Representatives Ehlers, Nelson (Gary), Sommers, Burns, Knedlik and Lee (by State Treasurer request):

AN ACT Relating to the state treasury; amending section 2, chapter 72, Laws of 1971 ex. sess. as amended by section 1, chapter 27, Laws of 1973 and RCW 43.85.241; and amending section 43.84.110, chapter 8, Laws of 1965 as amended by section 2, chapter 95, Laws of 1973 and RCW 43.84.110.

To Committee on State Government

HOUSE BILL NO. 129, by Representatives Amen, Flanagan, Shinpoch, Tilly, Thompson, Polk, Knedlik, Bond, Clayton, Fuller, Greengo, Lee, Sanders, Taller and Zimmerman (by Legislative Budget Committee request):

AN ACT Relating to the fiscal impact of legislation; amending section 11, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.110; and adding a new chapter to Title 43 RCW.

To Committee on Appropriations

HOUSE BILL NO. 130, by Representatives Erickson, Clemente, Lux, Chandler, Gaines, Grier, Grimm, Heck, Lee, Sherman and Walk:

AN ACT Relating to property taxes; and amending section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 1st ex. sess. and RCW 84.55.010.

To Committee on Revenue

HOUSE BILL NO. 131, by Representatives Flanagan, Amen, Shinpoch, Polk, Knedlik, Clayton and Taller (by Legislative Budget Committee request):

AN ACT Relating to public employees; repealing sections 7 through 10, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.400 through 41.56.415; and repealing section 11, chapter 215, Laws of 1969 ex. sess., section 9, chapter 131, Laws of 1973 and RCW 41.56.420.

To Committee on Labor

HOUSE BILL NO. 132, by Representatives Leckenby, Pruitt, Burns, Greengo, Lux and Taller:

AN ACT Relating to education; and making an appropriation.

To Committee on Education

HOUSE BILL NO. 133, by Representatives Ehlers, Nelson (Gary), Sommers and Knedlik (by State Treasurer request):

AN ACT Relating to the state treasurer's office; and amending section 43.08.060, chapter 8, Laws of 1965 and RCW 43.08.060.

To Committee on State Government

HOUSE BILL NO. 134, by Representatives Shinpoch, Amen, Flanagan, Polk, Knedlik and Taller (by Legislative Budget Committee request):

AN ACT Relating to enforcement of anti-monopoly statutes; and amending section 9, chapter 218, Laws of 1937 and RCW 19.24.140.

To Committee on State Government

HOUSE BILL NO. 135, by Representatives Amen, Shinpoch, Flanagan, Polk, Knedlik and Oliver (by Legislative Budget Committee request):

AN ACT Relating to reclamation; repealing section 1, chapter 166, Laws of 1895 and RCW 79.48.010; repealing sections 1 through 11, chapter 152, Laws of 1903 and RCW 79.48.020 through 79.48.120; repealing section 12, chapter 152, Laws of 1903, section 55, chapter 292, Laws of 1971 ex. sess., section 115, chapter 154, Laws of 1973 1st ex. sess. and RCW 79.48.130; and repealing sections 13 through 23, chapter 152, Laws of 1903 and RCW 79.48.140 through 79.48.240.

To Committee on State Government

HOUSE BILL NO. 136, by Representatives Amen, Flanagan, Shinpoch, Polk, Knedlik, Clayton, Fuller and Oliver (by Legislative Budget Committee request):

AN ACT Relating to agricultural conservation; repealing sections 15.67.010 through 15.67.070, chapter 11, Laws of 1961 and RCW 15.67.010 through 15.67.070; repealing sections 15.68.010 through 15.68.130, chapter 11, Laws of 1961 and RCW 15.68.010 through 15.68.130; repealing section 15.68.140, chapter 11, Laws of 1961, section 13, chapter 292, Laws of 1971 ex. sess. and RCW 15.68.140; and repealing

sections 15.68.150 through 15.68.900, chapter 11, Laws of 1961 and RCW 15.68.150 through 15.68.900.

To Committee on Agriculture

HOUSE BILL NO. 137, by Representatives Thompson, Flanagan, Shinpoch, Amen and Polk (by Legislative Budget Committee request to implement performance audit recommendations):

AN ACT Relating to traffic safety education courses; amending section 2, chapter 39, Laws of 1963 as amended by section 1, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.010; amending section 3, chapter 39, Laws of 1963 as amended by section 2, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.020; amending section 8, chapter 39, Laws of 1963 as last amended by section 6, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.070; creating new sections; and adding a new section to chapter 46.81 RCW.

To Committee on Education

HOUSE BILL NO. 138, by Representatives Eng, Lux, Pardini, Maxie, Blair, Greengo, Hanna, Salatino and Shinoda (by Commission on Asian-American Affairs request):

AN ACT Relating to the Washington state commission of Asian-American affairs; and amending section 14, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.910.

To Committee on State Government

HOUSE BILL NO. 139, by Representatives Polk, Amen, Shinpoch, Flanagan and Oliver (by Legislative Budget Committee request):

AN ACT Relating to town supervisors; amending section 48, chapter 175, Laws of 1895 as last amended by section 2, chapter 108, Laws of 1919 and RCW 45.24.010; and repealing section 50, chapter 175, Laws of 1895 and RCW 45.24.030.

To Committee on Local Government

HOUSE BILL NO. 140, by Representatives Sommers, Nelson (Gary) and Ehlers (by State Treasurer request):

AN ACT Relating to the public employees' retirement system; and amending section 3, chapter 274, Laws of 1947 as last amended by section 1, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.030.

To Committee on State Government

HOUSE BILL NO. 141, by Representatives Flanagan, Amen, Shinpoch, Polk, Knedlik and Oliver (by Legislative Budget Committee request):

AN ACT Relating to guideposts; and repealing sections 105 through 109, chapter 175, Laws of 1895 and RCW 45.68.010 through 45.68.050.

To Committee on Local Government

HOUSE BILL NO. 142, by Representatives Sommers, Nelson (Gary) and Ehlers (by State Treasurer request):

AN ACT Relating to the retirement of judges; and amending section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 28, Laws of 1967 and RCW 2.12.050.

To Committee on Appropriations

HOUSE BILL NO. 143, by Representatives Shinpoch, Flanagan, Polk and Taller (by Legislative Budget Committee request):

AN ACT Relating to employment of aliens; and repealing sections 1 through 4, chapter 111, Laws of 1919 and RCW 39.20.010 through 39.20.040.

To Committee on State Government

HOUSE BILL NO. 144, by Representatives Polk, Shinpoch, Amen and Flanagan (by Legislative Budget Committee request):

AN ACT Relating to county homesite lands; repealing section 36.59.300, chapter 4, Laws of 1963 and RCW 36.59.300; repealing section 36.59.310, chapter 4, Laws of 1963, section 39, chapter 292, Laws of 1971 ex. sess. and RCW 36.59.310; and repealing sections 36.59.320 through 36.59.430, chapter 4, Laws of 1963 and RCW 36.59.320 through 36.59.430.

To Committee on Local Government

HOUSE JOINT RESOLUTION NO. 4, by Representatives Pruitt, Erickson, Nelson (Dick), Sherman and Sommers:

Repealing the Constitutional privilege of legislators from arrest during sessions.

To Committee on Constitution

MOTION

Mr. King moved that the bills and resolutions on today's agenda be considered first reading under the fourth order of business and be referred to the committees so designated.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Newhouse.

Mr. Newhouse: "I note that House Bill No. 124, having to do with construction of mobile homes and the emergency exits and so forth, is referred to State Government. I think in previous years we might have sent that type of legislation to the Commerce Committee. Does this indicate a change of policy or will there be a consistent policy of sending bills to State Government Committee?"

Mr. King: "I think that the basic reason for sending that bill to State Government was that it had to do with regulations that are handled by state agencies. I would like to announce now, relative to the question of sending bills to committee, that I am sending a memo to all members asking them to send to my office recommendations of where they think their bills should go with the rationale for it. In each instance these bills have been discussed by the Assistant Majority Leader and myself and the Speaker and we are going to make some mistakes occasionally. We would like to know if there are strong reasons or objections for a bill going to a particular committee to let us know about it, and we can work it out between the committee chairmen and the sponsors. Many of these bills could go to three or four different committees just as well and it was the judgment of the people looking at that bill that State Government was more logical than the others, but maybe they will end up referring it back to another committee."

The motion by Mr. King was carried.

STANDING COMMITTEE APPOINTMENTS

The Speaker announced the following standing committee changes:

Representative Grier from Committee on Commerce to Committee on Ecology;
Representative Walk from Committee on Ecology to Committee on Commerce.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

JOINT SESSION

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

The Speaker requested the Sergeant at Arms to escort President of the Senate John Cherberg, President Pro Tem Al Henry and Vice President Pro Tem James Keefe to seats on the rostrum.

The Speaker requested the Sergeant at Arms to escort the Senators to seats within the House Chamber.

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

The President of the Senate called the Joint Session to order.

The Secretary of the Senate called the roll of the Senate, and all members were present, except Senator Benitz, who was excused.

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

The President appointed the following committee to escort the Supreme Court Justices to the House Chamber: Representatives Lysen, Maxie, Williams, Zimmerman and Amen; Senators Francis, Clarke, Mardesich, Wanamaker and Van Hollebeke.

The President appointed the following committee to escort the newly elected state officials from the State Reception Room to seats within the House Chamber: Representatives Conner, Bender, Wilson and Blair; Senators Grant, Newschwander, Sandison and Murray.

The President appointed the following committee to escort former Governor Albert D. Rosellini to a seat at the front of the House Chamber: Representatives O'Brien and Hurley (George); Senators Washington and Bailey.

The Sergeant at Arms of the House and the Senate announced the arrival of the Supreme Court Justices at the bar of the House, and the President instructed the committee to escort them to the front of the House Chamber, and to escort Chief Justice Charles T. Wright to a seat on the rostrum.

The Sergeants at Arms of the House and the Senate announced the arrival of the newly elected state officials at the bar of the House and the President instructed the committee to escort them to the front of the House Chamber.

The Sergeants at Arms of the House and the Senate announced the arrival of former Governor Albert D. Rosellini, and the President instructed the committee to escort him to a seat at the front of the House Chamber.

The President: "The President believes that it is perfectly fitting and proper that we request of former Governor Rosellini that he extend his greetings to the members and to the ladies and gentlemen present."

Governor Rosellini: "Thank you very much, Mr. President. Justices, elected officials and ladies and gentlemen: It is a pleasure for me to have the opportunity to be here today and to extend greetings and best wishes to all of you. Of course, I can't help being reminiscent of a similar period about twenty years ago. It doesn't seem like that long ago, but I know we're looking ahead to the launching of a new administration. I know that in doing so we will all join together in wishing the Governor-elect—Governor-to-be in a few minutes—the best wishes for the success that I'm sure she is going to have. To all of you, greetings. It's wonderful to be here with you, best wishes to all."

The President: "Thank you, Governor Rosellini. Mr. Speaker, Speaker O'Brien, Justice Wright, President Pro Tem Henry, Vice President Pro Tem Keefe, Father Matthew, members of the Legislature, ladies and gentlemen: I should like to make a few remarks and to say that this is a magnificent honor that the people of the state of Washington have bestowed upon me and I offer my heartfelt thanks and appreciation. It's with a true sense of humility, yet with a firm purpose to do some real good for the state of Washington as your Lieutenant Governor, that I soon will take my oath of office."

The Sergeants at Arms of the Senate and the House announced the arrival of the Governor-elect at the bar of the House. The President instructed Representatives Margaret Hurley, Erickson, Gaines and Newhouse; Senators North, Rasmussen, Fleming and von Reichbauer to escort her to the rostrum.

Prayer was offered by Reverend Matthew Naumes of St. Martin's Abbey of Olympia:

"Stand with us, Lord, in this and every hour. You have chosen us as Your people. You have given us a nation and a state. You have handed over to us abundant fields, high mountains, wide and pure waters. You have made us a sovereign people with freedom as a heritage, with truth, with justice and with charity as ideals. Make us wise stewards of these riches. Make of us a people of vision and generosity so that Your truth, justice and love might prevail. Stand with her, O Lord, whom we have chosen to govern us in Your good grace. Give her wisdom and wise counsel. Give her a sense of history and a pure vision of the days to come. Open her heart to those who have no other friend. Guard her from evil and from those who are selfish. Make her blessing an earnest of your people's prosperity. Make her health and security an earnest of your people's peace. Call her to that only sure reward—joyful service in Your name. Stand with us, Lord, now and forever. Amen."

OATH OF OFFICE TO ELECTIVE OFFICIALS

The President announced that the Joint Session was called for the purpose of administering the oath of office to the constitutional elective officials of the State of Washington and to receive the Inaugural Address of the Governor.

The President of the Senate and the Speaker of the House of Representatives signed the certificates of election for the elected state officials.

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

Justice Hugh J. Rosellini administered the oath of office to Lieutenant Governor John A. Cherberg and the Speaker presented the certificate of election to him.

Chief Justice Charles T. Wright administered the oath of office to Secretary of State Bruce K. Chapman, and the President presented him his certificate of election.

Justice Orris L. Hamilton administered the oath of office to State Treasurer Robert F. O'Brien, and the President presented him his certificate of election.

Chief Justice Charles T. Wright administered the oath of office to State Auditor Robert V. "Bob" Graham and the President presented him his certificate of election.

Justice Robert F. Brachtenbach administered the oath of office to Attorney General Slade Gorton, and the President presented him his certificate of election.

Justice Floyd V. Hicks administered the oath of office to Superintendent of Public Instruction Frank B. Brouillet, and the President presented him his certificate of election.

Justice Charles Horowitz administered the oath of office to Commissioner of Public Lands Bert L. Cole, and the President presented him his certificate of election.

Justice James M. Dolliver administered the oath of office to Insurance Commissioner-elect Richard G. "Dick" Marquardt, and the President presented him his certificate of election.

Chief Justice Charles T. Wright administered the oath of office to Governor-elect Dixy Lee Ray, and the President presented her with the certificate of election.

The President: "I asked the Governor to return the certificate, but in due time I will give it back. Some of you may be interested in what this is all about, so with your consent I should like to read it:

'THE UNITED STATES OF AMERICA
(The State of Washington Seal)

This is to certify that at the General Election held in the State of Washington on the second day of November, 1976, DIXY LEE RAY received the highest number of votes cast for the office of Governor of said State of Washington and was therefore duly elected to said office as appears from the official returns of said election duly transmitted to the Secretary of State of said State and which returns were open, public and the results thereof duly declared in the presence of a majority of the members of the House of the Legislatures of said State as provided by law.

IN WITNESS WHEREOF we have hereunto set our hands this twelfth day of January A.D., 1977 at Olympia Washington.

Signed by the President of the Senate and signed by the Speaker of the House, the Honorable John Bagnariol.'

"I have the firm opinion that you would like very much to meet the members of Governor Ray's family who are present today. There are four very charming and lovely ladies that are present in the House Chamber today, and I should like very much to request of Mrs. Marion R. Reid that you please stand in order that you may be properly recognized. (Applause) Also, Mrs. Jean R. Potenziani, Mrs. Juliana C. Strong of California and Mrs. Alvista Steele of Oregon. The President should have remarked that Mrs. Reid is a citizen of the State of Washington and Mrs. Potenziani is a citizen of New Mexico and a medical doctor. Governor, when you get ready to run for President it seems you've captured the western states already. Present-elect Carter will look upon you as a potential opponent.

"Ladies and gentlemen, I believe you will agree that this is a most significant moment in the State of Washington. If it is not, it will at least do as the most significant moment until a more significant moment comes along. We are honored today to have the first woman governor of a western state elected strictly in her own right. Now this lady is a person I have been fortunate enough to know for a number of years and I'm sure that I join with millions of other citizens in the State of Washington in our respect, admiration and affection for Dixy Lee Ray. Dixy has, as I indicated earlier, come a long way and I'm sure you will agree that her achievements in the areas of science, of education and government will be unparalleled. Dixy, I'm sure that every person in the state, every person in the country, every person who knows you and every member of the Legislature, every elected state official, every member of this most august body in the land, the Supreme Court, join with me in congratulating you from the heart and wishing you the very best in the years to come. True success to you, Dixy. Now I should like very much to request of you to deliver your message."

GOVERNOR'S INAUGURAL ADDRESS

Governor Ray: "Mr. President, Mr. Speaker, distinguished Justices of the Court, honored officials, members of the Legislature, my fellow citizens of Washington State: A funny thing happened on the way to the office this morning. I was flipping across the radio dial when something caught my ear. The announcer was promoting the fact that his station would be carrying live the Inauguration of the Governor.

"How will the new Governor handle the problem of the budget?' 'What will be her approach to school funding'—and several more questions—followed by the usual intonation to tune-in and hear it all.

"I came here today, ladies and gentlemen, not to propose all the answers, because I do not know them, but to share with you my views on the many, many problems we face together—the chief executive, the legislature, and each citizen of this state—and to make some modest proposals, and to seek your cooperation and guidance.

"When you, in this 45th Legislature, conclude your first session, let us hope that together we have made some solid beginnings in the fields of funding our educational system, improving the quality of education, financing of state government—and learning how to control its growth, reforming one of the most regressive tax structures in the nation, stimulating the economy with resultant new job opportunities, protecting our environment while helping to meet the requirements for our energy, and, meeting the needs of the elderly, the underprivileged, the sick and the poor.

"With our honest attention to these and other pressing matters, we may find some of the answers to restoring the faith of the people in the institution of government.

"So today begins a new administration in state government. You, as representatives of all the people, are entitled to know the basic philosophy and objectives of your new Governor.

"About philosophy: I do not think that big government can handle problems better than little government—especially those local problems that loom so very large in the eyes of the individuals affected. True, the 'town hall' approach is not sophisticated enough for some of our complex problems in this fast-moving world, but it is not necessary to make small problems complex by assigning their solution to big government.

"Because I believe problems should be solved as close to the source as possible, I shall also favor funding of solutions as close to the point of expenditure as is practical with reasonable equity to those who are paying the costs.

"This means that I do not generally favor collection of taxes by upper echelons of government to be returned to local government wrapped in the pretty package called 'Revenue Sharing.' There are instances where equity to the taxpayer requires funding over a broad base, but I believe spending is best controlled when the public officials spending the money must face the taxpayer resistance occasioned by the levy of taxes to pay the cost.

"I have no illusions that this administration can vastly modify some of the state and national trends that are well established. Indeed, change in some may not be desirable. But perhaps we can 'bend' rather than 'break'—'shape' rather than 'shatter'—those programs of government that seem to have taken over our direction.

"Perhaps if we believe strongly enough in our pledges of cooperation, we will make a beginning, for example, in the field of economic development.

"We need to help create an atmosphere that will foster business confidence, thus encouraging business and economic expansion that will create jobs for residents of the state of Washington.

"More jobs mean more paychecks—people paying taxes—citizens better able to contribute to, not withdraw from, the bank account of state government.

"The human race has many values other than a warm dwelling and enough to eat. Whether these values in respect to individuals center around music, the arts and literature, sports, outdoor recreation, or whatever, all are better enjoyed if employment is secure and tomorrow is expected to be better than yesterday. Unemployment is a miserable state. It plagues far too many of our citizens. It even drives some people into running for public office.

GOVERNMENT ORGANIZATION

"I use the term 'government organization' deliberately rather than the term 'disorganization,' which may be more applicable. The major departments under the Governor, about 14 in number, are, generally speaking, rather reasonable divisions of responsibility. Some do need restructuring. However, the proliferation of commissions, boards, advisory committees, and other appendages of government are far too numerous. The direct cost of their operation is not as important as the ancillary effects of their existence. It is almost impossible to track the maze of their government actions or sometimes even to understand their motivation.

"I shall not start by suggesting a new commission to study the matter. I do intend, within the administration, to undertake an evaluation of each such entity in existence, and to make appropriate recommendations.

"Controversial though it may be, I believe in those instances when a multiple member policy board or commission is deemed necessary, then it should continue, but should nevertheless be more under control by the Governor, especially over the administration of the program carried out than now exists. The remainder should be promptly phased out.

TAXATION

"Washington's tax system is regressive. This term is usually understood to mean that the tax burden on those of under-average income level or property ownership pay a higher percentage of their income in taxes than do those who are more affluent.

"The business and occupation tax is by nature regressive and, being levied on successive title passing of goods, from manufacturing to retail, compounds its inherent problems. It does have some merit in application as it reaches cooperatives, nonprofit and private entrepreneurs with equality. It also has the advantage of being the only present tax with rates adjusted to the special conditions of the class of business to which it is applied.

"Washington's property taxes are not excessively high in comparison to those of many other states. What is significant is the extreme variance within the state. Most of this variation is due to overdependence on special levies for schools which vary from nothing to as much or more than all other property taxes combined.

"With this very brief comment on our tax system, I want to suggest an approach to improvement.

"People do not respond well to sudden tax changes of great magnitude unless the result is a specific, easily recognized reduction in their total, personal tax bill.

"Acceptance of what I believe is a reasonable move toward better tax equity cannot be worked out between the Governor and the Legislature alone. This is a discussion that must include all the people of the state. I am encouraged by the recent position paper representing the views of some of our largest businesses. And I hope that the conclusions reached and recommendations submitted will receive wide attention.

"I believe that your state government must operate in a climate of some austerity while this new administration determines whether our expenditure patterns developed over the last decade are truly justified. If spending is rational and controlled, chances of success with improvement in our tax system will be greater.

THE COMMON SCHOOLS

"I have been involved in education all my life. I believe in education. The only resource that we can be confident we will never run out of is the resourcefulness of the human minds educated to the ever-growing body of knowledge and its uses in solving problems.

"To discharge the state's responsibility in education, it is not enough to recite the language of the Constitution in the preamble to section nine, which reads, 'It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste or sex.' A definition of 'ample' will always be written in the appropriation bill, session after session. But increasingly in recent years the decision of what is 'ample' has been transferred to the local school district voters through over-reliance on the special levy system.

"There is much merit to allowing the local school districts a voice in the level of spending in support of common school education. Without some such authority, our financing statewide is most likely to be uniformly deficient. However, allowing unlimited authority to raise money locally, no matter how difficult, is an escape mechanism far too attractive to any legislature faced with many severe demands upon the public purse.

"Dependence on special levies for support of the common schools must be reduced. Further, the burden on the taxpayer to provide the added school support over what can be supplied by the state must be equalized up to some specified level. Throughout the campaign I spoke often on this topic and generally supported the provisions of Initiative 53. I do not consider Initiative 53 to be a long-term solution to school financing. It is the first best step I see in getting on with a viable, more dependable, basis for support of the common schools. The cost of the program is within reach without a major tax overhaul, which will take time. Some additional state money over that needed to equalize special levies will be necessary for regular school apportionments and for categorical grants for special programs. With the adoption of legislation embodying these or similar provisions, I believe we will have taken a major step toward more adequate state funding.

"It is not generally my intention to comment in this address on the budget proposals of my predecessor. I am making an exception in the case of school funding because I will be recommending that the Legislature take early action on the matter of school funding in order to facilitate planning of the school districts of the state. The action of the previous Governor in purchasing advertising during the holiday season, seeking support for his budget proposals, seems to require an early answer where early action is asked on my part.

"The budget proposed by former Governor Evans with its attendant tax increase shows, on careful analysis, that our most regressive taxes—sales and B & O—will be increased beginning even before the next biennium to achieve 90 per cent funding without special levies in the second year of the biennium. A reduction in property taxes is projected, but actually no reduction is mandated until the collections due in 1979, and no relief of consequence will actually be evident until the second half taxes in that year, due to a provision that levies voted in 1978 for collection in 1979 all be paid in the first half collections. The collection of increased taxes for 25 months to support 90 per cent funding for 10 months of school during the last year of the biennium can only mean the need for even further increases in state taxes two years from now, or the raising of the ceiling on special levies over that proposed at the 1976 session.

"I am not ready to sanction an increase in the most regressive taxes in a regressive system to secure a very problematical reduction in property taxes two years later and probably, in the process, guarantee the schools uniform funding at an inadequate level.

HIGHER EDUCATION

"Support of the common schools is a primary public obligation. Participation in education beyond high school is a matter of individual choice and an investment in opportunity on the part of those attending. There are great public benefits associated with a well-educated citizenry, and these merit public support of universities and colleges—but the high costs cannot be entirely avoided by the students. A reasonable division of costs would indicate tuition rates should increase at about the rate of inflation in the costs of maintaining these high quality educational programs.

PENSIONS

"The costs of pensions for public employees has become a matter of concern to us all. In a way, the unfunded liabilities resemble those associated with raising and educating children. Had the financial consequences of their actions been fully understood by either those that conceived our pension system or our children, we might have had neither—at least not so many of them. However, now that we have pensions and children, we love them both too much to give them up or to restrict them. With respect to pensions, we probably can afford to carry some unfunded liability if we have a program that will not result in both impoverishment of today's supporters and insecurity of future benefits to those for whose benefit the liabilities are incurred.

"The new Director of the Department of Retirement Systems will be giving early and careful consideration as to how these pension fund problems can be resolved, and a special message on this important question can be expected.

ENERGY

"We have an energy office created by act of an earlier Legislature. Parts of that act were vetoed, leaving the state with an energy office so curtailed and constrained that it resembles some of the I-90 ramps meant to interchange with I-5. Apparently the vetoes were occasioned by failure to reach agreement on a suitable method under which the Legislature could exercise reasonable review, especially respecting enforced cutbacks in use and allocation procedures in times of critical shortage. Until this problem is resolved through amendment of the energy act, it is very questionable that any legal authority exists for restrictions or allocation in case of an impending or actual shortage of energy supplies.

"There will be few, if any, cases when your present Governor will stubbornly insist on having it all my way. I believe in pragmatic approaches that recognize attainable progress is better than unattainable perfection. It is my present inclination to support the establishment of a special legislative review committee on energy matters if that approach is deemed desirable to the Legislature. Such an arrangement with respect to highway matters has given the Legislature substantial influence in highway decisions for many years, without actual encroachment on executive authority or responsibility.

"In an overall energy policy the state of Washington must seek to have available to its citizens a supply of energy limited only by the balance of costs and benefits to the consumer when the costs properly reflect the real expense of production and delivery in an acceptable manner. We need to examine and to evaluate all methods of producing electricity and all sources of energy. This will take some time, but we need a balanced, diversified program.

"Some special comment is indicated with respect to petroleum.

"Our first priority is assuring that our present refineries are supplied in the most certain and environmentally safe manner. In the immediate future, and for many months, this supply must come by tanker, small or large. This means our first effort must be to assure safe movement of these supplies.

"I also share the concerns of Senator Magnuson and Transportation Secretary Brock Adams over the need to inspect, control and regulate the many 'flag of convenience' vessels now engaged in worldwide waterborne commerce. We must all work together with the Coast Guard and our Congressional delegation in raising the sensitivity of all of those responsible for the movement of any ship as to the safety features, navigational and cargo handling procedures, and sound maintenance policies.

"Tanker problems and the potential of oil spills have been exceedingly well publicized. Because this issue is viewed so emotionally, and because of the deep significance of assured petroleum supplies to our state and to our nation, I intend to make oil shipment and trans-shipment the subject of a special message in the very near future. This message will also deal with the equally important, equally necessary area of conservation of our energy supplies. Something we must be open about and begin to approach in a most practical and attainable manner.

AGRICULTURE

"There is a lot of talk about finite resources that are being rapidly depleted. In the final analysis, the most valuable of these to Washington State has to be food. Agriculture is one of the most important industries in our state and provides a very satisfactory way of life for many.

"Land is a resource that is largely non-depletable if properly used.

"Food is our greatest export, and international trade in various food products will become more valuable in the future.

"Irrigation development is not the only problem facing agriculture. Despite strong feelings, it is not as pressing as problems attendant with the modern use of fertilizers and pesticides.

"Let me emphasize that irrigation water policy should be settled in law—and that question is undeniably before this session of the Legislature.

FISHERIES

"Washington has a fish problem. That is an understatement if there ever was one. A fisheries enhancement program is in order. That alone does not resolve the problem that exists under the Boldt decision. Indian fishing rights under treaty provisions are hard to match with today's fishing processes and new techniques.

"It is my opinion that the burden of renegotiating those treaty provisions lies with the federal government. There is room for enhancing the benefits of the fishing resource to the Indians along with attendant benefits to non-treaty fishing by both Indians and non-Indians. We must find the ways to resolve the question that are amicable and fair to all.

"A special word is necessary in respect to Idaho's interest in the Columbia River fish runs. I am in favor of including Idaho in fish discussions and decision-making conferences now largely limited to Washington and Oregon. In addition, I should note that our fish problems are not entirely separable from those of British Columbia, and with the enactment of the two hundred mile zone. Our own fisheries extend far out to sea into what used to be international waters.

TRANSPORTATION

"Observation of transportation facilities in this state finds a generally good set of facilities, including a good, but not complete, system of state roads—sometimes crowded, but usually not crowded enough to discourage those inclined to drive in excess of posted speed limits. Mass transit systems are struggling with some success.

"While the gas tax is not the only source of revenue for the support of public roads and streets, it is the major one. If we decide added revenue for highway purposes is necessary, I would prefer a variable tax on gallons of gas or other comparable units.

"There has been discussion of creation of a Department of Transportation for several years. I do not view such a move as imperative at this time. I am concerned that good balance be attained between highways and other transportation facilities.

TOURISM AND RECREATION

"This administration will actively support tourism through a combined program of promotion and appropriate assistance to businesses and industries in this vital statewide segment of the economy.

"Tourism is Washington's second largest industry, representing \$1.4 billion in business revenues and \$159 million in state tax revenues annually. The industry employs 74,000 people throughout the state, with an annual payroll of \$386 million.

"No other industry offers such potential for desirable long-term growth and stability for the state's economy. Its positive impact is statewide. It is people-oriented and can be environmentally sound.

"In this regard, Washington is the natural gateway to the Far East and Alaska. This administration will aggressively pursue every opportunity to make this the number one gateway through expansion of air travel capacity and additional airline routes.

THE ARTS

"Washington State is already an acknowledged leader among American states in taking the arts to the people. That is good, we must not rest on our laurels until every state resident has an opportunity to see and to hear productions of the finest quality. (Fooled you didn't I?) Despite our great progress thousands of Washingtonians have yet to experience the thrill of an opera, a symphony concert, a ballet performance, folk dancing and singing, a live drama and the greatest in visual and plastic arts, but there is another crucial aspect to the arts that remain virtually untapped and that is in the use of the arts—music, painting, sculptures, crafts of all kinds to help in the rehabilitation of the ailing, the handicapped, the incarcerated and in the care of the elderly and the infirm. Some experimentation and progress has been made in this field, but it represents only a modest scratching of the surface. This administration intends to place great emphasis on both of these aspects of art elements and a detailed report will soon be made to the legislature including recommendations for action.

EQUAL OPPORTUNITY FOR WOMEN AND MINORITIES

"I guess it is now established that a woman can be elected Governor in Washington State. Let me hasten to add that I believe a candidate with the same general platform and interests and programs who happened to be male or a member of any of our minorities would have won. The prejudice against women and other minorities in top positions is easing, but is far from fully overcome.

"For that reason I support making the Women's Council statutory. I also support the continuation and the enhancement of the council for our various minority groups—the Asian-Americans, the Spanish-speaking American, our American Indians, our black community and all those whose diversity of culture and background make this a richly diverse and richly rewarding area in which to live. In my incompleated search for candidates to appoint to various offices of the executive branch, I found many women and many members of minority groups of competence, all generally occupied in endeavors they chose not leave for what may well be temporary service in government. Entry back into the business or professional world is still not that easy for members of the groups I speak of.

"I shall encourage advancement of capable women and minorities in state employment, and I shall continue to search for candidates to high offices in the executive branch.

"I do not plan a quota system for state employment where I have authority or influence. I do plan to give careful consideration to candidates for employment who can contribute to a lessening of discrimination.

BUDGET

"I have expressed my philosophy and objectives in very general terms today. They will become more specific as explicit situations develop. I do not want either the members of the Legislature or the people of the state of Washington to think my positions are unalterable. I do not aspire to break any veto records set by previous Governors. I want to cooperate in solving problems and creating opportunities for the people we represent in Olympia.

"The budget will be the big item as always. I expect within a few days, possibly about the first of February, to submit a budget message to the Legislature. This does not mean that there should be any delay in hearings and consideration of our spending programs. In the meantime, I shall ask that each department under the Governor's direction be ready to provide information on expenditure requirements based on the first year of the coming biennium. I realize the benefits of being able to plan with assured financing for the full two-year period, but I do not believe it is possible now to predict accurately the costs of the second year's operation. I also hope that one year hence your new Governor will be implementing some cost saving programs. Also, I expect to make and propose some governmental organization changes that will require budget reconsideration.

"Let me conclude by reaffirming my faith in the people of this state and in their elected representatives and other officials who make up the basic institution of state government.

"We can—we must—cooperate in facing up to the pressing questions that have cried out for answers for far too long. Schools, the tax structure, employment opportunities, economic development, energy, the environment, resource utilization and many more.

"Let us work together to make government truly the tool of the people. Let government not stand in the way of personal enterprise and ambition, but rather, take the lead in lighting the path that can lead to a more profitable and meaningful life style for all segments and all age groups of our population.

"Thank you very much."

The President instructed the committee to escort Governor Ray to the State Reception Room.

The President instructed the Sergeants at Arms of the House and the Senate to escort former Governor Albert D. Rosellini to the State Reception Room.

The President instructed the committees to escort the Supreme Court Justices and the state elected officials to the State Reception Room.

The President announced that immediately upon adjournment of the Joint Session there would be a reception in the State Reception Room.

MOTION

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

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

The Speaker instructed the Sergeants at Arms of the House and the Senate to escort President Cherberg, President Pro Tem Al Henry, and Vice President Pro Tem James Keefe and the senators to the Senate Chamber.

The House resumed its session.

MESSAGE FROM THE SENATE

January 12, 1977

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 3,
HOUSE CONCURRENT RESOLUTION NO. 5,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. King, the House was adjourned until 11:30 a.m., Thursday, January 13, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 13, 1977.

The House was called to order at 11:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Martinis, Nelson (Gary), Smith and Tilly, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laurel White and Frank Kos. Prayer was offered by the Reverend Charles Loyer of Westminster Presbyterian Church of Olympia.

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

MOTION

On motion of Mr. King, the House adjourned until 11:30 a.m., Friday, January 14, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 14, 1977.

The House was called to order at 11:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Deccio, Pardini and Thompson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gretchen Pagel and Ray Healy. Prayer was offered by the Reverend Charles Loyer of Westminster Presbyterian Church of Olympia.

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

MESSAGE FROM THE SENATE

January 13, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 103,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MESSAGE FROM THE SECRETARY OF STATE

Department of State
January 14, 1977

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

Dear Sir:

We herewith respectfully transmit for your consideration pursuant to Article II, Section 1, of the state Constitution and RCW 29.79.200, the certification of the sufficiency of Initiative to the Legislature 59 together with a copy of the full, true and complete text of the Initiative as filed in this office on August 16, 1976.

Sincerely,
BRUCE K. CHAPMAN
Secretary of State
Duane C. Woods
Assistant Secretary of State

CERTIFICATION OF INITIATIVE
TO THE LEGISLATURE 59

Pursuant to Article II, Section 1A of the Washington State Constitution, RCW 29.79.200, and WAC 90-12-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature 59 to be examined in the following manner:

(1) It was determined that 191,234 signatures were submitted by the sponsors thereof. A random sample of 7,602 signatures was taken from those submitted;

(2) Each sampled signature was examined to determine the following: (a) if the signer was a registered voter of the state at the address indicated on the petition; (b) if the signature was proper as to form; and (c) if the same signature appeared more than once in the sample. We found 7,128 valid signatures, 462 signatures invalid due to not being registered or being improper in form, and 6 pairs of duplicated signatures in the sample;

(3) We calculated an allowance for the chance of error of sampling (33) by multiplying the square root of the number of invalid signatures by 1.5;

(4) We estimated the upper limit of the number of signatures on the initiative petition which were invalid (12,453) by dividing the sum of the number of invalid signatures in the sample and the allowance for the chance error of sampling by the sampling ratio;

(5) We determined the maximum allowable number of pairs of signatures on the petition (42,698) by subtracting the sum of 110% of the number of signatures required by Article II, Section 1A of the Washington State Constitution (136,083) and the estimate of the upper limit of the number of invalid signatures in the population from the number of signatures submitted;

(6) We determined the expected number of pairs of signatures in the sample (67) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;

(7) We determined the acceptable number of pairs of signatures in the sample (47) by subtracting 2.33 times the square root of the expected number of pairs of signatures in the sample; and

(8) Since the number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample, I hereby declare Initiative to the Legislature 59 to be sufficient.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed this 14th day of January, A.D., 1977.

(Seal of the State of Washington)

DUANE C. WOODS
for BRUCE K. CHAPMAN
Secretary of State.

INITIATIVE MEASURE NO. 59

AN ACT Relating to the withdrawal of public waters for use in irrigation of agricultural lands; establishing family farm permits and other water permit classifications; and adding a new chapter to Title 90 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. This chapter shall be known and may be cited as the "Family Farm Water Act".

NEW SECTION. Sec. 2. Nothing in this chapter shall affect any right to withdraw and use public waters if such rights were in effect prior to the effective date of the act, and nothing herein shall modify the priority of any such existing right.

NEW SECTION. Sec. 3. The people of the state of Washington recognize that it is in the public interest to conserve and use wisely the public surface and ground waters of the state in a manner that will assure the maximum benefit to the greatest possible number of its citizens. The maximum benefit to the greatest number of citizens through the use of water for the irrigation of agricultural lands will result from providing for the use of such water on family farms. To assure that future permits issued for the use of public waters for irrigation of agricultural lands will be made on the basis of deriving such maximum benefits, in addition to any other requirements in the law, all permits for the withdrawal of public waters for the purpose of irrigating agricultural lands after the effective date of this act shall be issued in accord with the provisions of this chapter.

NEW SECTION. Sec. 4. For the purposes of this chapter, the following definitions shall be applicable:

(1) "Family farm" means a geographic area including not more than two thousand acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than two thousand acres of irrigated agricultural lands in the state of Washington which are irrigated under rights acquired after the effective date of this act.

(2) "Person" means any individual, corporation, partnership, limited partnership, organization, or other entity whatsoever, whether public or private. The term "person" shall include as one person all corporate or partnership entities with a common ownership of more than one-half of the assets of each of any number of such entities.

(3) "Controlling interest" means a property interest that can be transferred to another person, the percentage interest so transferred being sufficient to effect a change in control of the landlord's rights and benefits. Ownership of property held in trust shall not be deemed a controlling interest where no part of the trust has been established through expenditure or assignment of assets of the beneficiary of the trust and where the rights of the family farm permit which is a part of the trust cannot be transferred to another by the beneficiary of the trust under terms of the trust. Each trust of a separate donor origin shall be treated as a

separate entity and the administration of property under trust shall not represent a controlling interest on the part of the trust officer.

(4) "Department" means the department of ecology of the state of Washington.

(5) "Application", "permit" and "public waters" shall have the meanings attributed to these terms in chapters 90.03 and 90.44 RCW.

(6) "Public water entity" means any public or governmental entity with authority to administer and operate a system to supply water for irrigation of agricultural lands.

NEW SECTION. Sec. 5. After the effective date of this act, all permits issued for the withdrawal of public waters for the purpose of irrigating agricultural lands shall be classified as follows and issued with the conditions set forth in this chapter:

(1) "Family farm permits". Such permits shall limit the use of water withdrawn for irrigation of agricultural lands to land qualifying as a family farm.

(2) "Family farm development permits". Such permits may be issued to persons without any limit on the number of acres to be irrigated during a specified period of time permitted for the development of such land into family farms and the transfer of the controlling interest of such irrigated lands to persons qualifying for family farm permits. The initial period of time allowed for development and transfer of such lands to family farm status shall not exceed ten years. Such time limit may be extended by the department for not to exceed an additional ten years upon a showing to the department that an additional period of time is needed for orderly development and transfer of controlling interests to persons who can qualify for family farm permits.

(3) "Publicly owned land permits". Such permits shall be issued only to governmental entities permitting the irrigation of publicly owned lands.

(4) "Public water entity permits". Such permits may be issued to public water entities under provisions requiring such public water entity, with respect to delivery of water for use in the irrigation of agricultural lands, to make water deliveries under the same provisions as would apply if separate permits were issued for persons eligible for family farm permits, permits to develop family farms, or for the irrigation of publicly owned land: **PROVIDED, HOWEVER,** That such provisions shall not apply with respect to water deliveries on federally authorized reclamation projects if such federally authorized projects provide for acreage limitations in water delivery contracts.

NEW SECTION. Sec. 6. (1) The right to withdraw water for use for the irrigation of agricultural lands under authority of a family farm permit shall have no time limit but shall be conditioned upon the land being irrigated complying with the definition of a family farm as defined at the time the permit is issued: **PROVIDED, HOWEVER,** That if the acquisition by any person of land and water rights by gift, devise, bequest, or by way of bona fide satisfaction of a debt, would otherwise cause land being irrigated pursuant to a family farm permit to lose its status as a family farm, such acquisition shall be deemed to have no effect upon the status of family farm water permits pertaining to land held or acquired by the person acquiring such land and water rights if all lands held or acquired are again in compliance with the definition of a family farm within five years from the date of such acquisition.

(2) If the department determines that water is being withdrawn under a family farm permit for use on land not in conformity with the definition of a family farm, the department shall notify the holder of such family farm permit by personal service of such fact and the permit shall be suspended two years from the date of receipt of notice unless the person having a controlling interest in said land satisfies the department that such land is again in conformity with the definition of a family farm. The department may, upon a showing of good cause and reasonable effort to attain compliance on the part of the person having the controlling interest in such land, extend the two year period prior to suspension. If conformity is not achieved prior to five years from the date of notice the rights of withdrawal shall be canceled.

NEW SECTION. Sec. 7. (1) At any time that the holder of a family farm development permit or a publicly owned land permit shall transfer the controlling interest of all or any portion of the land entitled to water under such permit to a person who can qualify to receive water for irrigation of such land under a family farm permit, the department shall, upon request, issue a family farm permit to such person under the same conditions as would have been applicable if such request had been made at the time of the granting of the original family farm development permit. If the permit under which water is available is held by a public water entity prior to the transfer of the controlling interest to a person who qualifies for a family farm permit, such entity shall continue delivery of water to such land without any restriction on the length of time of delivery not applicable generally to all its water customers.

(2) The issuance of a family farm permit secured through the acquisition of land and water rights from the holder of a family farm development permit, or from the holder of a publicly owned land permit, where water delivery prior to the transfer is from a public water entity, may be conditioned upon the holder of the family farm permit issued continuing to receive water through the facilities of the public water entity.

NEW SECTION. Sec. 8. The department is hereby empowered to promulgate such rules as may be necessary to carry out the provisions of this chapter. Decisions of the department, other than rule making, shall be subject to review in accordance with chapter 43.21B RCW.

NEW SECTION. Sec. 9. This chapter 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. 10. If any provision of this act, or its application to any person, organization, or circumstance is held invalid or unconstitutional, the remainder of the act, or the application of the provision to other persons, organizations, or circumstances is not affected.

NEW SECTION. Sec. 11. Sections 1 through 10 of this act shall constitute a new chapter in Title 90 RCW.

Referred to Committee on Ecology.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 145, by Representatives Flanagan, Hansen, Patterson, Barr, Gaines, Tilly, Berentson, Clayton, Oliver, Pardini, Bond, Dunlap, Fancher, Fuller, Gilleland, Greengo, Leckenby, Schmittin, Struthers, Tallor and Wilson:

AN ACT Relating to industrial insurance; amending section .11.07, chapter 79, Laws of 1947 as amended by section 5, chapter 197, Laws of 1953 and RCW 48.11.070; amending section 51.04.020, chapter 23, Laws of 1961 as amended by section 1, chapter 29, Laws of 1963 and RCW 51.04.020; amending section 51.04.030, chapter 23, Laws of 1961 as amended by section 74, chapter 289, Laws of 1971 ex. sess. and RCW 51.04.030; amending section 51.04.070, chapter 23, Laws of 1961 and RCW 51.04.070; amending section 51.04.090, chapter 23, Laws of 1961 and RCW 51.04.090; amending section 51.04.100, chapter 23, Laws of 1961 and RCW 51.04.100; amending section 88, chapter 289, Laws of 1971 ex. sess. as amended by section 5, chapter 43, Laws of 1972 ex. sess. and RCW 51.08.175; amending section 51.12.050, chapter 23, Laws of 1961 as amended by section 8, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.050; amending section 51.12.070, chapter 23, Laws of 1961 as last amended by section 81, chapter 289, Laws of 1971 ex. sess. and RCW 51.12.070; amending section 82, chapter 289, Laws of 1971 ex. sess. as amended by section 12, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.120; amending section 26, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.010; amending section 30, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.050; amending section 34, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.100; amending section 35, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.110; amending section 51.16.060, chapter 23, Laws of 1961 as last amended by section 1, chapter 32, Laws of 1973 1st ex. sess. and RCW 51.16.060; amending section 51.16.105, chapter 23, Laws of 1961 as last amended by section 8, chapter 52, Laws of 1973 1st ex. sess. and RCW 51.16.105; amending section 51.16.140, chapter 23, Laws of 1961 as last amended by section 2, chapter 110, Laws of 1973 and RCW 51.16.140; amending section 87, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.155; amending section 51.16.160, chapter 23, Laws of 1961 as amended by section 78, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.160; amending section 51.16.170, chapter 23, Laws of 1961 and RCW 51.16.170; amending section 51.16.180, chapter 23, Laws of 1961 as amended by section 79, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.180; amending section 51.24.010, chapter 23, Laws of 1961 as last amended by section 93, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.24.010; amending section 51.28.020, chapter 23, Laws of 1961 as amended by section 38, chapter 289, Laws of 1971 ex. sess. and RCW 51.28.020; amending section 39, chapter 289, Laws of 1971 ex. sess. as amended by section 5, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.28.025; amending section 51.28.030, chapter 23, Laws of 1961 as last amended by section 17, chapter 43, Laws of 1972 ex. sess. and RCW 51.28.030; amending section 51.32.030, chapter 23, Laws of 1961 and RCW 51.32.030; amending section 1, chapter 30, Laws of 1974 ex. sess. as amended by section 8, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.32.040; amending section 46, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.055; amending section 1, chapter 19, Laws of 1975-76 2nd ex. sess. and RCW 51.32.073; amending section 12, chapter 289, Laws of 1971 ex. sess. as amended by section 23, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.095; amending section 51.32.110, chapter 23, Laws of 1961 as amended by section 13, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.110; amending section 51.32.130, chapter 23, Laws of 1961 and RCW 51.32.130; amending section 47, chapter 289, Laws of 1971 ex. sess. as amended by section 25, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.190; amending section 48, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.200; amending section 51.36.020, chapter 23, Laws of 1961 as last amended by section 14, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.36.020; amending section 52, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.050; amending section 53, chapter 289, Laws of 1971 ex. sess. as amended by section 15, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.36.060; amending section

54, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.070; amending section 51.44.030, chapter 23, Laws of 1961 and RCW 51.44.030; amending section 51.44.070, chapter 23, Laws of 1961 as last amended by section 56, chapter 289, Laws of 1971 ex. sess. and RCW 51.44.070; amending section 51.44.080, chapter 23, Laws of 1961 as last amended by section 29, chapter 43, Laws of 1972 ex. sess. and RCW 51.44.080; amending section 58, chapter 289, Laws of 1971 ex. sess. as amended by section 30, chapter 43, Laws of 1972 ex. sess. and RCW 51.44.140; amending section 51.48.010, chapter 23, Laws of 1961 as amended by section 61, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.010; amending section 62, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.015; amending section 66, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.017; amending section 51.48.020, chapter 23, Laws of 1961 as amended by section 63, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.020; amending section 51.48.040, chapter 23, Laws of 1961 and RCW 51.48.040; amending section 51.48.050, chapter 23, Laws of 1961 and RCW 51.48.050; amending section 51.48.070, chapter 23, Laws of 1961 and RCW 51.48.070; amending section 51.48.090, chapter 23, Laws of 1961 and RCW 51.48.090; amending section 65, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.110; amending section 32, chapter 43, Laws of 1972 ex. sess. and RCW 51.48.120; amending section 33, chapter 43, Laws of 1972 ex. sess. and RCW 51.48.130; amending section 34, chapter 43, Laws of 1972 ex. sess. and RCW 51.48.140; amending section 35, chapter 43, Laws of 1972 ex. sess. and RCW 51.48.150; amending section 51.52.030, chapter 23, Laws of 1961 and RCW 51.52.030; adding new sections to Title 51 RCW; adding new sections to chapter 51.08 RCW; repealing section 36, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.070; repealing section 16, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.035; repealing section 51.16.090, chapter 23, Laws of 1961 and RCW 51.16.090; repealing section 51.16.100, chapter 23, Laws of 1961 and RCW 51.16.100; repealing section 51.16.110, chapter 23, Laws of 1961, section 4, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.110; repealing section 51.16.120, chapter 23, Laws of 1961, section 13, chapter 43, Laws of 1972 ex. sess. and RCW 51.16.120; repealing section 51.16.130, chapter 23, Laws of 1961, section 14, chapter 43, Laws of 1972 ex. sess. and RCW 51.16.130; repealing section 26, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.210; repealing section 51.44.040, chapter 23, Laws of 1961, section 27, chapter 43, Laws of 1972 ex. sess. and RCW 51.44.040; repealing section 51.44.050, chapter 23, Laws of 1961 and RCW 51.44.050; repealing section 51.44.060, chapter 23, Laws of 1961, section 28, chapter 43, Laws of 1972 ex. sess. and RCW 51.44.060; repealing section 59, chapter 289, Laws of 1971 ex. sess. and RCW 51.44.150; defining crimes; prescribing penalties; providing an effective date; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 146, by Representatives McKibbin, Zimmerman, Heck, Bauer, Boldt and Charnley:

AN ACT Relating to the interlocal cooperation act; amending section 1, chapter 139, Laws of 1969 ex. sess. and RCW 39.34.085; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 147, by Representatives Gallagher, Pearsall, Wilson and Vrooman:

AN ACT Relating to contractors; amending section 4, chapter 77, Laws of 1963 as last amended by section 4, chapter 153, Laws of 1973 1st ex. sess. and RCW 18.27.040; amending section 10, chapter 77, Laws of 1963 and RCW 18.27.100; and prescribing a penalty.

To Committee on Commerce

HOUSE BILL NO. 148, by Representatives Enbody, Thompson and Conner:

AN ACT Relating to highways; providing for the operation and maintenance of the Puget Island ferry; making an appropriation; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 149, by Representatives Charnley, Sherman, Patterson, Conner, Chandler, Moreau, Burns, Greengo, Hughes and Knedlik:

AN ACT Relating to transportation; and adding a new chapter to Title 81 RCW.

To Committee on Transportation

HOUSE BILL NO. 150, by Representatives May, Grier and Wilson:

AN ACT Relating to public work; and amending section 1, chapter 183, Laws of 1923 and RCW 39.04.010.

To Committee on Local Government

HOUSE BILL NO. 151, by Representatives May, Warnke, Sommers, Blair, Grier, Hansen and Shinpoch:

AN ACT Relating to public employment; adding new sections to chapter 41.04 RCW; repealing section 1, chapter 105, Laws of 1975-76 2nd ex. sess. and RCW 41.04.270; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 152, by Representatives Sherman, Hawkins, Nelson (Dick), Barnes, Charnley, Gruger and Lux:

AN ACT Relating to political parties; amending section 29.42.020, chapter 9, Laws of 1965 as amended by section 1, chapter 45, Laws of 1972 ex. sess. and RCW 29.42.020; amending section 29.42.030, chapter 9, Laws of 1965 as last amended by section 1, chapter 85, Laws of 1973 and RCW 29.42.030; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 7, chapter 4, Laws of 1973 and RCW 29.42.050; and amending section 1, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.070.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 153, by Representatives Gallagher, Pearsall, Grier and Wilson:

AN ACT Relating to public works contracts; and amending section 1, chapter 28, Laws of 1972 ex. sess. as amended by section 1, chapter 29, Laws of 1973 1st ex. sess. and RCW 39.16.005.

To Committee on Local Government

HOUSE BILL NO. 154, by Representatives Pearsall, Erickson, Keller, Gallagher, Grier, Grimm, Hanna, Heck and Walk:

AN ACT Relating to revenue and taxation; amending section 1, chapter 182, Laws of 1974 ex. sess. as amended by section 14, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.381; amending section 3, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.385; and amending section 28, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.030.

To Committee on Revenue

HOUSE BILL NO. 155, by Representatives Nelson (Dick), Bender, Hawkins, Boldt, Kilbury, Fortson, Becker, Burns, Gruger, Hughes, Lux and Pruitt:

AN ACT Relating to elections; providing for open primaries; amending section 29.18.200, chapter 9, Laws of 1965 and RCW 29.18.200; amending section 29.30.010, chapter 9, Laws of 1965 and RCW 29.30.010; amending section 29.30.020, chapter 9, Laws of 1965 as amended by section 76, chapter 81, Laws of 1971 and RCW 29.30.020; amending section 29.30.030, chapter 9, Laws of 1965 and RCW 29.30.030; amending section 29.30.040, chapter 9, Laws of 1965 and RCW 29.30.040; amending section 29.33.160, chapter 9, Laws of 1965 and RCW 29.33.160; creating new sections; adding a new section to chapter 9, Laws of 1965 and to chapter 29.30 RCW; and providing for the submission of this act to a vote of the people.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 156, by Representatives Enbody, Thompson and Conner:

AN ACT Relating to the Puget Island ferry; and amending section 1, chapter 254, Laws of 1971 ex. sess. as amended by section 1, chapter 26, Laws of 1973 2nd ex. sess. and RCW 47.56.720.

To Committee on Transportation

HOUSE BILL NO. 157, by Representatives McKibbin, Blair, Sommers, Bender and Knedlik:

AN ACT Relating to revenue and taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 158, by Representatives Douthwaite, Bond, Wilson, Fischer and Shinpoch:

AN ACT Relating to motorcycles; amending section 4, chapter 232, Laws of 1967 as last amended by section 1, chapter 150, Laws of 1971 ex. sess. and RCW 46.37.530; adding a new section to chapter 46.37 RCW; and repealing section 10, chapter 232, Laws of 1967 and RCW 46.37.535.

To Committee on Transportation

HOUSE BILL NO. 159, by Representative Douthwaite:

AN ACT Relating to products liability.

To Committee on Insurance

HOUSE BILL NO. 160, by Representatives Valle, Douthwaite, Gruger, Burns, Sherman, Nelson (Dick), Charnley, Lux, Pruitt and Salatino:

AN ACT Relating to revenue and taxation; adding a new chapter to Title 82 RCW; amending section 4, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.390; amending section 5, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.400; adding a new section to chapter 90.48 RCW; and declaring an emergency.

To Committee on Ecology

HOUSE BILL NO. 161, by Representatives Gaines, Charette, Deccio and Moreau:

AN ACT Relating to mutual savings banks; amending section 32.08.140, chapter 13, Laws of 1955 as last amended by section 2, chapter 176, Laws of 1963 and RCW 32.08.140; amending section 32.12.090, chapter 13, Laws of 1955 as last amended by section 3, chapter 55, Laws of 1969 and RCW 32.12.090; amending section 32.20.160, chapter 13, Laws of 1955 and RCW 32.20.160; amending section 32.20.250, chapter 13, Laws of 1955 as last amended by section 6, chapter 55, Laws of 1969 and RCW 32.20.250; amending section 16, chapter 55, Laws of 1969 as amended by section 8, chapter 222, Laws of 1971 ex. sess. and RCW 32.20.255; amending section 6, chapter 41, Laws of 1959 as amended by section 9, chapter 145, Laws of 1967 and RCW 32.20.370; amending section 18, chapter 176, Laws of 1963 as last amended by section 9, chapter 55, Laws of 1969 and RCW 32.20.400; amending section 19, chapter 176, Laws of 1963 as amended by section 10, chapter 55, Laws of 1969 and RCW 32.20.410; amending section 11, chapter 145, Laws of 1967 as amended by section 11, chapter 55, Laws of 1969 and RCW 32.20.420; amending section 2, chapter 31, Laws of 1973 1st ex. sess. and RCW 32.20.460; adding new sections to chapter 13, Laws of 1955 and to chapter 32.08 RCW; and creating a new section.

To Committee on Financial Institutions

HOUSE BILL NO. 162, by Representatives Valle, Flanagan, Gruger, Charnley, Douthwaite, Grimm, Hawkins, Burns, Thompson, Nelson (Dick), Fischer, Hughes, Lux, Paris and Pruitt:

AN ACT Relating to smoking; adding a new section to chapter 43.20 RCW; defining crimes; and providing penalties.

To Committee on Ecology

HOUSE BILL NO. 163, by Representatives Berentson, Haley, Wilson and Paris:

AN ACT Relating to basic sciences; amending section 43.74.010, chapter 8, Laws of 1965 as amended by section 22, chapter 77, Laws of 1973 and RCW 43.74.010; amending section 2, chapter 227, Laws of 1971 ex. sess. as amended by section 23, chapter 77, Laws of 1973 and RCW 43.74.037; amending section 43.74.040, chapter 8, Laws of 1965 as amended by section 24, chapter 77, Laws of 1973 and RCW 43.74.040; amending section 43.74.080, chapter 8, Laws of 1965 as amended by section 25, chapter 77, Laws of 1973 and RCW 43.74.080; amending section 1, chapter 227, Laws of 1971 ex. sess. as amended by section 26, chapter 77, Laws of 1973 and RCW 43.74.085; repealing section 3, chapter 227, Laws of 1971 ex. sess. and RCW 18.57.085; and repealing section 4, chapter 227, Laws of 1971 ex. sess. and RCW 18.71.075.

To Committee on Social and Health Services

HOUSE BILL NO. 164, by Representatives Berentson, Flanagan, Bond, Fancher, Fuller, Moreau and Struthers:

AN ACT Relating to property taxes; and amending section 84.08.130, chapter 15, Laws of 1961 as amended by section 156, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.130.

To Committee on Revenue

HOUSE BILL NO. 165, by Representatives Valle, Zimmerman and Thompson:

AN ACT Relating to public water supply coordination; and adding a new chapter to Title 70 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 166, by Representatives Hansen, Tilly, Greengo, Paris and Struthers:

AN ACT Relating to motor vehicles; amending section 3, chapter 1, Laws of 1969 as amended by section 1, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.506; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 2, chapter 287, Laws of 1975 1st ex. sess. and RCW

46.61.515; amending section 3, chapter 130, Laws of 1974 ex. sess. and RCW 46.61.518; and adding new sections to chapter 46.61 RCW.

To Committee on Judiciary

HOUSE BILL NO. 167, by Representative Eng:

AN ACT Relating to banks and trust companies; amending section 30.08.190, chapter 33, Laws of 1955 and RCW 30.08.190; and prescribing a penalty.

To Committee on Financial Institutions

HOUSE BILL NO. 168, by Representative Eng:

AN ACT Relating to escrow transactions.

To Committee on Financial Institutions

HOUSE BILL NO. 169, by Representatives Shinpoch, Blair and McKibbin (by Executive request of Governor Evans):

AN ACT Relating to expenditures by state agencies; adopting a supplemental budget; making supplemental appropriations and authorizing expenditures for the fiscal biennium beginning July 1, 1975, and ending June 30, 1977; making other appropriations; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 170, by Representatives King, Fortson, Burns, Charnley and Lux:

AN ACT Relating to a state constitutional convention; creating new sections; making an appropriation; and providing effective and expiration dates.

To Committee on Constitution

HOUSE BILL NO. 171, by Representatives Thompson, Zimmerman, Hurley (Margaret), Lee, North and Pardini (by Executive request of Governor Evans):

AN ACT Relating to outdoor recreation; adding a new chapter to Title 43 RCW; and providing an effective date.

To Committee on Parks and Recreation

HOUSE BILL NO. 172, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

AN ACT Relating to education; repealing section 13, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.080; repealing section 14, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.100; repealing section 15, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.120; repealing section 16, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.150; repealing section 9, chapter 263, Laws of 1969 ex. sess., section 11, chapter 132, Laws of 1975 1st ex. sess., section 78, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.81.090; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 173, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

AN ACT Relating to state government; reenacting section 2, chapter 39, Laws of 1970 ex. sess. as last amended by section 85, chapter 34, Laws of 1975-'76 2nd ex. sess. and by section 3, chapter 106, Laws of 1975-'76 2nd ex. sess. and RCW 41.05.020; reenacting section 11, chapter 1, Laws of 1961 as amended by section 86, chapter 34, Laws of 1975-'76 2nd ex. sess. and by section 1, chapter 43, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.110; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 174, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

AN ACT Relating to state government; amending and reenacting section 1, chapter 11, Laws of 1971 as amended by section 24, chapter 105, Laws of 1975-'76 2nd ex. sess. and by section 19, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.17.010; amending and reenacting section 2, chapter 11, Laws of 1971 as amended by section 25, chapter 105, Laws of 1975-'76 2nd ex. sess. and by section 20, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.17.020; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 175, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

AN ACT Relating to motor vehicles; reenacting section 46.16.210, chapter 12, Laws of 1961 as last amended by section 8, chapter 118, Laws of 1975 1st ex. sess. and by section 6, chapter 169, Laws of 1975 1st ex. sess. and RCW 46.16.210; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 176, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

AN ACT Relating to the state athletic commission; reenacting section 2, chapter 184, Laws of 1933 as last amended by section 153, chapter 34, Laws of 1975-'76 2nd ex. sess. and by section 1, chapter 48, Laws of 1975-'76 2nd ex. sess. and RCW 67.08.003; reenacting section 2, chapter 48, Laws of 1951 as last amended by section 1, chapter 1, Laws of 1975 and by section 3, chapter 48, Laws of 1975-'76 2nd ex. sess. and RCW 67.08.015; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 177, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

AN ACT Relating to state government; reenacting section 4, chapter 134, Laws of 1969 ex. sess. as amended by section 160, chapter 34, Laws of 1975-'76 2nd ex. sess. and by section 9, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.040; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 178, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

AN ACT Relating to revenue and taxation; reenacting section 7, chapter 294, Laws of 1971 ex. sess. as last amended by section 1, chapter 33, Laws of 1975-'76 2nd ex. sess. and by section 7, chapter 123, Laws of 1975-'76 2nd ex. sess. and RCW 82.04.291; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 179, by Representatives Chandler, Leckenby, Oliver, Taller, Fancher, Pardini, Whiteside, Sanders, Lee and Struthers:

AN ACT Relating to elections; and adding a new chapter to Title 29 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 180, by Representatives Hanna, Shinpoch, Enbody, Smith, Leckenby and Winsley:

AN ACT Relating to civil procedure; and amending section 2, chapter 131, Laws of 1959 as amended by section 22, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 4.28.185.

To Committee on Judiciary

HOUSE BILL NO. 181, by Representatives King, Haley and Lux:

AN ACT Relating to physicians; amending section 14, chapter 192, Laws of 1909 as last amended by section 3, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.020; amending section 2, chapter 305, Laws of 1971 ex. sess. as amended by section 1, chapter 52, Laws of 1973 1st ex. sess. and RCW 18.71.200; amending section 3, chapter 305, Laws of 1971 ex. sess. and RCW 18.71.210; and adding a new section to chapter 18.71 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 182, by Representatives Nelson (Gary) and Wilson:

AN ACT Relating to county commissioners; and amending section 36.32.050, chapter 4, Laws of 1963 and RCW 36.32.050.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 183, by Representatives Smith, Knowles, Enbody, Knedlik and Hanna:

AN ACT Relating to guardianship; amending section 1, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.005; amending section 11.88.010, chapter 145, Laws of 1965 as amended by section 2, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.010; amending section 11.88.030, chapter 145, Laws of 1965 as amended by section 4, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.030; amending section 11.88.040, chapter 145, Laws of 1965 as last amended by section 5, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.040; amending section 7, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.045; amending section 11.88.090, chapter 145, Laws of 1965 as amended by section 9, chapter 95,

Laws of 1975 1st ex. sess. and RCW 11.88.090; amending section 11.88.100, chapter 145, Laws of 1965 as amended by section 10, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.100; amending section 11.88.107, chapter 145, Laws of 1965 as amended by section 12, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.107; amending section 11.88.120, chapter 145, Laws of 1965 as amended by section 14, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.120; amending section 6, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.125; amending section 11.88.140, chapter 145, Laws of 1965 as amended by section 16, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.140; amending section 11.88.150, chapter 145, Laws of 1965 as amended by section 17, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.150; amending section 11.92.040, chapter 145, Laws of 1965 as amended by section 20, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.92.040; and repealing section 8, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.035.

To Committee on Judiciary

HOUSE BILL NO. 184, by Representatives Tilly, Hurley (Margaret), Bauer, Bond, Fortson, Barr, Clayton, Oliver, Whiteside, Kilbury, Fancher, Fuller, Patterson, Nelson (Gary), Struthers, Winsley, Tallor and Vrooman:

AN ACT Relating to the death penalty; establishing a death penalty proceeding; amending section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.040; adding a new chapter to Title 10 RCW; prescribing penalties; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 185, by Representatives Nelson (Gary), Thompson and Flanagan:

AN ACT Relating to appeal of action by boards of adjustment; amending section 35.63.080, chapter 7, Laws of 1965 and RCW 35.63.080; amending section 35A.63.110, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.110; and amending section 36.70.890, chapter 4, Laws of 1963 and RCW 36.70.890.

To Committee on Local Government

HOUSE BILL NO. 186, by Representatives Keller, King, Kreidler, Smith, Burns, Owen and Vrooman:

AN ACT Relating to public employees; and amending section 25, chapter 1, Laws of 1961 as amended by section 1, chapter 136, Laws of 1974 ex. sess. and RCW 41.06.250.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 187, by Representatives Fischer, Hanna and Becker:

AN ACT Relating to youth employment; adding new sections to chapter 43.51 RCW; and prescribing an effective date.

To Committee on State Government

HOUSE BILL NO. 188, by Representative Charette:

AN ACT Relating to salaries of judges and justices; amending section 1, chapter 144, Laws of 1953 as last amended by section 2, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 3, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.06.060; and amending section 2, chapter 144, Laws of 1953 as last amended by section 4, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.08.090.

To Committee on Judiciary

HOUSE BILL NO. 189, by Representatives Nelson (Gary), Patterson, Berentson, Dunlap, Greengo, Knedlik, Sanders, Whiteside and Wilson:

AN ACT Relating to the administrative procedure act; amending section 3, chapter 237, Laws of 1967 as amended by section 17, chapter 250, Laws of 1971 ex. sess. and RCW 34.04.025; amending section 4, chapter 237, Laws of 1967 and RCW 34.04.027; amending section 3, chapter 234, Laws of 1959 and RCW 34.04.030; adding a new section to chapter 234, Laws of 1959 and to chapter 34.04 RCW; and repealing section 1, chapter 186, Laws of 1963 and RCW 34.04.160.

To Committee on State Government

HOUSE BILL NO. 190, by Representatives Knowles and Leckenby:

AN ACT Relating to fees of superior court clerks; and amending section 1, chapter 38, Laws of 1973 as last amended by section 1, chapter 30, Laws of 1975 and RCW 36.18.020.

To Committee on Judiciary

HOUSE BILL NO. 191, by Representatives Shinpoch, Knowles, Smith, Leckenby, Winsley and Knedlik:

AN ACT Relating to dissolution of marriage; and amending section 27, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.270.

To Committee on Judiciary

HOUSE BILL NO. 192, by Representative Boldt:

AN ACT Relating to state highways; adding a new section to chapter 47.17 RCW; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 193, by Representatives Knedlik and Enbody:

AN ACT Relating to the court of appeals; and amending section 3, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.030.

To Committee on Judiciary

HOUSE BILL NO. 194, by Representative Eng:

AN ACT Relating to mutual savings banks; and amending section 32.20.010, chapter 13, Laws of 1955 and RCW 32.20.010.

To Committee on Financial Institutions

HOUSE BILL NO. 195, by Representatives Shinpoch, Warnke, Charnley, Hughes and Knedlik (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to state and local government and the support thereof; amending section 2, chapter 127, Laws of 1972 ex. sess. and RCW 43.83A.020; amending section 2, chapter 128, Laws of 1972 ex. sess. and RCW 43.83B.020; amending section 2, chapter 129, Laws of 1972 ex. sess. and RCW 43.83C.020; amending section 2, chapter 130, Laws of 1972 ex. sess. and RCW 43.83D.020; amending section 2, chapter 133, Laws of 1972 ex. sess. and RCW 28B.56.020; and creating a new section.

To Committee on Appropriations

HOUSE BILL NO. 196, by Representatives Bauer, Pardini, Clemente, Sommers, Lee, Polk, Fortson, Barnes, Erickson, Greengo, Heck, Knedlik, North, Sanders and Wilson (by Superintendent of Public Instruction request):

AN ACT Relating to revenue and taxation for the common schools; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 102, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.052; amending section 84.52.054, chapter 15, Laws of 1961 as amended by section 103, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.054; amending section 29.27.060, chapter 9, Laws of 1965 as amended by section 1, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.27.060; creating new sections; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 197, by Representatives Shinpoch, Blair and McKibbin (by Executive request of Governor Evans):

AN ACT Relating to state government; adding new sections to chapter 80.50 RCW; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 198, by Representatives Deccio, Hanna, Conner, Knowles, McCormick, Adams, Whiteside, Wilson, Tilly, Flanagan, Fischer, Patterson, Gaines, Warnke, Hansen, Bond, Becker, Boldt, Polk, Clayton, Taller, Berentson, Nelson (Gary), Sommers, Haley, Bender, Bauer, Charette, Maxie, Oliver, Newhouse, Owen, North, Pardini, Fancher, Barr, Struthers, Douthwaite, Dunlap, Lee, Ehlers, May, Moreau, Barnes, Hawkins, Kilbury, Lux, Greengo, Winsley, Salatino, Hurley (Margaret), Sanders, Gallagher, Grimm and Walk:

AN ACT Relating to state government; creating a department of corrections; amending section ..., chapter ... (HB...), Laws of 1977 and RCW 43.17.010; amending section ..., chapter ... (HB...), Laws of 1977 and RCW 43.17.020; adding a new chapter to Title 72 RCW; declaring an emergency; and making an effective date.

To Committee on Institutions

HOUSE BILL NO. 199, by Representatives Sommers, Nelson (Dick), Knedlik and Lux:

AN ACT Relating to criminal offender record information; and amending section 3, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.710.

To Committee on Judiciary

HOUSE BILL NO. 200, by Representatives Sommers, Nelson (Dick), Ehlers and Lux:

AN ACT Relating to public officers and agencies; and amending section 4, chapter 60, Laws of 1969 ex. sess. and RCW 42.26.040.

To Committee on State Government

HOUSE BILL NO. 201, by Representatives Charnley, Vrooman, Nelson (Dick), Sherman, Erickson, Pruitt, Gruger, Salatino, Douthwaite, McCormick, Burns, Gaines, Gallagher, Hanna, Lux, Shipoch and Warnke:

AN ACT Relating to real property tax exemptions; and amending section 1, chapter 182, Laws of 1974 ex. sess. as amended by section 14, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.381.

To Committee on Revenue

HOUSE BILL NO. 202, by Representatives Charnley, Zimmerman, Douthwaite, Leckenby, Burns and Lux:

AN ACT Relating to revenue and taxation; and amending section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090.

To Committee on Revenue

HOUSE BILL NO. 203, by Representatives Amen, Sommers, Flanagan, O'Brien, Hansen, Oliver, Nelson (Gary), Patterson, Tilly, Kilbury, Barr, Zimmerman, Whiteside and Wilson:

AN ACT Relating to revenue and taxation; establishing procedures for the measurement of locally assessed property values for purposes of equalizing property values within the state; adding new sections to chapter 84.48 RCW; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 204, by Representatives Hawkins, Heck, Barnes, Burns, Charnley and Sherman:

AN ACT Relating to elections; amending section 29.30.010, chapter 9, Laws of 1965 and RCW 29.30.010; amending section 29.30.020, chapter 9, Laws of 1965 as amended by section 76, chapter 81, Laws of 1971 and RCW 29.30.020; amending section 29.30.030, chapter 9, Laws of 1965 and RCW 29.30.030; amending section 29.30.040, chapter 9, Laws of 1965 and RCW 29.30.040; amending section 29.30.060, chapter 9, Laws of 1965 and RCW 29.30.060; amending section 29.30.075, chapter 9, Laws of 1965 as amended by section 5, chapter 103, Laws of 1965 ex. sess. and RCW 29.30.075; amending section 29.33.220, chapter 9, Laws of 1965 as last amended by section 4, chapter 46, Laws of 1975-76 2nd ex. sess. and RCW 29.33.220; amending section 11, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.010; amending section 18, chapter 109, Laws of 1967 ex. sess. as amended by section 1, chapter 6, Laws of 1971 ex. sess. and RCW 29.34.080; amending section 23, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.130; amending section 32, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.170; amending section 29.54.010, chapter 9, Laws of 1965 as amended by section 6, chapter 101, Laws of 1965 ex. sess. and RCW 29.54.010; amending section 29.54.035, chapter 9, Laws of 1965 and RCW 29.54.035; amending section 29.54.040, chapter 9, Laws of 1965 as amended by section 9, chapter 101, Laws of 1965 ex. sess. and RCW 29.54.040; amending section 29.54.045, chapter 9, Laws of 1965 as last amended by section 4, chapter 102, Laws of 1973 and RCW 29.54.045; amending section 29.54.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 121, Laws of 1973 1st ex. sess. and RCW 29.54.050; amending section 29.54.060, chapter 9, Laws of 1965 and RCW 29.54.060; amending section 29.54.070, chapter 9, Laws of 1965 as amended by section 10, chapter 109, Laws of 1967 ex. sess. and RCW 29.54.070; amending section 29.54.080, chapter 9, Laws of 1965 and RCW 29.54.080; amending section 29.54.130, chapter 9, Laws of 1965 and RCW 29.54.130; amending section 29.54.140, chapter 9, Laws of 1965 and RCW 29.54.140; amending section 29.62.090, chapter 9, Laws of 1965 and RCW 29.62.090; amending section 29.64.010, chapter 9, Laws of 1965 and RCW 29.64.010; amending section 29.64.020, chapter 9, Laws of 1965 and RCW 29.64.020; adding a new section to chapter 29.01 RCW; adding new sections to chapter 29.30 RCW; adding new sections to chapter 29.34 RCW; adding a new section to chapter 29.54 RCW; repealing section 29.21.100, chapter 9, Laws of 1965 and RCW 29.21.100; repealing section 29.30.050, chapter 9, Laws of 1965 and RCW 29.30.050; repealing section 29.30.080, chapter 9, Laws of 1965, section 2, chapter 52, Laws of 1965, section 1, chapter 18, Laws of 1971 and RCW 29.30.080; repealing section 29.30.090, chapter 9, Laws of 1965 and RCW 29.30.090; repealing section 29.30.100, chapter 9, Laws of 1965 and RCW 29.30.100; repealing section 29.30.110, chapter 9, Laws of 1965 and RCW 29.30.110; repealing section

25, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.150; repealing section 27, chapter 109, Laws of 1967 ex. sess., section 1, chapter 70, Laws of 1973 1st ex. sess. and RCW 29.34.160; and providing an effective date.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 205, by Representatives Lysen and Sherman:

AN ACT Relating to petroleum.

To Committee on Rules

HOUSE BILL NO. 206, by Representatives Warnke, Gaines, Owen, Hawkins, Greengo, Struthers, Salatino and Lux:

AN ACT Relating to intoxicating liquor; amending section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 13, chapter 21, Laws of 1969 ex. sess. and RCW 66.04.010; amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 75, Laws of 1967 ex. sess. and RCW 66.08.180; amending section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 2, chapter 204, Laws of 1973 1st ex. sess. and RCW 66.24.210; amending section 25, chapter 62, Laws of 1933 ex. sess. as amended by section 4, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.230; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.08 RCW; prescribing an effective date; and declaring an emergency.

To Committee on Commerce

HOUSE BILL NO. 207, by Representatives Hansen, Gaines, Warnke, Greengo, Hawkins, Fancher, Salatino, Bauer, Heck, McKibbin, Sanders, Struthers, Vrooman:

AN ACT Relating to revenue and taxation; adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW; and prescribing penalties.

To Committee on Revenue

HOUSE BILL NO. 208, by Representatives Smith, Salatino, Knedlik, Erickson, Nelson (Gary), North, Enbody and Leckenby:

AN ACT Relating to attorney's fees and costs; and adding a new section to chapter 4.84 RCW.

To Committee on Judiciary

HOUSE BILL NO. 209, by Representatives Nelson (Dick), Hawkins, Hughes and Lux:

AN ACT Relating to voter's pamphlets; and adding a new section to chapter 29.81 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 210, by Representatives Shinpoch, Knedlik and Vrooman:

AN ACT Relating to public officers; adding a new section to chapter 46.08 RCW; prescribing penalties; and prescribing an effective date.

To Committee on State Government

HOUSE BILL NO. 211, by Representatives Smith, Knedlik and Enbody:

AN ACT Relating to the Washington Criminal Code; amending section 9A.52.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 7, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.52.030; and amending section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100.

To Committee on Judiciary

HOUSE BILL NO. 212, by Representatives Smith and Knedlik:

AN ACT Relating to unemployment compensation; and amending section 74, chapter 35, Laws of 1945 as last amended by section 22, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.060.

To Committee on Labor

HOUSE BILL NO. 213, by Representatives Shinpoch, Knedlik and Vrooman:

AN ACT Relating to the Washington state school directors' association; and adding a new section to chapter 28A.61 RCW.

To Committee on State Government

HOUSE JOINT MEMORIAL NO. 2, by Representatives Charnley, Valle, Hawkins, Blair, Hughes, Hurley (Margaret), Williams, Grier, Vrooman, Fischer, Burns, Lux, Sherman, Becker and Chandler:

Requesting federal control of chlorofluorocarbon propellants.

To Committee on Ecology

HOUSE JOINT RESOLUTION NO. 5, by Representatives Hawkins and Fortson:

Amending the state Constitution to eliminate the district residency requirement for legislators.

To Committee on Elections and Governmental Ethics

HOUSE JOINT RESOLUTION NO. 6, by Representatives King, Fortson, Burns, Charnley, Grier, Knowles, Lux, Maxie and McCormick:

Placing a proposition for a constitutional convention before the voters.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 7, by Representatives King, Fortson, Charnley, Grier, Hughes, Knowles, Lee, Lux and McCormick:

Permitting constitutional amendments to contain several sections on one subject.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 8, by Representatives Hawkins, Nelson (Dick), Blair, Erickson, Lux and Owen:

Limiting state elected officers to 12 years in the same office.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 9, by Representative Maxie:

Amending the Constitution to provide for annual legislative sessions and other sessions to be convened by the legislature.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 10, by Representatives Nelson (Gary), Patterson, Charnley, Lux and Struthers:

Providing for a unicameral legislature.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 11, by Representatives Nelson (Gary), Erickson and Charnley:

Modifying voting requirements for calling a constitutional convention.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 12, by Representative Knowles:

Amending the Constitution to modify the right of trial by jury.

To Committee on Judiciary

HOUSE JOINT RESOLUTION NO. 13, by Representatives Erickson, Hawkins, Barnes, Charnley, Nelson (Dick) and Salatino:

Establishing procedures for redistricting.

To Committee on Elections and Governmental Ethics

HOUSE CONCURRENT RESOLUTION NO. 6, by Representatives Dunlap, Nelson (Gary), Craswell, Greengo, Fortson, Barnes, Patterson, Sanders, Schmitten, Deccio, Clayton, Fancher, Taller, Fuller, Struthers, Barr, Burns, Hughes, Polk and Wilson:

Requiring a definition of basic education.

To Committee on Education

MOTION

Mr. King moved that all bills, memorials and resolutions printed on today's agenda be considered first reading under the fourth order of business and be referred to the committees designated.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Newhouse.

Mr. Newhouse: "Would it be your intent that the Senate bill that was read in this morning be excepted from this and that it be subject to a different motion?"

Mr. King: "Yes, it would be. We haven't introduced it yet."

Mr. Newhouse: "I would like to point out a few policy matters that should be established. We note on yesterday's agenda that the three-way comp bill was to go to Committee on Insurance. I don't really know but I've understood that not just the Speaker may now have a hand in routing bills, but that the labor people have taken an undue interest in our internal policies and have demanded that it go to Labor Committee. I suggest that perhaps if we're going to have twenty-two committees and we have a Committee on Insurance that this is a matter of insurance and perhaps this bill needs real consideration and deals with several things that have happened during the past year in that department. If the Committee on Labor does not carefully consider this bill we may expect a motion to remove the bill from that committee and move it to some committee that is properly constituted to consider it."

Mr. King: "Was that a question?"

Mr. Newhouse: "Yes."

Mr. King: "That motion could, of course, be made at any time. Whether or not proper consideration has been given by a committee may be a matter of opinion that could only be decided by such a vote."

Mr. Newhouse: "With the matter of policy of introduction of bills, would you plan that bills be introduced all through this regular session except as provided in Senate Concurrent Resolution No. 103? Do you have any plans on introduction of bills in a special session which may follow this regular session?"

Mr. King: "We're only at the discussion stage of considering special session legislation. We really can't guarantee what is going to occur or even whether we will be back in special session. There is considerable talk of not allowing introduction of bills during the special session, so I would urge all the members if this motion is passed today—not the motion before us, but the next one—to do your work expeditiously and get the bills in for the regular session. I urge you to get your work done as quickly as possible."

Mr. Newhouse: "Then it may, in fact, require a suspension of the rules to introduce bills in the special session?"

Mr. King: "Yes."

Mr. Newhouse: "One further question involving title only bills. I note that there is one already introduced. Might it not be more efficient for all title only bills to be introduced or held in the Chief Clerk's office until late in the session and introduced as a group so they need not be printed so much and further, the people most directly involved, the committee chairmen—that there's no use of a minority member from the back row introducing a title only bill?"

Mr. King: "The title only bill that you are referring to has been discussed and it has been referred to the Agriculture Committee because they do happen to be working on an alternative to the water rights initiative. All other title only bills will be held and will be introduced en masse so that the numbers will be in sequence and we won't have to have them in the computer, so the procedure that you suggest is going to occur with title only bills."

The motion was carried.

FIRST READING

SENATE CONCURRENT RESOLUTION NO. 103, by Senators Bailey, Walgren, Newschwander and Matson:

Prescribing cut-off dates.

MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 103 was advanced to second reading and read the second time in full.

MOTION

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

Add the following paragraph at the end of the resolution:

"BE IT FURTHER RESOLVED, That none of the terminal dates set forth above shall prevent either the Senate or the House from the consideration of Initiatives to the Legislature at any time prior to the closing of the regular session of the legislature."

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 103 as amended by the House was placed on final passage.

Representatives King and Berentson spoke in favor of the resolution, and it was adopted.

STANDING COMMITTEE APPOINTMENTS

The Speaker announced the following committee changes:

Representative Zimmerman from Committee on Ecology to Committee on Local Government.

Representative Barnes from Committee on Local Government to Committee on Insurance.

Representative Leckenby from Committee on Insurance to Committee on Ecology.

Representative Barr as Ranking Minority Member of Committee on Ecology.

MOTION

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

RESOLUTION

HOUSE RESOLUTION NO. 77-4, by Representatives Gaines and Warnke:

WHEREAS, The Black Watch Drum and Bugle Corps is an organization one hundred fifteen members strong; and

WHEREAS, This five year old organization is composed of young adults between the ages of twelve and twenty-one years; and

WHEREAS, The membership is broadly representative of the Green River Valley and its environs; and

WHEREAS, The year 1976 found the Black Watch traveling to points from San Jose, California to Boston, Massachusetts representing the State of Washington; and

WHEREAS, Such far flung travels have enhanced the fine reputation developed by many competitions participated in at the state and local level; and

WHEREAS, The national reputation of the Black Watch is best evidenced by the fact that they are currently National Champions of the American Legion; and

WHEREAS, The community spirit behind the Black Watch is supported by a booster club representing parents, friends, and former members; and

WHEREAS, Governor Ray has designated the Black Watch Drum and Bugle Corps to represent the State of Washington at President Carter's inaugural parade on January 20th in Washington D.C.;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Black Watch Drum and Bugle Corps be commended and congratulated for its past performances and accept the best wishes of the members of this House as it embarks on the journey to Washington D.C.;

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send a suitably inscribed copy of this Resolution to the Black Watch Drum and Bugle Corps.

On motion of Mr. Gaines, House Resolution No. 77-4 was adopted.

POINT OF PERSONAL PRIVILEGE

Mr. Douthwaite: "This morning, ladies and gentlemen, I would like to ask a moment of remembrance for one of the great Americans who would have been 47, I believe had he been alive. Tomorrow is his birthday. I refer to Dr. Martin Luther King, Jr., who, as you all know, did a great deal to advance the cause of civil liberties and justice for black Americans as well as white people throughout the United States. I just wanted to take a moment to ask you to remember Dr. Martin Luther King at this time."

MOTION

On motion of Mr. King, the House adjourned until 11:30 a.m., Monday, January 17, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 17, 1977.

The House was called to order at 11:30 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Wilson and Craig Warnick. Prayer was offered by the Reverend James H. Blundell of St. John's Episcopal Church of Olympia.

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 214, by Representative Hawkins:

AN ACT Relating to counties; amending section 36.16.110, chapter 4, Laws of 1963 and RCW 36.16.110; adding new sections to chapter 42.12 RCW; repealing section 36.32.070, chapter 4, Laws of 1963 and RCW 36.32.070; and prescribing an effective date.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 215, by Representatives Hawkins, Gruger and Lux:

AN ACT Relating to legislative vacancies; adding new sections to chapter 42.12 RCW; and prescribing an effective date.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 216, by Representatives Bauer, Berentson, Barnes, Heck, Fuller, Hanna, Dunlap, Hawkins, Greengo and Knedlik:

AN ACT Relating to education; and amending section 28A.58.310, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 26, Laws of 1969 ex. sess. and RCW 28A.58.310.

To Committee on Education

HOUSE BILL NO. 217, by Representatives Charnley, Newhouse, Knowles, Knedlik, Monohon and Grier:

AN ACT Relating to auto transportation companies; and amending section 81.68.060, chapter 14, Laws of 1961 and RCW 81.68.060.

To Committee on Insurance

HOUSE BILL NO. 218, by Representatives Kilbury, Hansen, Amen, Monohon, Boldt, Flanagan, Fancher, Becker and Clayton:

AN ACT Relating to water.

To Committee on Agriculture

HOUSE BILL NO. 219, by Representatives Hawkins, Burns, Hughes and Lux:

AN ACT Relating to elections; amending section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070; and amending section 29.18.030, chapter 9, Laws of 1965 as amended by section 1, chapter 103, Laws of 1965 ex. sess. and RCW 29.18.030.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 220, by Representatives Kilbury and Hawkins:

AN ACT Relating to cities and towns; amending section 29.13.024, chapter 9, Laws of 1965 and RCW 29.13.024; amending section 35.17.020, chapter 7, Laws of 1965 and RCW 35.17.020; amending section 35.18.020, chapter 7, Laws of 1965 and RCW 35.18.020; amending section 35.22.370, chapter 7, Laws of 1965 and RCW 35.22.370; amending section 35.24.050, chapter 7, Laws of 1965 as amended by section 2, chapter 116, Laws of 1969 and RCW 35.24.050; amending section 35A.12.040, chapter 119,

Laws of 1967 ex. sess. as amended by section 3, chapter 52, Laws of 1970 ex. sess. and RCW 35A.12.040; adding new sections to chapter 7, Laws of 1965 and to chapter 35.21 RCW; and creating a new section.

To Committee on Local Government

HOUSE BILL NO. 221, by Representative Hawkins:

AN ACT Relating to the executive department; adding new sections to chapter 42.12 RCW; and prescribing an effective date.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 222, by Representatives Hawkins, Barnes and Lux:

AN ACT Relating to elections; and amending section 29.54.140, chapter 9, Laws of 1965 and RCW 29.54.140.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 223, by Representatives Hawkins and Lux:

AN ACT Relating to election ballots; amending section 29.30.040, chapter 9, Laws of 1965 and RCW 29.30.040; and amending section 29.30.060, chapter 9, Laws of 1965 and RCW 29.30.060.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 224, by Representatives Wilson, Fortson and Vrooman:

AN ACT Relating to the superior courts; and amending section 7, chapter 125, Laws of 1951 as last amended by section 3, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.065.

To Committee on Judiciary

HOUSE BILL NO. 225, by Representatives Burns, Lux, Zimmerman, Chandler, Gruger, Pruitt and Sanders (by Commission on Asian-American Affairs request):

AN ACT Relating to higher education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; creating a new section; and declaring an emergency.

To Committee on Higher Education

HOUSE BILL NO. 226, by Representatives Fortson, Clemente, Dunlap, Bauer, Lux, Hurley (George), Haley, North, Hughes, Vrooman, Enbody, Fischer, Gaines, Lysen and McCormick:

AN ACT Relating to education; amending section 1, chapter 98, Laws of 1975-'76 2nd ex. sess. and RCW 28A.03.360; making an appropriation; and providing an effective date.

To Committee on Education

HOUSE BILL NO. 227, by Representatives Hawkins, Nelson (Dick), Lysen, Burns, Fortson, Hawkins, Heck, Lux and Pruitt:

AN ACT Relating to elections; amending section 29.10.040, chapter 9, Laws of 1965 as amended by section 26, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.040; amending section 29.85.200, chapter 9, Laws of 1965 and RCW 29.85.200; creating new sections; adding new sections to Title 29 RCW as a new chapter thereof; repealing section 29.07.010, chapter 9, Laws of 1965, section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010; repealing section 29.07.020, chapter 9, Laws of 1965, section 5, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.020; repealing section 29.07.030, chapter 9, Laws of 1965 and RCW 29.07.030; repealing section 29.07.040, chapter 9, Laws of 1965, section 6, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.040; repealing section 29.07.050, chapter 9, Laws of 1965, section 7, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.050; repealing section 29.07.060, chapter 9, Laws of 1965, section 8, chapter 202, Laws of 1971 ex. sess., section 1, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.060; repealing section 2, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.065; repealing section 29.07.070, chapter 9, Laws of 1965, section 9, chapter 202, Laws of 1971 ex. sess., section 3, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.070; repealing section 29.07.080, chapter 9, Laws of 1965, section 10, chapter 202, Laws of 1971 ex. sess., section 4, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.080; repealing section 29.07.090, chapter 9, Laws of 1965, section 11, chapter 202, Laws of 1971 ex. sess., section 5, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.090; repealing section 2, chapter 153, Laws of 1973, section 1, chapter 184, Laws of 1975 1st ex. sess. and RCW 29.07.092; repealing section 29.07.095, chapter 9, Laws of 1965, section 12, chapter 202, Laws of 1971 ex. sess., section 6, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.095; repealing section 29.07.100, chapter 9, Laws of 1965, section 13, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.100; repealing section 29.07.105, chapter 9, Laws of 1965, section 14, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.105; repealing section 29.07.110, chapter 9, Laws of 1965, section 15, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.110; repealing section 23, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.115; repealing section 29.07.120, chapter 9, Laws of 1965,

section 16, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.120; repealing section 29.07.130, chapter 9, Laws of 1965, section 17, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.130; repealing section 29.07.140, chapter 9, Laws of 1965, section 18, chapter 202, Laws of 1971 ex. sess., section 7, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.140; repealing section 29.07.150, chapter 9, Laws of 1965, section 19, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.150; repealing section 29.07.160, chapter 9, Laws of 1965, section 20, chapter 202, Laws of 1971 ex. sess., section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160; repealing section 29.07.170, chapter 9, Laws of 1965, section 21, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.170; repealing section 29.07.180, chapter 9, Laws of 1965, section 22, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.180; repealing section 12, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.220; repealing section 13, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.230; repealing section 14, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.240; repealing section 29.62.150, chapter 9, Laws of 1965, section 44, chapter 202, Laws of 1971 ex. sess. and RCW 29.62.150; providing penalties; and providing an effective date.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 228, by Representatives Conner, Gilleland, Charnley and Berentson:

AN ACT Relating to motor vehicles; and amending section 81.80.040, chapter 14, Laws of 1961 as amended by section 7, chapter 59, Laws of 1963 and RCW 81.80.040.

To Committee on Transportation

HOUSE BILL NO. 229, by Representative Hurley (Margaret) (by Parks and Recreation Commission request):

AN ACT Relating to parks and parkways; and amending section 43.51.040, chapter 8, Laws of 1965 as amended by section 1, chapter 90, Laws of 1967 ex. sess. and RCW 43.51.040.

To Committee on Parks and Recreation

HOUSE BILL NO. 230, by Representatives North and Lee (by Parks and Recreation Commission request):

AN ACT Relating to winter recreational parking; amending section 6, chapter 209, Laws of 1975 1st ex. sess. and RCW 46.61.587; and prescribing a penalty.

To Committee on Parks and Recreation

HOUSE BILL NO. 231, by Representatives Amen, Flanagan, Shinpoch, Polk and Knedlik (by Legislative Budget Committee request):

AN ACT Relating to state government reports and publications; amending section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 28, Laws of 1967 and RCW 2.12.050; amending section 5, chapter 45, Laws of 1925 ex. sess. and RCW 2.52.050; amending section 11, chapter 159, Laws of 1963 as last amended by section 7, chapter 126, Laws of 1975 1st ex. sess. and RCW 4.92.170; amending section 9, chapter 218, Laws of 1973 1st ex. sess. as amended by section 4, chapter 166, Laws of 1975 1st ex. sess. and RCW 9.46.090; amending section 11, chapter 340, Laws of 1955 and RCW 9.95.265; amending section 5, chapter 165, Laws of 1947 and RCW 14.04.050; amending section 15.04.020, chapter 11, Laws of 1961 and RCW 15.04.020; amending section 9, chapter 226, Laws of 1949 and RCW 18.04.100; amending section 14, chapter 3, Laws of 1965 ex. sess. as amended by section 31, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.18.251; amending section 1, chapter 297, Laws of 1959 as amended by section 1, chapter 142, Laws of 1961 and RCW 18.43.035; amending section 8, chapter 202, Laws of 1949 as last amended by section 50, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.88.080; amending section 10, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.280; amending section 1, chapter 177, Laws of 1903 and RCW 27.28.010; amending section 1, chapter 187, Laws of 1925 ex. sess. as amended by section 1, chapter 35, Laws of 1973 and RCW 27.32.010; amending section 5, chapter 44, Laws of 1941 as amended by section 3, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.050; amending section 28A.03.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 47, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.03.030; amending section 28A.10.025, chapter 223, Laws of 1969 ex. sess. and RCW 28A.10.025; amending section 28A.91.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.060; amending section 28B.20.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.130; amending section 28B.30.150, chapter 223, Laws of 1969 ex. sess. as amended by section 47, chapter 154, Laws of 1973 1st ex. sess. and RCW 28B.30.150; amending section 28B.30.215, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.215; amending section 28B.30.300, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.300; amending section 28B.30.310, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.310; amending section 28B.40.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.130; amending section 28B.50.070, chapter 223, Laws of 1969 ex. sess. as amended by section 15, chapter 62, Laws of 1973 and RCW 28B.50.070; amending section 28B.50.130, chapter 223, Laws of 1969 ex. sess. as amended by section 18, chapter 62, Laws of 1973 and RCW 28B.50.130; amending section 17, chapter 15, Laws of 1970 ex. sess. as amended by section 19, chapter 62, Laws of 1973 and RCW 28B.50.140; amending section 35.21.260, chapter 7, Laws of 1965 and RCW 35.21.260; amending section 1, chapter 27, Laws of 1971 ex. sess. as amended by section 17, chapter 288, Laws of 1971 ex. sess. and RCW 36.21.015; amending

section 36.75.260, chapter 4, Laws of 1963 and RCW 36.75.260; amending section 3, chapter 250, Laws of 1957 and RCW 38.12.020; amending section 3, chapter 78, Laws of 1949 and RCW 41.04.060; reamending and amending section 2, chapter 39, Laws of 1970 ex. sess. as last amended by section 85, chapter 34, Laws of 1975-'76 2nd ex. sess. and section 3, chapter 106, Laws of 1975-'76 2nd ex. sess. and RCW 41.05.020; amending section 43.03.028, chapter 8, Laws of 1965 as last amended by section 2, chapter 43, Laws of 1970 ex. sess. and RCW 43.03.028; amending section 3, chapter 41, Laws of 1967 ex. sess. as amended by section 2, chapter 17, Laws of 1973 2nd ex. sess. and RCW 43.06.140; amending section 43.08.010, chapter 8, Laws of 1965 and RCW 43.08.010; amending section 43.08.150, chapter 8, Laws of 1965 and RCW 43.08.150; amending section 43.09.050, chapter 8, Laws of 1965 as amended by section 1, chapter 170, Laws of 1971 ex. sess. and RCW 43.09.050; amending section 43.09.230, chapter 8, Laws of 1965 and RCW 43.09.230; amending section 43.10.100, chapter 8, Laws of 1965 and RCW 43.10.100; amending section 43.19.090, chapter 8, Laws of 1965 and RCW 43.19.090; amending section 43.20.100, chapter 8, Laws of 1965 and RCW 43.20.100; amending section 2, chapter 189, Laws of 1971 ex. sess. as amended by section 98, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.20A.360; amending section 43.21.130, chapter 8, Laws of 1965 and RCW 43.21.130; amending section 20, chapter 62, Laws of 1970 ex. sess. and RCW 43.21A.200; amending section 43.22.270, chapter 8, Laws of 1965 as last amended by section 32, chapter 296, Laws of 1975 1st ex. sess. and RCW 43.22.270; amending section 43.22.330, chapter 8, Laws of 1965 and RCW 43.22.330; amending section 43.23.120, chapter 8, Laws of 1965 and RCW 43.23.120; amending section 43.23.130, chapter 8, Laws of 1965 and RCW 43.23.130; amending section 43.30.200, chapter 8, Laws of 1965 and RCW 43.30.200; amending section 43.31.050, chapter 8, Laws of 1965 and RCW 43.31.050; amending section 43.31.160, chapter 8, Laws of 1965 and RCW 43.31.160; amending section 33, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.330; amending section 43.49.070, chapter 8, Laws of 1965 and RCW 43.49.070; amending section 43.51.040, chapter 8, Laws of 1965 as amended by section 1, chapter 90, Laws of 1967 ex. sess. and RCW 43.51.040; amending section 6, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.800; amending section 43.56.030, chapter 8, Laws of 1965 and RCW 43.56.030; amending section 43.61.040, chapter 8, Laws of 1965 as last amended by section 22, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.61.040; amending section 43.62.030, chapter 8, Laws of 1965 as amended by section 2, chapter 50, Laws of 1969 ex. sess. and RCW 43.62.030; amending section 43.62.050, chapter 8, Laws of 1965 as amended by section 2, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.62.050; amending section 8, chapter 74, Laws of 1967 and RCW 43.63A.080; amending section 1, chapter 53, Laws of 1969 ex. sess. and RCW 43.63A.085; amending section 2, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.020; amending section 29, chapter 21, Laws of 1961 ex. sess. as last amended by section 5, chapter 32, Laws of 1967 and RCW 46.01.290; amending section 46.52.060, chapter 12, Laws of 1961 as amended by section 56, chapter 32, Laws of 1967 and RCW 46.52.060; amending section 1, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.01.141; amending section .02.17, chapter 79, Laws of 1947 and RCW 48.02.170; amending section 1, chapter 225, Laws of 1959 and RCW 48.02.180; amending section .33.11, chapter 79, Laws of 1947 and RCW 48.48.110; amending section 1, chapter 231, Laws of 1941 as last amended by section 143, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 49.04.010; amending section 20, chapter 174, Laws of 1913 and RCW 49.12.180; amending section 7, chapter 270, Laws of 1955 and RCW 49.60.100; amending section 40, chapter 35, Laws of 1945 as last amended by section 1, chapter 286, Laws of 1955 and RCW 50.12.010; amending section 55, chapter 35, Laws of 1945 and RCW 50.12.160; amending section 51.04.020, chapter 23, Laws of 1961 as amended by section 1, chapter 29, Laws of 1963 and RCW 51.04.020; amending section 67, chapter 289, Laws of 1971 ex. sess. as last amended by section 150, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 51.04.110; amending section 72, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 182, Laws of 1955 and RCW 66.08.028; amending section 3, chapter 55, Laws of 1933 and RCW 67.16.015; amending section 9, chapter 55, Laws of 1933 as last amended by section 7, chapter 148, Laws of 1965 and RCW 67.16.100; amending section 14, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.130; amending section 4, chapter 197, Laws of 1949 as amended by section 4, chapter 252, Laws of 1959 and RCW 70.40.040; amending section 72.01.320, chapter 28, Laws of 1959 and RCW 72.01.320; amending section 32, chapter 171, Laws of 1961 and RCW 72.01.420; amending section 5, chapter 273, Laws of 1959 as amended by section 12, chapter 189, Laws of 1971 ex. sess. and RCW 72.60.280; amending section 75.08.020, chapter 12, Laws of 1955 and RCW 75.08.020; amending section 4, chapter 125, Laws of 1911 and RCW 76.04.050; amending section 77.04.060, chapter 36, Laws of 1955 as last amended by section 175, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 77.04.060; amending section 1, chapter 293, Laws of 1955 as amended by section 1, chapter 129, Laws of 1965 and RCW 79.24.300; amending section 80.01.090, chapter 14, Laws of 1961 and RCW 80.01.090; amending section 3, chapter 26, Laws of 1967 ex. sess. and RCW 82.01.060; amending section 5, chapter 158, Laws of 1919 as last amended by section 5, chapter 51, Laws of 1972 ex. sess. and RCW 89.16.050; amending section 7, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.070; amending section 10, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.090; repealing section 9, chapter 254, Laws of 1951 and RCW 9.81.130; repealing section 15.32.696, chapter 11, Laws of 1961 and RCW 15.32.696; repealing section 15.60.160, chapter 11, Laws of 1961 and RCW 15.60.160; repealing section 15.64.020, chapter 11, Laws of 1961 and RCW 15.64.020; repealing section 30, chapter 165, Laws of 1927 and RCW 16.44.170; repealing section 10, chapter 226, Laws of 1949 and RCW 18.04.110; repealing section 24, chapter 52, Laws of 1957 and RCW 18.32.060; repealing section 28B.30.320, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.320; repealing section 11, chapter 277, Laws of 1969 ex. sess., section 8, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.100; repealing

section 5, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.140; repealing section 43.07.060, chapter 8, Laws of 1965 and RCW 43.07.060; repealing section 43.07.070, chapter 8, Laws of 1965 and RCW 43.07.070; repealing section 43.07.080, chapter 8, Laws of 1965 and RCW 43.07.080; repealing section 43.92.030, chapter 8, Laws of 1965 and RCW 43.92.030; repealing section 15, chapter 96, Laws of 1961 and RCW 47.42.150; repealing section 47.56.350, chapter 13, Laws of 1961 and RCW 47.56.350; repealing section 6, chapter 82, Laws of 1967 and RCW 70.83.060; repealing section 5, chapter 188, Laws of 1961 and RCW 70.94.340; repealing section 72.16.090, chapter 28, Laws of 1959 and RCW 72.16.090; repealing section 74.09.140, chapter 26, Laws of 1959 and RCW 74.09.140; repealing section 8, chapter 154, Laws of 1923 and RCW 76.12.150; repealing section 84.08.090, chapter 15, Laws of 1961, section 153, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.090; repealing section 84.08.100, chapter 15, Laws of 1961 and RCW 84.08.100; repealing section 24, chapter 200, Laws of 1907 and RCW 88.04.270; and repealing section 2, chapter 284, Laws of 1969 ex. sess. and RCW 90.48.295.

To Committee on State Government

HOUSE BILL NO. 232, by Representatives Ehlers, Adams, Erickson, Bender, Clemente, Knowles, Lux, McCormick, North and Sherman (by Department of Veterans Affairs request):

AN ACT Relating to state government; amending section 72.01.050, chapter 28, Laws of 1959 and RCW 72.01.050; amending section 72.36.020, chapter 28, Laws of 1959 and RCW 72.36.020; amending section 1, chapter 4, Laws of 1972 ex. sess. as amended by section 1, chapter 63, Laws of 1974 ex. sess. and RCW 73.04.130; amending section 2, chapter 36, Laws of 1937 and RCW 73.24.030; adding a new section to chapter 115, Laws of 1975-'76 2nd ex. sess. and to chapter 43.60A RCW; repealing section 1, chapter 108, Laws of 1899 and RCW 73.24.040; and repealing sections 1 through 4, pages 481 and 482, Laws of 1890 and RCW 73.28.010 through 73.28.040.

To Committee on State Government

HOUSE BILL NO. 233, by Representatives Thompson, Shinpoch, Flanagan, Amen, Polk, Deccio, Greengo, Hughes and Knowles (by Legislative Budget Committee request to Implement Management Survey Recommendations):

AN ACT Relating to state government publications; amending section 1, chapter 233, Laws of 1963 and RCW 40.06.010; amending section 2, chapter 233, Laws of 1963 and RCW 40.06.020; amending section 3, chapter 233, Laws of 1963 and RCW 40.06.030; amending section 4, chapter 233, Laws of 1963 and RCW 40.06.040; adding a new section to chapter 27.04 RCW; adding a new section to chapter 40.04 RCW; adding a new chapter to Title 40 RCW; repealing section 1, chapter 150, Laws of 1941 and RCW 40.04.010; repealing section 2, chapter 150, Laws of 1941 and RCW 40.04.020; repealing section 43.01.030, chapter 8, Laws of 1965 and RCW 43.01.030; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 234, by Representatives Polk, Shinpoch, Thompson and Taller (by Legislative Budget Committee request to Implement Performance Audit Recommendations):

AN ACT Relating to state government; adding new sections to chapter 43.19 RCW; repealing section 43.77.010, chapter 8, Laws of 1965 and RCW 43.77.010; repealing section 43.77.020, chapter 8, Laws of 1965, section 1, chapter 12, Laws of 1973 and RCW 43.77.020; repealing section 43.77.030, chapter 8, Laws of 1965, section 2, chapter 12, Laws of 1973 and RCW 43.77.030; repealing section 43.77.040, chapter 8, Laws of 1965 and RCW 43.77.040; and repealing section 43.77.050, chapter 8, Laws of 1965 and RCW 43.77.050.

To Committee on State Government

HOUSE BILL NO. 235, by Representatives Shinpoch, Polk and Thompson (by Legislative Budget Committee request to Implement Performance Audit Recommendations):

AN ACT Relating to public printing; amending section 43.78.030, chapter 8, Laws of 1965 as amended by section 114, chapter 81, Laws of 1971 and RCW 43.78.030; amending section 43.78.040, chapter 8, Laws of 1965 and RCW 43.78.040; amending section 43.78.070, chapter 8, Laws of 1965 and RCW 43.78.070; amending section 43.78.080, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1972 ex. sess. and RCW 43.78.080; amending section 43.78.110, chapter 8, Laws of 1965 as amended by section 1, chapter 79, Laws of 1969 and RCW 43.78.110; adding new sections to chapter 43.78 RCW; repealing section 43.78.020, chapter 8, Laws of 1965 and RCW 43.78.020; repealing section 43.78.050, chapter 8, Laws of 1965 and RCW 43.78.050; repealing section 43.78.090, chapter 8, Laws of 1965 and RCW 43.78.090; repealing section 43.78.100, chapter 8, Laws of 1965 and RCW 43.78.100; and providing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 236, by Representatives Shinpoch, Flanagan, Thompson, Amen, Knedlik, Polk, Deccio, Ehlers and Knowles (by Legislative Budget Committee request):

AN ACT Relating to state government; creating new sections; prescribing penalties; and prescribing an effective date.

To Committee on State Government

HOUSE BILL NO. 237, by Representatives Adams, Whiteside, Fortson, Pruitt, Newhouse, Paris, May, Pearsall, Kreidler, Lux, Charette, Charnley, Shinpoch, Conner, Fischer, McCormick, Gallagher, North and Knowles:

AN ACT Relating to business and professions; and amending section 9, chapter 305, Laws of 1955 as last amended by section 74, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.83.090.

To Committee on Social and Health Services

HOUSE BILL NO. 238, by Representatives Gallagher, Sanders, Knowles and Fischer:

AN ACT Relating to public works contracts; amending section 5, chapter 63, Laws of 1945 as amended by section 1, chapter 120, Laws of 1973 and RCW 39.12.050; and prescribing a penalty.

To Committee on Judiciary

HOUSE BILL NO. 239, by Representatives Douthwaite, Lee, Eng, Hanna and Lux:

AN ACT Relating to local government; and adding a new chapter to Title 35 RCW.

To Committee on Local Government

HOUSE BILL NO. 240, by Representatives King, Vrooman, May, Hughes, Lux and Martinis:

AN ACT Relating to railroads; adding a new chapter to Title 81 RCW; prescribing penalties; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 241, by Representative Fortson:

AN ACT Relating to the superior courts; and amending section 7, chapter 125, Laws of 1951 as last amended by section 3, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.065.

To Committee on Judiciary

HOUSE BILL NO. 242, by Representative Hanna:

AN ACT Relating to cosmetology; and amending section 4, chapter 180, Laws of 1951 as last amended by section 4, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.070.

To Committee on Commerce

HOUSE BILL NO. 243, by Representative Hanna:

AN ACT Relating to alcoholics; and amending section 12, chapter 122, Laws of 1972 ex. sess. as amended by section 1, chapter 175, Laws of 1974 ex. sess. and RCW 70.96A.120.

To Committee on Institutions

HOUSE BILL NO. 244, by Representative Hanna:

AN ACT Relating to prostitution; amending section 9A.88.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.88.030; defining a crime; and prescribing a penalty.

To Committee on Judiciary

HOUSE BILL NO. 245, by Representative Hanna:

AN ACT Relating to counties; and adding a new section to chapter 36.17 RCW.

To Committee on Local Government

HOUSE BILL NO. 246, by Representatives Wilson, Adams, Douthwaite and Deccio:

AN ACT Relating to dangerous weapons; creating a new section; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 247, by Representatives Warnke, Fortson, Becker and Lux:

AN ACT Relating to education; setting forth a program to provide proper nutrition for school children; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.31 RCW; and providing penalties.

To Committee on Education

HOUSE BILL NO. 248, by Representatives Wilson, Hurley (Margaret) and Nelson (Gary):

AN ACT Relating to elections; amending section 29.30.040, chapter 9, Laws of 1965 and RCW 29.30.040; amending section 29.30.050, chapter 9, Laws of 1965 and RCW 29.30.050; and amending section 29.30.060, chapter 9, Laws of 1965 and RCW 29.30.060.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 249, by Representatives Hanna and Fischer:

AN ACT Relating to driving a motor vehicle while under the influence of liquor or drugs; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 2, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.515; and providing penalties.

To Committee on Judiciary

HOUSE BILL NO. 250, by Representatives Leckenby, Charnley and Wilson:

AN ACT Relating to revenue and taxation; and amending section 1, chapter 182, Laws of 1974 ex. sess. as amended by section 14, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.381.

To Committee on Revenue

HOUSE BILL NO. 251, by Representatives Fortson, Adams, Kreidler, Pruitt, Hanna, Shinpoch, Whiteside, Gruger, Pearsall, Lux, May, Bauer, Burns, Deccio, Fischer, Gaines, Grimm, Hansen, Hurley (George), Knowles, Knedlik, Martinis, Maxie, McCormick, Nelson (Dick), North, Sherman, Tilly and Vrooman:

AN ACT Relating to senior citizens; amending section 1, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.010; amending section 2, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.020; amending section 4, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.040; amending section 5, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.050; adding a new section to chapter 74.38 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 252, by Representatives Adams, Haley, Kreidler, Whiteside, Gruger, Fortson, Barr, Lux, Hanna and Charnley:

AN ACT Relating to health; adding a new chapter to Title 70 RCW; and prescribing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 253, by Representatives Fortson, Adams, Kreidler, Pruitt, Lux and May:

AN ACT Relating to adult protective services; and adding a new chapter to Title 72 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 254, by Representatives Adams, Kreidler, Fortson, Pruitt, Lux, Hanna and Fischer:

AN ACT Relating to public health; and adding a new chapter to Title 70 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 255, by Representatives Newhouse and Thompson:

AN ACT Relating to local government; amending section 5, chapter 348, Laws of 1955 as amended by section 1, chapter 13, Laws of 1974 ex. sess. and RCW 53.36.010; and amending section 2, chapter 276, Laws of 1961 as last amended by section 1, chapter 89, Laws of 1969 and RCW 87.03.440.

To Committee on Local Government

HOUSE BILL NO. 256, by Representatives Martinis and Moreau:

AN ACT Relating to hotel/motel reservations; and adding a new section to chapter 19.48 RCW.

To Committee on Judiciary

HOUSE BILL NO. 257, by Representatives Thompson, Haley, Adams, Blair, Charnley, Becker, Hanna, Douthwaite, Williams, Lux, Chandler, King, Burns and Nelson (Dick):

AN ACT Relating to marihuana; amending section 69.50.101, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 38, Laws of 1973 2nd ex. sess. and RCW 69.50.101; amending section 69.50.204, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.204; amending section 69.50.401, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 2, Laws of 1973 2nd ex. sess. and RCW 69.50.401; amending section 69.50.408, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.408; adding new sections to chapter 308, Laws of 1971 ex. sess. and to chapter 69.50 RCW; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 258, by Representatives Martinis, Smith, Gaines, Clemente, Haley, Greengo, Hughes and Vrooman:

AN ACT Relating to private salmon hatcheries; adding a new chapter to Title 75 RCW; and making an appropriation.

To Committee on Natural Resources

HOUSE BILL NO. 259, by Representatives Smith, North, Sherman and Vrooman:

AN ACT Relating to land use regulation; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 58.17 RCW.

To Committee on Local Government

HOUSE BILL NO. 260, by Representatives Kreidler, Adams, Whiteside, Pruitt, Lux, May, Hanna and Haley:

AN ACT Relating to health policy, planning, regulation, and resource development; designating a single state health planning and resource development agency; amending section 10, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.120; amending section 3, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.020; amending section 4, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.030; amending section 5, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.040; amending section 7, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.060; amending section 8, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.070; amending section 11, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.100; amending section 12, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.110; amending section 13, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.120; amending section 14, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.130; amending section 15, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.140; amending section 17, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.160; amending section 18, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.170; amending section 19, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.180; amending section 20, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.190; amending section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140; amending section 2, chapter 197, Laws of 1949 as amended by section 2, chapter 252, Laws of 1959 and RCW 70.40.020; amending section 3, chapter 197, Laws of 1949 as amended by section 3, chapter 252, Laws of 1959 and RCW 70.40.030; amending section 4, chapter 197, Laws of 1949 as amended by section 4, chapter 252, Laws of 1959 and RCW 70.40.040; amending section 6, chapter 197, Laws of 1949 as amended by section 6, chapter 252, Laws of 1959 and RCW 70.40.060; amending section 8, chapter 197, Laws of 1949 and RCW 70.40.080; amending section 9, chapter 197, Laws of 1949 as amended by section 8, chapter 252, Laws of 1959 and RCW 70.40.090; amending section 10, chapter 197, Laws of 1949 as amended by section 9, chapter 252, Laws of 1959 and RCW 70.40.110; amending section 12, chapter 197, Laws of 1949 as amended by section 10, chapter 252, Laws of 1959 and RCW 70.40.120; amending section 13, chapter 197, Laws of 1949 and RCW 70.40.130; amending section 14, chapter 197, Laws of 1949 and RCW 70.40.140; amending section 15, chapter 197, Laws of 1949 as last amended by section 31, chapter 106, Laws of 1973 and RCW 70.40.150; amending section 1, chapter 267, Laws of 1955 and RCW 70.41.010; amending section 3, chapter 267, Laws of 1955 as amended by section 9, chapter 189, Laws of 1971 ex. sess. and RCW 70.41.030; amending section 4, chapter 267, Laws of 1955 and RCW 70.41.040; amending section 8, chapter 267, Laws of 1955 and RCW 70.41.080; amending section 11,

chapter 267, Laws of 1955 as amended by section 3, chapter 247, Laws of 1971 ex. sess. and RCW 70.41.110; amending section 12, chapter 267, Laws of 1955 and RCW 70.41.120; amending section 13, chapter 267, Laws of 1955 and RCW 70.41.130; amending section 14, chapter 267, Laws of 1955 and RCW 70.41.140; amending section 15, chapter 267, Laws of 1955 and RCW 70.41.150; adding a new chapter to Title 70 RCW; adding a new section to chapter 70.38 RCW; and repealing section 43.20.030, chapter 8, Laws of 1965, section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030.

To Committee on Social and Health Services

HOUSE BILL NO. 261, by Representatives Smith, Martinis, Conner, Nelson (Gary), Kilbury, Wilson, Oliver, Greengo, Knedlik, Hughes, Gilleland, Bond, Haley, Fuller, Flanagan, Gaines, Clemente and Sanders:

AN ACT Relating to private salmon hatcheries; adding a new chapter to Title 75 RCW; and making an appropriation.

To Committee on Natural Resources

HOUSE BILL NO. 262, by Representatives Martinis, Wilson, Moreau and Vrooman:

AN ACT Relating to the game commission; amending section 77.12.010, chapter 36, Laws of 1955 and RCW 77.12.010; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 263, by Representatives Nelson (Gary), Smith, Patterson, Sommers and Zimmerman:

AN ACT Relating to motor vehicle licenses; amending section 46.16.010, chapter 12, Laws of 1961 as last amended by section 2, chapter 17, Laws of 1973 1st ex. sess. and RCW 46.16.010; amending section 46.16.020, chapter 12, Laws of 1961 as last amended by section 5, chapter 169, Laws of 1975 1st ex. sess. and RCW 46.16.020; amending section 46.16.230, chapter 12, Laws of 1961 as amended by section 19, chapter 25, Laws of 1975 and RCW 46.16.230; amending section 60, chapter 145, Laws of 1967 ex. sess. and RCW 46.16.237; amending section 46.16.240, chapter 12, Laws of 1961 as last amended by section 10, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.240; amending section 46.16.270, chapter 12, Laws of 1961 as last amended by section 7, chapter 169, Laws of 1975 1st ex. sess. and RCW 46.16.270; amending section 46.16.280, chapter 12, Laws of 1961 as amended by section 20, chapter 32, Laws of 1967 and RCW 46.16.280; amending section 46.16.290, chapter 12, Laws of 1961 and RCW 46.16.290; amending section 46.16.310, chapter 12, Laws of 1961 as amended by section 1, chapter 114, Laws of 1971 ex. sess. and RCW 46.16.310; amending section 3, chapter 114, Laws of 1971 ex. sess. and RCW 46.16.315; amending section 46.16.320, chapter 12, Laws of 1961 as last amended by section 10, chapter 118, Laws of 1975 1st ex. sess. and RCW 46.16.320; amending section 46.16.330, chapter 12, Laws of 1961 as amended by section 22, chapter 32, Laws of 1967 and RCW 46.16.330; amending section 1, chapter 201, Laws of 1961 as amended by section 25, chapter 32, Laws of 1967 and RCW 46.16.370; amending section 3, chapter 200, Laws of 1973 1st ex. sess. as amended by section 2, chapter 59, Laws of 1975 and RCW 46.16.565; amending section 4, chapter 200, Laws of 1973 1st ex. sess. as amended by section 3, chapter 59, Laws of 1975 and RCW 46.16.570; amending section 6, chapter 200, Laws of 1973 1st ex. sess. and RCW 46.16.580; amending section 7, chapter 200, Laws of 1973 1st ex. sess. as amended by section 4, chapter 59, Laws of 1975 and RCW 46.16.585; amending section 8, chapter 200, Laws of 1973 1st ex. sess. as amended by section 5, chapter 59, Laws of 1975 and RCW 46.16.590; adding a new section to chapter 46.16 RCW; and providing penalties.

To Committee on Transportation

HOUSE BILL NO. 264, by Representative Martinis:

AN ACT Relating to salmon fishing; adding a new chapter to Title 75 RCW; providing an expiration date; making an appropriation; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 265, by Representative Martinis:

AN ACT Relating to investments within the state of Washington; adding a new chapter to Title 21 RCW; and defining crimes.

To Committee on Commerce

HOUSE BILL NO. 266, by Representatives Clemente, Barnes, Bauer, Bender, Burns and Lux (by Superintendent of Public Instruction request):

AN ACT Relating to education; and amending section 1, chapter 138, Laws of 1973 and RCW 28A.58.247.

To Committee on Education

HOUSE BILL NO. 267, by Representative Martinis (by Department of Natural Resources request):

AN ACT Relating to public lands; amending section 47.12.020, chapter 13, Laws of 1961 as amended by section 1, chapter 156, Laws of 1961 and RCW 47.12.020; and amending section 1, chapter 255, Laws of 1927 and RCW 79.01.004.

To Committee on Transportation

HOUSE BILL NO. 268, by Representatives Heck, Barnes, Fortson and Charnley (by Superintendent of Public Instruction request):

AN ACT Relating to education; creating new sections; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW.

To Committee on Education

HOUSE BILL NO. 269, by Representatives McKibbin, Zimmerman, Valle, Douthwaite, Lux and Sanders (by Superintendent of Public Instruction request):

AN ACT Relating to education; amending section 28A.67.035, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.035; repealing section 28A.67.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.020; and prescribing penalties.

To Committee on Education

HOUSE BILL NO. 270, by Representatives Clemente, Fuller and Heck (by Superintendent of Public Instruction request):

AN ACT Relating to traffic safety education programs offered within the common schools; and amending section 3, chapter 39, Laws of 1963 as amended by section 2, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.020.

To Committee on Education

HOUSE BILL NO. 271, by Representatives Adams, Kreidler, Fortson, Pearsall, Whiteside, Pruitt, Newhouse, Lux, May, Hanna, Haley, Charnley, Fischer, Gallagher, Greengo, McCormick, Moreau and Salatino:

AN ACT Relating to health; adopting procedures for the establishment of transfer and clinical training programs at the University of Washington School of Medicine for Washington residents attending foreign medical schools; creating new sections; adding a new section to chapter 18.71 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 272, by Representatives Martinis, Moreau, Fortson, Greengo and Grier:

AN ACT Relating to food fish and shellfish; repealing section 2, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.500; repealing section 3, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.505; repealing section 4, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.510; repealing section 5, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.515; repealing section 6, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.520; repealing section 7, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.525; repealing section 8, chapter 183, Laws of 1975 1st ex. sess., section 172, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 75.28.530; repealing section 9, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.535; and repealing section 10, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.540.

To Committee on Natural Resources

HOUSE BILL NO. 273, by Representative Martinis:

AN ACT Relating to salmon fishing; adding a new chapter to Title 75 RCW; providing an expiration date; making an appropriation; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 274, by Representatives Martinis, Wilson, Moreau and Schmitt:

AN ACT Relating to trapping; and adding a new section to chapter 77.32 RCW.

To Committee on Natural Resources

HOUSE BILL NO. 275, by Representatives Martinis, Wilson and Moreau:

AN ACT Relating to the powers and duties of the game commission; and amending section 2, chapter 97, Laws of 1965 ex. sess. and RCW 77.12.201.

To Committee on Natural Resources

HOUSE BILL NO. 276, by Representatives Martinis, Wilson, Moreau and Schmitt:

AN ACT Relating to game and game fish; amending section 77.16.030, chapter 36, Laws of 1955 and RCW 77.16.030; and prescribing penalties.

To Committee on Natural Resources

HOUSE BILL NO. 277, by Representatives Martinis, Wilson, Moreau, Hughes and Schmitt:

AN ACT Relating to game and game fish; amending section 77.16.020, chapter 36, Laws of 1955 and RCW 77.16.020; and prescribing penalties.

To Committee on Natural Resources

HOUSE BILL NO. 278, by Representatives Martinis, Wilson, Moreau, Gallagher and Schmitt:

AN ACT Relating to gaming licenses; adding a new section to chapter 77.32 RCW; and defining crimes.

To Committee on Judiciary

HOUSE BILL NO. 279, by Representatives Martinis, Wilson and Moreau:

AN ACT Relating to the power and duties of the game commission; and amending section 77.12.150, chapter 36, Laws of 1955 as amended by section 1, chapter 102, Laws of 1975 1st ex. sess. and RCW 77.12.150.

To Committee on Natural Resources

HOUSE BILL NO. 280, by Representatives Martinis, Wilson, Moreau, Hughes, North and Schmitt:

AN ACT Relating to game; amending section 77.16.100, chapter 36, Laws of 1955 and RCW 77.16.100; and prescribing penalties.

To Committee on Natural Resources

HOUSE JOINT RESOLUTION NO. 14, by Representatives Hawkins and Fortson:

Amending the state Constitution to allow for a statutory method to fill vacancies in the legislature, executive department, and county elective offices.

To Committee on Elections and Governmental Ethics

MOTION

On motion of Mr. King, all bills and resolutions listed on today's agenda were considered first reading under the fourth order of business and were referred to the committees designated.

POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "It is our intention that on Wednesday we will make a motion that this House resolve itself into a Committee of the Whole for the purpose of defining basic education, making it the whole legislature's paramount duty to the citizens of the state of Washington. We would like your comments in that there is no specific mention in the House Rules of the procedure for resolving into a Committee of the Whole, but there is specific mention of a Committee of the Whole in Reed's Rules and we notice that in years gone by there has been a specific mention of a Committee of the Whole in our House Rules. The last time we did resolve into a Committee of the Whole I think was in 1967 and in that session our House Rules did contain that provision. In view of the fact there is no mention in the House Rules, can you advise me as to the procedure to be followed in placing this motion before the body? I'm asking if you will accept the motion."

The Speaker: "The Rules, as the Speaker interprets them, do not prevent the making of a motion to go into a Committee of the Whole. That motion would, of course, be acted upon by the entire body at the time it is placed. We have nothing in our House Rules at this point that would prevent that. The last time we went into a Committee of the Whole was in 1967, which was an effort to prevent recorded votes on budget items. I'm hoping that going into a Committee of the Whole on this issue will not be in that context."

Mr. Berentson: "The purpose of this inquiry is to place the possibility before the entire body for their consideration and we would not, of course, have the opportunity to make that motion now until Wednesday since we won't be in session tomorrow."

The Speaker: "Under the proper order of business it will be placed."

POINT OF PERSONAL PRIVILEGE

Mr. Newhouse: "Your comment a moment ago that the purpose of going into a Committee of the Whole was to avoid taking votes on amendments—that is one proceeding where amendments are made without a recorded vote—but I think you might have more properly stated that the purpose of going into a Committee of the Whole was to adopt a more responsible budget, and the purpose this week of going into a Committee of the Whole might well be to arrive at a more proper definition of basic education a little more promptly and with input from every member of the body rather than to go to one specific committee. I think that clarification is very important."

The Speaker: "Thank you, Representative Newhouse. I was a freshman in 1967 and I guess I'm just repeating what was told to me."

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 165 was rereferred from Committee on Social and Health Services to Committee on Local Government.

On motion of Mr. King, the House adjourned until 1:30 p.m., Wednesday, January 19, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, January 19, 1977.

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Fortson and Maxie, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kirsten Surcamp and Mike Duran. Prayer was offered by the Reverend James H. Blundell of St. John's Episcopal Church of Olympia.

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

MESSAGES FROM THE SENATE

January 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to **SENATE CONCURRENT RESOLUTION NO. 103**, and has adopted the bill as amended by the House.

Sidney R. Snyder, Secretary.

January 18, 1977

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 103,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 281, by Representatives Becker, Amen, Erickson, Moreau, Warnke, Walk, Vrooman and Wilson:

AN ACT Relating to educational service districts; amending section 2, chapter 176, Laws of 1969 ex. sess. as amended by section 2, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.020; creating new sections; and declaring an emergency.

To Committee on Education

HOUSE BILL NO. 282, by Representatives Hawkins, Barnes, Fortson, Nelson (Dick), Lux, Heck, Sherman, Hughes, Keller, Chandler, Erickson and Wilson:

AN ACT Relating to elections; providing for a presidential preference primary; amending section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 111, Laws of 1975-'76 2nd ex. sess. and RCW 29.13.010; amending section 29.13.020, chapter 9, Laws of 1965 as last amended by section 2, chapter 111, Laws of 1975-'76 2nd ex. sess. and RCW 29.13.020; and creating a new chapter in Title 29 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 283, by Representatives Martinis, Wilson and Moreau:

AN ACT Relating to charter boat fishing; adding a new chapter to Title 75 RCW; providing an expiration date; making an appropriation; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 284, by Representatives Douthwaite, Burns, Valle, Lux, Kilbury, Lee, Chandler, Greengo, Charnley, Sanders and Wilson:

AN ACT Relating to taxation of solar energy systems; and adding a new section to chapter 84.36 RCW.

To Committee on Revenue

HOUSE BILL NO. 285, by Representatives O'Brien and Hurley (Margaret):

AN ACT Relating to a state park; officially naming it; requiring its proper designation; and creating new sections.

To Committee on Parks and Recreation

HOUSE BILL NO. 286, by Representatives Nelson (Gary), North, Fortson and Shinoda:

AN ACT Relating to the uniform controlled substances act; and adding a new section to chapter 69.50 RCW.

To Committee on Agriculture

HOUSE BILL NO. 287, by Representatives Hansen, Dunlap and Gilleland:

AN ACT Relating to county roads; and amending section 36.77.060, chapter 4, Laws of 1963 and RCW 36.77.060.

To Committee on Local Government

HOUSE BILL NO. 288, by Representatives Hanna, Knowles, Smith and Haley:

AN ACT Relating to mental illness; amending section 7, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.020; amending section 10, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.050; amending section 17, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 7, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.120; amending section 20, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.150; amending section 23, chapter 142, Laws of 1973 1st ex. sess. as amended by section 11, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.180; amending section 24, chapter 142, Laws of 1973 1st ex. sess. as amended by section 12, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.190; amending section 28, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.230; amending section 29, chapter 142, Laws of 1973 1st ex. sess. as amended by section 16, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.240; amending section 30, chapter 142, Laws of 1973 1st ex. sess. as amended by section 17, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.250; amending section 33, chapter 142, Laws of 1973 1st ex. sess. as amended by section 19, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.280; amending section 34, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 6, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.290; amending section 37, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 9, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.320; amending section 38, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.330; amending section 39, chapter 142, Laws of 1973 1st ex. sess. as amended by section 24, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.340; amending section 42, chapter 142, Laws of 1973 1st ex. sess. as amended by section 26, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.370; amending section 45, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 115, Laws of 1974 ex. sess. and RCW 71.05.400; and amending section 72.23.070, chapter 28, Laws of 1959 as last amended by section 11, chapter 199, Laws of 1975 1st ex. sess. and RCW 72.23.070.

To Committee on Judiciary

HOUSE BILL NO. 289, by Representatives Erickson, Chandler and Thompson:

AN ACT Relating to tuition and fees of the state institutions of higher education; reenacting section 3, chapter 279, Laws of 1971 ex. sess. as amended by section 1, chapter 46, Laws of 1973 1st ex. sess. and by section 2, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.15.041; amending section 28B.15.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.020; amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; amending section 28B.15.200, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200; amending section 28B.15.300, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300; amending section 28B.15.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; setting forth new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW; repealing section 11, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.530; repealing section 22, chapter 279, Laws of 1971 ex. sess., section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; making an effective date; and providing penalties.

To Committee on Higher Education

HOUSE BILL NO. 290, by Representatives Bender, Polk, Thompson and Williams:

AN ACT Relating to counties; and amending section 36.32.240, chapter 4, Laws of 1963 as last amended by section 1, chapter 52, Laws of 1974 ex. sess. and RCW 36.32.240.

To Committee on Local Government

HOUSE BILL NO. 291, by Representatives Clemente, Whiteside and Bauer (by State Board of Education request):

AN ACT Relating to student transfers within the common schools; and amending section 1, chapter 66, Laws of 1975 1st ex. sess. and RCW 28A.58.242.

To Committee on Education

HOUSE BILL NO. 292, by Representatives Valle, Chandler, Thompson and Fischer:

AN ACT Relating to water districts; amending section 8, chapter 18, Laws of 1959 as amended by section 8, chapter 108, Laws of 1959 and RCW 57.16.030; amending section 9, chapter 18, Laws of 1959 as last amended by section 70, chapter 195, Laws of 1973 1st ex. sess. and RCW 57.16.040; amending section 17, chapter 251, Laws of 1953 as amended by section 13, chapter 108, Laws of 1959 and RCW 57.20.025; and repealing section 10, chapter 108, Laws of 1959 and RCW 57.16.035.

To Committee on Local Government

HOUSE BILL NO. 293, by Representatives Valle, Chandler, Thompson and Fischer:

AN ACT Relating to sewer districts; amending section 15, chapter 210, Laws of 1941 as amended by section 7, chapter 250, Laws of 1953 and RCW 56.08.050; amending section 17, chapter 210, Laws of 1941 as last amended by section 64, chapter 195, Laws of 1973 1st ex. sess. and RCW 56.16.030; amending section 23, chapter 210, Laws of 1941 as last amended by section 5, chapter 272, Laws of 1971 ex. sess. and RCW 56.16.100; amending section 24, chapter 210, Laws of 1941 as last amended by section 6, chapter 272, Laws of 1971 ex. sess. and RCW 56.16.110; amending section 16, chapter 250, Laws of 1953 as last amended by section 66, chapter 195, Laws of 1973 1st ex. sess. and RCW 56.16.115; amending section 17, chapter 210, Laws of 1941 as last amended by section 64, chapter 195, Laws of 1973 1st ex. sess. and RCW 56.16.030; repealing section 16, chapter 210, Laws of 1941, section 2, chapter 129, Laws of 1951, section 11, chapter 250, Laws of 1953, section 5, chapter 103, Laws of 1959 and RCW 56.16.020; repealing section 7, chapter 103, Laws of 1959 and RCW 56.16.035; and prescribing penalties.

To Committee on Local Government

HOUSE BILL NO. 294, by Representatives Zimmerman, Heck and Bauer:

AN ACT Relating to historical structures; and adding a new section to chapter 70.94 RCW.

To Committee on Ecology

HOUSE BILL NO. 295, by Representatives Lysen, Hawkins, Charnley, Hanna, Nelson (Dick), Lux and Williams:

AN ACT Relating to utilities; adding a new chapter to Title 80 RCW; defining crimes; and prescribing penalties.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 3, by Representatives Tilly, Polk, Deccio, Dunlap, Clayton, Oliver, Bond, Whiteside, Patterson, Schmitt, McKibbin, Nelson (Gary), Kilbury, Greengo and Owen:

Requesting that Congress amend the U. S. Constitution to require a balanced federal budget.

To Committee on Appropriations

HOUSE JOINT RESOLUTION NO. 15, by Representatives O'Brien, Lux, North and Sommers:

Authorizing state income tax with limitations upon tax structure.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 16, by Representatives Erickson, Sherman, Grimm and Walk:

Amending the Constitution to permit current use assessment on all real property.

To Committee on Revenue

HOUSE CONCURRENT RESOLUTION NO. 7, by Representatives Barnes, Craswell, Whiteside, Lee, Schmitten, Greengo, Struthers, Barr, Berentson, Polk, Tilly, Paris, Amen, Shinoda, Taller, Winsley, Chandler, Deccio, Dunlap, Fancher, Oliver, Wilson, Gilleland, Patterson, Burns, Douthwaite and Sanders:

Designating basic education funding as the first priority item in the 1977-79 biennial budget.

To Committee on Appropriations

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 17, 1977

HOUSE BILL NO. 55, Prime Sponsor: Representative Deccio, revising regulation and support of stream patrolmen. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 13 after "application" strike "by interested parties" and insert "~~((by interested parties))~~ of water users having adjudicated water rights in each particular water resource"

Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Hansen.

To Committee on Rules for second reading.

January 18, 1977

HOUSE BILL NO. 59, Prime Sponsor: Representative King, providing for collective bargaining at the state institutions of higher education. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt, Sanders.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton.

To Committee on Rules for second reading.

January 18, 1977

HOUSE BILL NO. 85, Prime Sponsor: Representative Fischer, including certain law enforcement and court personnel under the public employee collective bargaining laws. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 32 after "assistants," insert "firefighters,"

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

MINORITY recommendation: Do not pass. Signed by Representative Bond, Ranking Minority Member.

To Committee on Rules for second reading.

January 19, 1977

HOUSE BILL NO. 196, Prime Sponsor: Representative Bauer, implementing constitutional amendment permitting school district levies for two year periods. Reported by Committee on Revenue.

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

To Committee on Rules for second reading.

January 17, 1977

HOUSE JOINT MEMORIAL NO. 1, Prime Sponsor: Representative Warnke, requesting the federal government to give the state more administrative freedom under the federal insecticide, fungicide and rodenticide act. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 8 strike all material down to and including "region." on line 24 and insert the following:

"WHEREAS, The Federal Insecticide, Fungicide, and Rodenticide Act is a general pesticide control act composed for compliance by the entire United States, and the intent of Congress was to promote public health and to safeguard the environment without inhibiting agricultural production; and

WHEREAS, The Environmental Protection Agency has promulgated regulations which do violate the intent of Congress; and

WHEREAS, The removal of certain pesticide uses from Environmental Protection Agency registered labels is detrimental to Washington State Agriculture; and

WHEREAS, The State of Washington has carried out pesticide registration since 1941, and pesticide applicator licensing since 1945, and is currently revising its state laws to comply with the federal legislation; and

WHEREAS, The State of Washington is committed to a safe and healthy environment;

NOW, THEREFORE, Your Memorialists respectfully pray that the Administration and Congress order that the Environmental Protection Agency does not promulgate rules and regulations which exceed the authorities granted by the Congress and that individual states may be provided more leeway to make pesticide regulations more responsive to characteristics of a particular region;"

Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Fancher, Hansen.

To Committee on Rules for second reading.

MOTIONS

On motion of Mr. King, the rules were suspended, and House Resolution No. 77-5 was placed on the calendar for consideration.

On motion of Mr. King, the rules were suspended, and additional sponsors were allowed to sign on House Resolution No. 77-5.

RESOLUTION

HOUSE RESOLUTION NO. 77-5 by Representatives Tilly, Moreau, Pardini, Sanders, Whiteside, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson (Gary), Newhouse, Oliver, Paris, Patterson, Polk, Schmitt, Shinoda, Struthers, Taller, Wilson, Winsley and Zimmerman:

WHEREAS, The Honorable Gerald R. Ford is today completing his term of office as the 38th President of the United States of America; and

WHEREAS, Gerald R. Ford assumed the office of President under extremely difficult circumstances and yet moved rapidly to restore the confidence of the American people in that office; and

WHEREAS, The Presidency of Gerald R. Ford has been marked by a spirit of unity among the American people and by a period of world peace unparalleled in four decades; and

WHEREAS, Gerald R. Ford has devoted more than a quarter century to public service, having served in the Congress, as President of the Senate and Vice President of the United States as well as President of the United States; and

WHEREAS, Gerald R. Ford has served his nation and its people with dignity, humility and with integrity, in the finest tradition of public service and of the Presidency; and

WHEREAS, Gerald R. Ford, for his contribution and service to the nation and its people is deserving of the admiration and thanks of all citizens of the United States;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That President Gerald R. Ford be given the thanks of the State of Washington and all of its citizens and he and Mrs. Ford be extended the warmest good wishes of the people of Washington State as they become the First Family "Emeritus" of the United States of America;

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send a suitably inscribed copy of this resolution to President and Mrs. Ford.

Mr. Tilly moved adoption of the resolution.

Representatives Tilly, Oliver and Pardini spoke in favor of the resolution and it was adopted.

MOTIONS

On motion of Mr. Bender, HOUSE BILL NO. 2 and HOUSE BILL NO. 92 were rereferred from Committee on State Government to Committee on Commerce.

On motion of Mr. Bender, HOUSE BILL NO. 256 was rereferred from Committee on Judiciary to Committee on Commerce.

On motion of Mr. Bender, HOUSE BILL NO. 11 and HOUSE BILL NO. 187 were rereferred from Committee on State Government to Committee on Institutions.

POINT OF PERSONAL PRIVILEGE

Mr. Berentson: "On Monday we gave indication of our intent to place a motion to place ourselves into a Committee of the Whole for the purpose of defining basic education. Since Monday we have spoken with several people, including Speaker Bagnariol, and after the meeting yesterday with Senate leadership, which addressed itself to that question along with school funding, it is now our intent to delay the placing of that motion to give enough time to that committee appointed yesterday, along with what I think is a representative citizen group, to look at the question. We have not agreed, however, to not place the motion in the future. We do feel that it is possible that the results of that committee appointed yesterday—I felt the meeting went very well, and if those results are sufficient then I think at that time we can make a determination as to whether the best way to resolve it would be through a committee; or perhaps the best way may be to resolve into a Committee of the Whole. I would like to compliment the majority leadership on the meeting that did occur yesterday. It was a great step forward and it involves a lot more people other than those of us here. We might have seen the beginnings of a Committee of the Whole yesterday."

POINT OF PERSONAL PRIVILEGE

Mr. King: "I would also like to commend the minority party's willingness to work with the majority leadership in dealing with this very important problem. We have a different impression now of what they meant by a Committee of the Whole and it may well be a useful tool. It was apparent that it would not be at this point, but it might be at some future time when there are some definite proposals to bring before the body."

MOTION

On motion of Mr. King, the House adjourned until 1:30 p.m., Friday, January 21, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWELFTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, January 21, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Maxie, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Pippingner and Kerry Peterson. Prayer was offered by the Reverend James H. Blundell of St. John's Episcopal Church of Olympia.

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 296, by Representatives Erickson, McKibbin, Burns, Keller, Becker, Enbody, Grimm, Moreau, Owen and Patterson:

AN ACT Relating to higher education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

To Committee on Higher Education

HOUSE BILL NO. 297, by Representatives Polk, Erickson, Salatino, Clayton, Ehlers, Hanna, Pearsall and Taller:

AN ACT Relating to revenue and taxation; and amending section 1, chapter 182, Laws of 1974 ex. sess. as amended by section 14, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.381.

To Committee on Revenue

HOUSE BILL NO. 298, by Representatives Martinis, Moreau and Wilson (by Department of Natural Resources request):

AN ACT Relating to forest protection; amending and reenacting section 2, chapter 105, Laws of 1917 as last amended by section 1, chapter 182, Laws of 1973 1st ex. sess. and by section 87, chapter 195, Laws of 1973 1st ex. sess. and RCW 76.04.360; amending section 1, chapter 58, Laws of 1951 as amended by section 1, chapter 207, Laws of 1971 ex. sess. and RCW 76.04.010; amending section 1, chapter 105, Laws of 1917 as amended by section 2, chapter 168, Laws of 1941 and RCW 76.04.350; and amending section 8, chapter 207, Laws of 1971 ex. sess. as amended by section 4, chapter 24, Laws of 1973 1st ex. sess. and RCW 76.04.515.

To Committee on Natural Resources

HOUSE BILL NO. 299, by Representatives Kreidler, Keller, Burns, Becker, Erickson, Patterson and Charnley:

AN ACT Relating to institutions of higher education; amending section 28B.50.330, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.330; amending section 1, chapter 258, Laws of 1971 ex. sess. and RCW 28B.10.350; and creating a new section.

To Committee on Higher Education

HOUSE BILL NO. 300, by Representatives Sommers, Nelson (Gary), Ehlers and Walk:

AN ACT Relating to the state printing and duplication committee; and amending section 43.77.010, chapter 8, Laws of 1965 and RCW 43.77.010.

To Committee on State Government

HOUSE BILL NO. 301, by Representatives Bauer, Vrooman, Douthwaite and Leckenby:

AN ACT Relating to county commissioners; and amending section 36.32.250, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1975 1st ex. sess. and RCW 36.32.250.

To Committee on Local Government

HOUSE BILL NO. 302, by Representatives Ehlers, Grimm, Pardini, Thompson and Owen:

AN ACT Relating to consolidation of civil service systems; amending section 1, chapter 12, Laws of 1970 ex. sess. and RCW 41.06.020; amending section 4, chapter 1, Laws of 1961 as amended by section 22, chapter 36, Laws of 1969 ex. sess. and RCW 41.06.040; amending section 1, chapter 11, Laws of 1972 ex. sess. as amended by section 1, chapter 133, Laws of 1973 1st ex. sess. and RCW 41.06.070; amending section 2, chapter 12, Laws of 1970 ex. sess. and RCW 41.06.080; amending section 12, chapter 1, Laws of 1961 as amended by section 2, chapter 43, Laws of 1975-'76 2nd ex. sess. and RCW 41.06-.120; amending section 28, chapter 1, Laws of 1961 as amended by section 1, chapter 215, Laws of 1963 and RCW 41.06.280; adding new sections to chapter 1, Laws of 1961 and to chapter 41.06 RCW; repealing section 1, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.010; repealing section 2, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.020; repealing section 3, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.030; repealing section 4, chapter 36, Laws of 1969 ex. sess. and RCW 28B-.16.040; repealing section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050; repealing section 6, chapter 36, Laws of 1969 ex. sess., section 73, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.16.060; repealing section 7, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.070; repealing section 8, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.080; repealing section 9, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.090; repealing section 10, chapter 36, Laws of 1969 ex. sess., section 1, chapter 19, Laws of 1971 ex. sess., section 2, chapter 154, Laws of 1973, section 2, chapter 75, Laws of 1973 1st ex. sess., section 1, chapter 122, Laws of 1975 1st ex. sess. and RCW 28B.16.100; repealing section 11, chapter 36, Laws of 1969 ex. sess., section 2, chapter 122, Laws of 1975 1st ex. sess. and RCW 28B.16.110; repealing section 12, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16-.120; repealing section 13, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.130; repealing section 14, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.140; repealing section 15, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.150; repealing section 16, chapter 36, Laws of 1969 ex. sess., section 72, chapter 81, Laws of 1971 and RCW 28B.16.160; repealing section 26, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.170; repealing section 17, chapter 36, Laws of 1969 ex. sess., section 3, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.16.180; repealing section 19, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.190; repealing section 20, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16-.200; repealing section 29, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.210; repealing section 31, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.220; repealing section 14, chapter 215, Laws of 1969 ex. sess., section 6, chapter 62, Laws of 1973 and RCW 28B.16.230; repealing section 18, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.900; repealing section 27, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.910; repealing section 30, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16-.920; repealing section 28, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.930; prescribing an effective date; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 303, by Representatives Conner and King:

AN ACT Relating to military service credit in the public employees' retirement system; and amending section 18, chapter 274, Laws of 1947 as last amended by section 14, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.170.

To Committee on Appropriations

HOUSE BILL NO. 304, by Representatives Ehlers, Pearsall, Grier, Kreidler, McKibbin, Fischer and Keller:

AN ACT Relating to public employment; establishing the attendance incentive program; and adding a new section to chapter 41.04 RCW.

To Committee on State Government

HOUSE BILL NO. 305, by Representatives Hanna and Becker:

AN ACT Relating to the development of a supplemental job training and employment referral program; adding a new chapter to Title 74 RCW; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 306, by Representative Nelson (Gary):

AN ACT Relating to comic books; and repealing sections 1 through 15, chapter 282, Laws of 1955 and RCW 19.18.010 through 19.18.900.

To Committee on Commerce

HOUSE BILL NO. 307, by Representatives Hanna, Becker, Struthers, Salatino, Knowles, Deccio, Greengo, Fischer and Nelson (Dick):

AN ACT Relating to criminals; adding a new chapter to Title 9 RCW; repealing sections 1 through 9, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.010 through 9.95A.090; repealing section 11, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.900; and providing effective dates.

To Committee on Institutions

HOUSE BILL NO. 308, by Representatives Keller, Grimm, Kreidler, Douthwaite and Charnley:

AN ACT Relating to travel expenses; and amending section 43.03.060, chapter 8, Laws of 1965 as last amended by section 95, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.060.

To Committee on State Government

HOUSE BILL NO. 309, by Representatives Keller, Kreidler, Walk, Bender, Douthwaite, Bauer and Charnley:

AN ACT Relating to travel expenses; and amending section 43.03.050, chapter 8, Laws of 1965 as last amended by section 94, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.050.

To Committee on State Government

HOUSE BILL NO. 310, by Representatives Chandler, Conner, Fuller, Shinoda, Clemente, Leckenby, Taller, Struthers, Berentson, Barr, Fancher, Charnley, Gaines, Hughes and Owen:

AN ACT Relating to game fishing; and amending section 77.32.010, chapter 36, Laws of 1955 as amended by section 1, chapter 245, Laws of 1959 and RCW 77.32.010.

To Committee on Natural Resources

HOUSE BILL NO. 311, by Representatives Erickson, Chandler and Thompson:

AN ACT Relating to tuition and fees of the state institutions of higher education; amending section 28B-.15.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.020; amending and reenacting section 3, chapter 279, Laws of 1971 ex. sess. as amended by section 1, chapter 46, Laws of 1973 1st ex. sess. and by section 2, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.15.041; amending section 28B.15-.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; amending section 11, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.530; setting forth new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW and to Title 28B RCW; repealing section 22, chapter 279, Laws of 1971 ex. sess., section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; and making an effective date.

To Committee on Higher Education

HOUSE BILL NO. 312, by Representatives Erickson, Chandler and Thompson:

AN ACT Relating to tuition and fees of the state institutions of higher education; amending section 28B-.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.380; amending section 28B.10.215, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 68, Laws of 1974 ex. sess. and RCW 28B.10.215; setting forth new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 28B.15.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200; repealing section 28B-.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300; repealing section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400; repealing section 22, chapter 279, Laws of 1971 ex. sess., section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; and declaring an emergency.

To Committee on Higher Education

HOUSE BILL NO. 313, by Representatives Knowles, Haley, McKibbin and Vrooman:

AN ACT Relating to liability of persons withdrawing blood; and adding a new section to chapter 46.61 RCW.

To Committee on Judiciary

HOUSE BILL NO. 314, by Representatives Adams, Whiteside, Thompson, Newhouse and Kreidler:

AN ACT Relating to pharmacy assistants; creating new sections; adding new sections to Title 18 RCW as a new chapter thereof; and providing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 315, by Representatives Charnley, Kilbury, Douthwaite, Hughes, Monohon and Nelson (Dick):

AN ACT Relating to transportation; authorizing the state to encourage rail passenger service; adding a new chapter to Title 81 RCW; and making an appropriation.

To Committee on Transportation

HOUSE BILL NO. 316, by Representatives Fortson, Adams, Pruitt, Kreidler, Lux, Pearsall, Hanna and Knedlik:

AN ACT Relating to nursing home administrators; amending section 1, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.010; amending section 7, chapter 57, Laws of 1970 ex. sess. as amended by section 52, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.52.070; amending section 9, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.090; amending section 10, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.100; amending section 12, chapter 57, Laws of 1970 ex. sess. as amended by section 2, chapter 97, Laws of 1975 1st ex. sess. and RCW 18.52.120; amending section 15, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.150; and adding a new section to chapter 57, Laws of 1970 ex. sess. and to chapter 18.52 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 317, by Representatives Hansen, Gaines, Kilbury, Boldt, North, Charnley and Douthwaite:

AN ACT Relating to revenue and taxation; amending section 2, chapter 10, Laws of 1967 ex. sess. as amended by section 2, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.020; amending section 3, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.030; and amending section 9, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.090.

To Committee on Revenue

HOUSE BILL NO. 318, by Representatives Hansen, Fortson, Fancher, Gaines, Kilbury, Boldt, Charnley, Amen and Knedlik:

AN ACT Relating to eminent domain; and amending section 18, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.180.

To Committee on Judiciary

HOUSE BILL NO. 319, by Representatives Boldt and Charnley:

AN ACT Relating to the regulation of automotive repair dealers; adding a new chapter to Title 46 RCW; defining crimes; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 320, by Representatives Fortson, Whiteside, Adams, Gruger, Kreidler, Shipoch, Lux, Pearsall, Pruitt, Haley, Hanna, Knedlik and Nelson (Dick):

AN ACT Relating to public health; creating new sections; prescribing penalties; and providing an effective date.

To Committee on Social and Health Services

HOUSE BILL NO. 321, by Representatives Adams, Haley, Kreidler, Pruitt, Fischer and Lux:

AN ACT Relating to public health; and adding a new section to chapter 70.24 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 322, by Representatives Polk and O'Brien:

AN ACT Relating to revenue and taxation; and amending section 84.36.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.020.

To Committee on Revenue

HOUSE BILL NO. 323, by Representatives Sommers, Pardini, Eng, Polk, Burns, Deccio, Lux, Douthwaite, Taller, O'Brien and Maxie:

AN ACT Relating to financial institutions; amending section 1, chapter 68, Laws of 1959 as amended by section 9, chapter 141, Laws of 1973 and RCW 49.60.175; amending section 7, chapter 167, Laws of 1969 ex. sess. as amended by section 14, chapter 141, Laws of 1973 and RCW 49.60.225; adding a new chapter to Title 19 RCW; adding new sections to chapter 49.60 RCW; prescribing penalties; and prescribing an expiration date.

To Committee on Financial Institutions

HOUSE BILL NO. 324, by Representatives Kreidler, Adams, Fortson, Gruger, Lux, Pearsall, Pruitt and Hanna:

AN ACT Relating to insurance; adding a new section to chapter 79, Laws of 1947 and to chapter 48.01 RCW; and adding new sections to chapter 79, Laws of 1947 and to Title 48 RCW.

To Committee on Insurance

HOUSE BILL NO. 325, by Representatives Kreidler, Adams, Whiteside, Fortson, Shinpoch, Lux, Pearsall and Pruitt:

AN ACT Relating to the fitting and dispensing of hearing aids; amending section 5, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.050; amending section 11, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.110; amending section 14, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.140; amending section 15, chapter 106, Laws of 1973 1st ex. sess. as amended by section 35, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.35.150; amending section 19, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.190; and adding a new section to chapter 106, Laws of 1973 1st ex. sess. and to chapter 18.35 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 326, by Representatives Newhouse, Bond, Barr, Clayton, Fuller, Gilleland, Greengo, Oliver and Struthers:

AN ACT Relating to public employment; creating the Washington retirement system; creating the special risk retirement system; adding a new section to chapter 2.10 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.28 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.44 RCW; adding a new section to chapter 43.43 RCW; creating a new section; adding new chapters to Title 41 RCW; defining crimes; and prescribing penalties.

To Committee on Appropriations

HOUSE BILL NO. 327, by Representatives Thompson, Chandler, Bender and Fischer:

AN ACT Relating to the certification and regulation of operators responsible for the operation of public water supply systems; adding a new chapter to Title 70 RCW; providing penalties; and making an effective date.

To Committee on Local Government

HOUSE BILL NO. 328, by Representatives Vrooman and Lux:

AN ACT Relating to county roads; amending section 36.77.060, chapter 4, Laws of 1963 and RCW 36.77.060; adding new sections to chapter 36.77 RCW; and creating a new section.

To Committee on Transportation

HOUSE BILL NO. 329, by Representatives Charette, Becker, Bender, Charnley and Gruger:

AN ACT Relating to mailing lists of government agencies; and adding a new section to chapter 42.04 RCW.

To Committee on State Government

HOUSE BILL NO. 330, by Representatives Douthwaite and Keller:

AN ACT Relating to insurance; and amending section .17.15, chapter 79, Laws of 1947 as last amended by section 47, chapter 292, Laws of 1971 ex. sess. and RCW 48.17.150.

To Committee on Insurance

HOUSE BILL NO. 331, by Representative Douthwaite:

AN ACT Relating to insurance; and adding new sections to chapter 48.17 RCW.

To Committee on Insurance

HOUSE BILL NO. 332, by Representatives Douthwaite and Gruger:

AN ACT Relating to initiative and referendum petitions; and amending section 29.79.080, chapter 9, Laws of 1965 as amended by section 4, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.080.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 333, by Representatives Kreidler, Whiteside, Adams, Lux, Pruitt and Fischer:

AN ACT Relating to sexually transmitted diseases; adding a new chapter to Title 70 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 334, by Representatives Kreidler, Whiteside, Adams, Lux, Pruitt and Fischer:

AN ACT Relating to the establishment of a sexually transmitted disease clinic; creating new sections; adding a new chapter to Title 70 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 335, by Representatives Bauer, Bender, Lee and Gilleland:

AN ACT Relating to cities and towns; and amending section 35.23.352, chapter 7, Laws of 1965 as last amended by section 2, chapter 74, Laws of 1974 ex. sess. and RCW 35.23.352.

To Committee on Local Government

HOUSE BILL NO. 336, by Representatives Douthwaite, Keller and Burns:

AN ACT Relating to insurance; adding a new section to chapter 48.20 RCW; and adding a new section to chapter 48.23 RCW.

To Committee on Insurance

HOUSE BILL NO. 337, by Representative Douthwaite:

AN ACT Relating to the transaction of insurance business by certain financial institutions; and adding a new section to chapter 48.18 RCW.

To Committee on Insurance

HOUSE BILL NO. 338, by Representative Eng:

AN ACT Relating to banks and trust companies; amending section 30.12.040, chapter 33, Laws of 1955 and RCW 30.12.040; adding new sections to chapter 30.04 RCW; adding new sections to chapter 30.12 RCW; and prescribing penalties.

To Committee on Financial Institutions

HOUSE BILL NO. 339, by Representatives Newhouse, Barr, Bond, Chandler, Clayton, Fuller, Gilleland, Greengo, Oliver, Pardini, Struthers and Tilly:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 10, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.120; amending section 13, chapter 209, Laws of 1969 ex. sess. as amended by section 8, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.130; and adding new sections to chapter 41.26 RCW.

To Committee on Appropriations

HOUSE BILL NO. 340, by Representatives Polk and O'Brien:

AN ACT Relating to securities; and amending section 31, chapter 282, Laws of 1959 as amended by section 16, chapter 84, Laws of 1975 1st ex. sess. and RCW 21.20.310.

To Committee on Financial Institutions

HOUSE BILL NO. 341, by Representatives Wilson, Moreau and Vrooman:

AN ACT Relating to shellfish; adding a new section to chapter 12, Laws of 1955 and to chapter 75.24 RCW; and prescribing penalties.

To Committee on Natural Resources

HOUSE BILL NO. 342, by Representatives Dunlap, Pardini, Patterson, Nelson (Gary), Wilson, Paris and Gilleland:

AN ACT Relating to expenses of legislators; amending section 1, chapter 173, Laws of 1941 as last amended by section 2, chapter 3, Laws of 1969 and RCW 44.04.080; and amending section 1, chapter 10, Laws of 1959 ex. sess. as last amended by section 2, chapter 157, Laws of 1974 ex. sess. and RCW 44.04.120.

To Committee on State Government

HOUSE BILL NO. 343, by Representatives Salatino, Erickson, Gruger, Burns, Fischer, Fortson, Knedlik, Lux, Nelson (Dick), North, Sherman and Valle:

AN ACT Relating to state government; creating the Washington state women's council, and creating a new chapter in Title 43 RCW.

To Committee on State Government

HOUSE BILL NO. 344, by Representatives Hansen, Fancher, Fortson, Kilbury, Tilly, Boldt, North and Bauer:

AN ACT Relating to agricultural commodities; adding a new chapter to Title 39 RCW; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 345, by Representatives Gaines, McCormick, Gallagher, Gilleland, Haley, Warnke and Charnley:

AN ACT Relating to motor freight carriers; amending section 81.80.010, chapter 14, Laws of 1961 as amended by section 1, chapter 69, Laws of 1967 and RCW 81.80.010; amending section 1, chapter 22, Laws of 1972 ex. sess. and RCW 81.80.400; amending section 2, chapter 22, Laws of 1972 ex. sess. and RCW 81.80.410; and adding a new section to chapter 81.80 RCW.

To Committee on Transportation

HOUSE BILL NO. 346, by Representatives Wilson, Moreau, Berentson and Vrooman:

AN ACT Relating to shellfish; creating a new section; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 347, by Representatives Fortson, Kreidler, Whiteside, Schmitt, Adams, Lux, Pearsall, Barr, Pruitt and Fischer:

AN ACT Relating to pharmacists; and amending section 1, chapter 38, Laws of 1963 and RCW 18.64.011.

To Committee on Social and Health Services

HOUSE BILL NO. 348, by Representatives Fortson, Kreidler, Lux, Adams, Pearsall, Pruitt and Haley:

AN ACT Relating to nursing homes; amending section 16, chapter 99, Laws of 1975 1st ex. sess. and RCW 18.51.065; and adding a new section to chapter 18.51 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 349, by Representatives Becker, Berentson, Moreau, Vrooman and Fischer:

AN ACT Relating to border towns; amending section 4, chapter 111, Laws of 1965 ex. sess. as amended by section 4, chapter 270, Laws of 1975 1st ex. sess. and RCW 35.95.040; amending section 2, chapter 296, Laws of 1971 ex. sess. as amended by section 6, chapter 270, Laws of 1975 1st ex. sess. and RCW 82.14.045; and creating a new section.

To Committee on Local Government

HOUSE BILL NO. 350, by Representatives Knowles and Smith (by Department of Natural Resources request):

AN ACT Relating to the department of natural resources; and adding a new section to chapter 43.30 RCW.

To Committee on Natural Resources

HOUSE BILL NO. 351, by Representatives Gaines, Gallagher, Fischer, Boldt, Warnke and Charnley:

AN ACT Relating to unfair insurance practices; and adding a new section to chapter 48.30 RCW.

To Committee on Commerce

HOUSE BILL NO. 352, by Representatives Pardini and Greengo:

AN ACT Relating to elections; amending section 29.30.080, chapter 9, Laws of 1965 as last amended by section 1, chapter 18, Laws of 1971 and RCW 29.30.080; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.30 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 353, by Representatives Tilly, Wilson and Leckenby:

AN ACT Relating to victims of crimes; amending section 6, chapter 122, Laws of 1973 1st ex. sess. as amended by section 2, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.060; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as amended by section 3, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.070; amending section 9, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.075; adding new sections to chapter 7.68 RCW; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 354, by Representatives Hurley (Margaret), Shinpoch and Lee (by Executive request of Governor Ray):

AN ACT Relating to state government; creating a department of state parks and recreation; amending section 1, chapter ... (HB ...), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB ...), Laws of 1977 and RCW 43.17.020; amending section 43.51.010, chapter 8, Laws of 1965 and RCW 43.51.010; amending section 43.51.020, chapter 8, Laws of 1965 as last amended by section 116, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.020; amending section 43.51.040, chapter 8, Laws of 1965 as amended by section 1, chapter 90, Laws of 1967 ex. sess. and RCW 43.51.040; amending section 43.51.050, chapter 8, Laws of 1965 and RCW 43.51.050; amending section 43.51.060, chapter 8, Laws of 1965 as amended by section 1, chapter 99, Laws of 1969 and RCW 43.51.060; amending section 43.51.062, chapter 8, Laws of 1965 and RCW 43.51.062; amending section 1, chapter 151, Laws of 1974 ex. sess. and RCW 43.51.063; amending section 43.51.090, chapter 8, Laws of 1965 as amended by section 2, chapter 99, Laws of 1969 and RCW 43.51.090; amending section 43.51.110, chapter 8, Laws of 1965 and RCW 43.51.110; amending section 43.51.130, chapter 8, Laws of 1965 and RCW 43.51.130; amending section 43.51.140, chapter 8, Laws of 1965 and RCW 43.51.140; amending section 43.51.150, chapter 8, Laws of 1965 and RCW 43.51.150; amending section 43.51.160, chapter 8, Laws of 1965 and RCW 43.51.160; amending section 43.51.170, chapter 8, Laws of 1965 and RCW 43.51.170; amending section 43.51.180, chapter 8, Laws of 1965 and RCW 43.51.180; amending section 43.51.210, chapter 8, Laws of 1965 as last amended by section 1, chapter 246, Laws of 1971 ex. sess. and RCW 43.51.210; amending section 43.51.220, chapter 8, Laws of 1965 and RCW 43.51.220; amending section 1, chapter 96, Laws of 1967 ex. sess. and RCW 43.51.240; amending section 2, chapter 96, Laws of 1967 ex. sess. and RCW 43.51.250; amending section 1, chapter 210, Laws of 1971 ex. sess. and RCW 43.51.270; amending section 2, chapter 210, Laws of 1971 ex. sess. and RCW 43.51.280; amending section 1, chapter 209, Laws of 1975 1st ex. sess. and RCW 43.51.290; amending section 3, chapter 209, Laws of 1975 1st ex. sess. and RCW 43.51.310; amending section 4, chapter 209, Laws of 1975 1st ex. sess. and RCW 43.51.320; amending section 7, chapter 209, Laws of 1975 1st ex. sess. and RCW 43.51.330; amending section 8, chapter 209, Laws of 1975 1st ex. sess. and RCW 43.51.340; amending section 43.51.510, chapter 8, Laws of 1965 and RCW 43.51.510; amending section 43.51.530, chapter 8, Laws of 1965 as last amended by section 1, chapter 7, Laws of 1975 and RCW 43.51.530; amending section 43.51.540, chapter 8, Laws of 1965 as amended by section 2, chapter 7, Laws of 1975 and RCW 43.51.540; amending section 43.51.560, chapter 8, Laws of 1965 and RCW 43.51.560; amending section 43.51.570, chapter 8, Laws of 1965 as last amended by section 3, chapter 7, Laws of 1975 and RCW 43.51.570; amending section 1, chapter 48, Laws of 1965 ex. sess. and RCW 43.51.580; amending section 2, chapter 48, Laws of 1965 ex. sess. and RCW 43.51.590; amending section 2, chapter 120, Laws of 1967 as amended by section 1, chapter 55, Laws of 1969 ex. sess. and RCW 43.51.655; amending section 3, chapter 120, Laws of 1967 as amended by section 2, chapter 55, Laws of 1969 ex. sess. and RCW 43.51.660; amending section 4, chapter 120, Laws of 1967 as amended by section 3, chapter 55, Laws of 1969 ex. sess. and RCW 43.51.665; amending section 5, chapter 120, Laws of 1967 as amended by section 4, chapter 55, Laws of 1969 ex. sess. and RCW 43.51.670; amending section 46.08.180, chapter 12, Laws of 1961 as amended by section 7, chapter 120, Laws of 1967 and RCW 43.51.680; amending section 8, chapter 120, Laws of 1967 as amended by section 6, chapter 55, Laws of 1969 ex. sess. and RCW 43.51.685; amending section 1, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.750; amending section 2, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.760; amending section 3, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.770; amending section 5, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.790; amending section 6, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.800; amending section 8, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.820; amending section 2, chapter 162, Laws of 1969 ex. sess. and RCW 43.51.910; amending section 3, chapter 162, Laws of 1969 ex. sess. and RCW 43.51.920; adding new sections to chapter 43.51 RCW; repealing section 43.51.070, chapter 8, Laws of 1965 and RCW 43.51.070; repealing section 43.51.080, chapter 8, Laws of 1965 and RCW 43.51.080; and declaring an emergency.

To Committee on Parks and Recreation

HOUSE BILL NO. 355, by Representatives Burns, Vrooman, Lux, Pruitt, Clemente, Lysen, Charnley, Douthwaite and Sherman:

AN ACT Relating to revenue and taxation; and amending section 1, chapter 182, Laws of 1974 ex. sess. as amended by section 14, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.381.

To Committee on Revenue

HOUSE BILL NO. 356, by Representatives Gaines, Paris, North, Gallagher and Warnke:

AN ACT Relating to liability of landowners or others in possession or control; and amending section 2, chapter 216, Laws of 1967 as last amended by section 17, chapter 153, Laws of 1972 ex. sess. and RCW 4.24.210.

To Committee on Judiciary

HOUSE BILL NO. 357, by Representatives Gaines, Warnke, Douthwaite, Gallagher and Grier:

AN ACT Relating to fire prevention; adding a new section to chapter 48.48 RCW; and providing an effective date.

To Committee on Commerce

HOUSE BILL NO. 358, by Representatives Clemente, Barnes, Heck and Kreidler (by State Board of Education request):

AN ACT Relating to qualifications for admission into common school preschool, kindergarten and first grade programs; amending section 28A.35.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 105, Laws of 1972 ex. sess. and RCW 28A.35.010; amending section 28A.35.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.35.020; creating new sections; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW.

To Committee on Education

HOUSE BILL NO. 359, by Representatives Conner, Wilson, Fortson, Hansen, Moreau, Owen, Bauer, North, Clemente, Gallagher, May, Adams, Erickson, Fischer, Hughes, McCormick, Grier, Pearsall, Gilleland, Gaines, Newhouse, Deccio, Winsley, Shinoda, Hurley (Margaret), Greengo, Barr, Bond, Craswell, Leckenby, Barnes, Knowles, Tilly, Nelson (Gary), Fancher, Oliver, Berentson, Patterson and Clayton:

AN ACT Relating to shoreline management; amending section 27, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.270; amending section 29, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.290; and providing for a referendum to the people.

To Committee on Ecology

HOUSE BILL NO. 360, by Representatives Sherman, Burns, Charnley and North:

AN ACT Relating to solar easements; and adding a new section to chapter 64.04 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 361, by Representatives Kilbury, Martinis, Charnley and Lux:

AN ACT Relating to geothermal resources; and amending section 1, chapter 43, Laws of 1974 ex. sess. and RCW 79.76.010.

To Committee on Natural Resources

HOUSE BILL NO. 362, by Representatives Kilbury, May, Martinis, Fischer and Lux:

AN ACT Relating to the regulation of railroads; adding new sections to chapter 14, Laws of 1961 and to chapter 81.44 RCW; creating new sections; prescribing a penalty; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 363, by Representatives Sherman, Charnley, Greengo, Lux and Pruitt:

AN ACT Relating to retail sales and use taxes; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; prescribing an effective date; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 364, by Representatives Lysen, Sherman, Burns, Douthwaite, Lux, Knedlik, Nelson (Dick) and Pruitt:

AN ACT Relating to solar energy; creating new sections; and making an appropriation.

To Committee on Energy and Utilities

HOUSE BILL NO. 365, by Representatives Lysen, Sherman and Knedlik:

AN ACT Relating to state government; and amending section 3, chapter 109, Laws of 1971 ex. sess. and RCW 43.21C.030.

To Committee on State Government

HOUSE BILL NO. 366, by Representatives Lysen, Sherman, Burns, Charnley, Douthwaite, Lux and Pruitt:

AN ACT Relating to property tax credits; adding a new chapter to Title 84 RCW; and prescribing effective dates.

To Committee on Energy and Utilities

HOUSE BILL NO. 367, by Representatives Boldt, Bender and Kilbury:

AN ACT Relating to the industrial safety and health; and adding a new section to chapter 80, Laws of 1973 and to chapter 49.17 RCW.

To Committee on Labor

HOUSE JOINT MEMORIAL NO. 4, by Representatives Gaines, Gallagher, Warnke, Adams, Hansen, North, Walk and Grimm:

Memorializing the Secretary of Transportation to move I-90 corridor.

To Committee on Transportation

HOUSE JOINT RESOLUTION NO. 17, by Representatives Pardini, Whiteside, Polk, Craswell, Clayton and Greengo:

Requiring that the governor and lieutenant governor be elected jointly.

To Committee on Elections and Governmental Ethics

HOUSE JOINT RESOLUTION NO. 18, by Representatives Pardini, Dunlap and Lux:

Reducing the size of the legislature.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 19, by Representatives Pardini, Dunlap, Whiteside, Polk, Taller, Craswell, Oliver, Patterson Amending the Constitution with respect to legislative sessions.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 20, by Representatives Charnley, Chandler, Burns, Bender, Sherman, Lux and Nelson (Dick):

Permitting fuel tax revenues to be used for public transportation.

To Committee on Transportation

HOUSE CONCURRENT RESOLUTION NO. 8, by Representatives Fortson, Adams, Whiteside, Kreidler, Schmitt, Lux, Pearsall, Pruitt and Fischer:

Requesting pharmacy consulting services for nursing homes.

To Committee on Social and Health Services

HOUSE CONCURRENT RESOLUTION NO. 9, by Representatives Kreidler, Adams, Shinpoch, Fortson, Gruger, Lux, Pearsall, Barr, Pruitt, Hanna and Fischer:

Requesting unit dose drug distributions for nursing homes.

To Committee on Social and Health Services

HOUSE CONCURRENT RESOLUTION NO. 10, by Representatives Adams, Kreidler, Whiteside, Shinpoch, Lux, Pearsall, Pruitt, Haley, Hanna and Burns:

Directing the establishment of a plan for home health care.

To Committee on Social and Health Services

HOUSE CONCURRENT RESOLUTION NO. 11, by Representatives Lysen, Sherman and Lux:

Giving priority for funds for energy conservation education to local governments with existing energy conservation programs.

To Committee on Energy and Utilities

MOTIONS

Mr. King moved that all bills, memorials and resolutions listed on today's agenda be considered first reading under the fourth order of business and passed to the committees designated.

Mr. Newhouse moved that the motion by Mr. King be amended and that House Bill No. 342 be referred to Committee on Appropriations rather than Committee on State Government.

Representatives Newhouse, Berentson and Dunlap spoke in favor of the motion by Representative Newhouse, and Representatives King and Ehlers spoke against it.

The motion by Mr. Newhouse was lost.

The motion by Mr. King was carried.

REPORTS OF STANDING COMMITTEES

January 19, 1977

HOUSE BILL NO. 45, Prime Sponsor: Representative Flanagan, extending the filing date of liens on crops. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Boldt, Clayton, Fancher, Flanagan.

MOTION

On motion of Mr. King, House Bill No. 45 was rereferred to Committee on Judiciary.

January 20, 1977

HOUSE BILL NO. 51, Prime Sponsor: Representative King, defining preschool for purposes of the state unemployment compensation laws. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Bond, Ranking Minority Member; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

January 20, 1977

HOUSE BILL NO. 64, Prime Sponsor: Representative Nelson (Gary), abolishing inactive or obsolete boards and commissions. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

January 20, 1977

HOUSE BILL NO. 91, Prime Sponsor: Representative Erickson, excluding any church building or portion thereof maintained by a religious order as an exclusive residence for either clerics or nuns from the definition of nursing home. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 8 strike all material down to and including the period on line 10 and insert the following:

"The term 'nursing home' shall not include any institution conducted for the exclusive care of members of a convent as defined in RCW 84.36.800, and not providing nursing care services to the public at large."

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

January 20, 1977

HOUSE BILL NO. 104, Prime Sponsor: Representative King, exempting volunteer firemen from the state minimum wage act. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, on line 21, after "religious," strike the remainder of the bill and insert "state or local governmental body or agency or nonprofit organization where the employer-employee relationship does not in fact exist or where the services are rendered to such organizations gratuitously: PROVIDED, That if such individual receives reimbursement in lieu of compensation for normally incurred out-of-pocket expenses or receives a nominal amount of compensation per unit of voluntary service rendered, an employer-employee relationship is deemed not to exist for the purpose of this section;

(e) Any individual employed full time by any state or local governmental body or agency who provides voluntary services but only with regard to the provision of such voluntary services;

((e)) (f) Any newspaper vendor or carrier;

((f)) (g) Any carrier subject to regulation by Part 1 of the Interstate Commerce Act;

((g)) (h) Any individual engaged in forest protection and fire prevention activities;

((h)) (i) Any individual employed by any charitable institution charged with child care responsibilities engaged primarily in the development of character or citizenship or promoting health or physical fitness or providing or sponsoring recreational opportunities or facilities for young people or members of the armed forces of the United States;

((i)) (j) Any individual whose duties require that he reside or sleep at the place of his employment or who otherwise spends a substantial portion of his work time subject to call, and not engaged in the performance of active duties;

((j)) (k) Any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution(());

((k)) (l) Any individual who holds a public elective or appointive office of the state, any county, city, town, municipal corporation or quasi municipal corporation, political subdivision, or any instrumentality thereof, or any employee of the state legislature(());

((l)) (m) All vessel operating crews of the Washington state ferries operated by the state highway commission(());

((m)) (n) Any individual employed as a seaman on a vessel other than an American vessel.

(6) "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

NEW SECTION. Sec. 2. There is added to chapter 49.46 RCW a new section to read as follows:

When an individual volunteers his or her labor to a state or local governmental body or agency and receives pursuant to a statute or policy or an ordinance or resolution adopted by or applicable to the state or local governmental body or agency reimbursement in lieu of compensation at a nominal rate for normally incurred expenses or receives a nominal amount of compensation per unit of voluntary service rendered such reimbursement or compensation shall not be deemed a salary for the rendering of services.

NEW SECTION. Sec. 3. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after the semicolon and before "amending" strike "and"

On page 1, line 3 of the title after "RCW 49.46.010" and before the period insert "; adding a new section to chapter 49.46 RCW; and declaring an emergency"

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

MOTION

Mr. King moved that the rules be suspended, and House Bill No. 169 be advanced to second reading and read the second time in full.

Representatives King and Newhouse spoke in favor of the motion.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Where do you intend to place it on the calendar, Mr. Speaker?"

The Speaker: "At the top of the second reading calendar."

The motion was carried.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 103.

SECOND READING

HOUSE BILL NO. 169, by Representatives Shinpoch, Blair and McKibbin (by Executive request of Governor Evans):

Adopting a supplemental budget.

The bill was read the second time.

On motion of Mr. King, 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.

Mr. Tilly moved adoption of the following amendment:

On page 6, line 12 strike all of section 13 and renumber the remaining sections consecutively.

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

POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Patterson.

Mr. Patterson: "When you speak of the foundations being poured are you speaking of one of the capital projects in particular? Could you identify which ones you are speaking of?"

Mr. Warnke: "Yes, the athletic facilities building."

Mr. Patterson: "You mean the one at the Walla Walla Community College?"

Mr. Warnke: "Right."

Mr. Patterson: "Does the same situation, as far as the dollar savings, apply to the Seattle Central Community College?"

Mr. Warnke: "I believe that is the movement of the second stage of construction into the first—to meld it with the first construction stage. Bill Julius from the higher education community college board testified to this, and by being able to move the second stage and work it with the first stage, they will be able to save the dollars that they would have to wait for until the next biennium and spend them this biennium."

Representatives Patterson and Tilly spoke in favor of the amendment, and Mr. Amen spoke against it.

The amendment was not adopted.

Mr. Zimmerman moved adoption of the following amendment:

On page 6, line 23 strike all of section 14 and renumber the remaining sections consecutively.

Representatives Zimmerman and Polk spoke in favor of the amendment, and Mr. Warnke spoke against it.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Newhouse.

Mr. Newhouse: "Is it your understanding that there may or may not be sufficient money in the bond redemption fund as generated by student fees to accomplish this and would this fit in the order of priorities that have been established?"

Mr. Shinpoch: "To answer your latter question first, I think that everyone is in agreement that this is not number nine on the state board's priority list. I don't think there is any debate about that. Relative to my understanding from talking to OPP&FM that this project is in the Governor's budget, and the utilization of these funds for that is probably legitimate, we should consider that this is probably where it's going to come from. The \$383,000 for Walla Walla coming out of here probably means very simply that we must replace that with General Fund money irrespective of the fund source. I guess I have some problems making decisions about whether you should do something or not based on fund source. It's obvious that we are going to fund capital construction with General Fund money. Whether it's out of this money and something else comes out of the General Fund, I don't really think is pertinent. I'd hate to see us

making what I think is policy or management decisions based on fund source. I think we ought to make the decision based on whether it's the proper thing to do or not the proper thing to do in this time frame."

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Zimmerman to Substitute House Bill No. 169, and the amendment was not adopted by the following vote: Yeas, 33; nays, 62; not voting, 3.

Voting yea: Representatives Amen, Barr, Berentson, Bond, Chandler, Craswell, Deccio, Dunlap, Erickson, Fancher, Flanagan, Fuller, Haley, Hanna, Hurley M., Lee, McKibbin, Nelson G. A., Newhouse, Oliver, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Shinpoch, Struthers, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Fischer, Fortson, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, May, McCormick, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Gilleland, Leckenby, Maxie.

Mr. Flanagan moved adoption of the following amendment:

On page 2, line 23 strike all of section 5 and renumber the remaining sections consecutively.

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

Mr. Flanagan spoke again in favor of the amendment.

The amendment was not adopted.

Mrs. Hurley (Margaret) moved adoption of the following amendment by Representatives Hurley (Margaret) and Haley:

On page 5, line 14 strike all of section 11 and renumber the remaining sections consecutively.

Representatives Hurley (Margaret) and Haley spoke in favor of the amendment, and Mr. Charette spoke against it.

POINT OF ORDER

Mr. Hurley (George): "I think for the matter of clarification that since there are two Hurley's here and we often differ in philosophy even though we are personal friends, I would appreciate it if the speakers, both on the platform and the House floor, would mention the first names. I think the Smiths and the Nelsons would also appreciate that because it's quite possible that somebody might think that somehow or other some of us of the same name are supporting legislation which we are not. If our first names were mentioned in that category I would appreciate it."

The Speaker: "Your point is well taken, Representative George Hurley."

Mr. Charette continued his remarks in opposition to the amendment.

Representative Hurley (Margaret) spoke again in favor of the amendment, and Representatives Shinpoch and Pardini spoke against it.

The amendment was not adopted.

MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representative Flanagan was not adopted.

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

The motion was lost.

Ms. Lee moved adoption of the following amendment by Representatives Lee, Chandler, Struthers, Greengo, Fuller and Barnes:

On page 7, beginning on line 22 strike all of section 17 and insert the following:

"NEW SECTION. Sec. 17. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation \$4,666,712

Total Appropriation \$4,666,712

This appropriation for the House of Representatives shall cover session expenditures for only ninety days and shall provide members forty dollars per diem subsistence allowance during session."

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

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Shinpoch, how much per day per diem for members of the House does this appropriation contemplate or represent? I don't think that's been brought out here yet and I would like to know what that is."

Mr. Shinpoch: "In the sheets that we gave to each member of the House of Representatives, it points out that in the members' subsistence the calculation is done 120 days times 98 members times \$45 per day. That is the point that I was making, that we fixed a midpoint, that we could be off \$58,800 either way or we can be right on."

Mr. Flanagan: "In other words, this is for \$45?"

Mr. Shinpoch: "That is correct."

Representatives Shinpoch and Douthwaite spoke against the amendment, and Ms. Lee spoke again in favor of it.

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

POINT OF PARLIAMENTARY INQUIRY

Mr. Lysen: "If a member votes for this, is it necessary for him, if it passes later on, to draw the \$45 or can he still just draw \$40?"

The Speaker: "There is nothing that requires a member to draw any amount of per diem. The per diem amount that is stipulated by statute is a maximum amount. Currently if a member does not feel that he can justify \$40 for his subsistence down here, he does not have to draw \$40—he can draw \$20 or \$25, or whatever. To my knowledge most of the members do draw the \$40. If this issue were to pass—this budget does not address itself in any way to the \$45 per diem. It's a lump sum appropriation to the legislature; the per diem is still at \$40 and cannot be changed unless this legislative body enacts a statute."

Mr. Lysen: "One further clarification, Mr. Speaker. Will the members who vote no still be allowed to draw the increase if it occurs later?"

The Speaker: "Yes, if the legislature should—"

POINT OF ORDER

Mr. Newhouse: "I think the Speaker is going beyond the requirements of the job as Speaker when he is commenting on issues before the House."

The Speaker: "I was clarifying a point of order. Representative Lysen, would you restate your question?"

Mr. Lysen: "I want to thank you for your explanation; I thought it very helpful in making a decision here. Will the members who vote no here on this increase be allowed to draw the \$45 even though they vote no later on?"

The Speaker: "\$45 is not an authorized per diem."

POINT OF ORDER

Mr. Berentson: "I think you should explain to Mr. Lysen that his original question was really in error, and before he is allowed to ask a second question you should point out that we are not addressing the level of per diem, we are talking about a lump sum amount in the budget in case a statutory change is made later."

The Speaker: "If I were to rule that, Representative Berentson, I perhaps should have prevented Representative Lee from making the remarks she was making in support of her amendment."

Mr. Charette rose to speak on the amendment.

POINT OF ORDER

Mr. Berentson: "You recognized Representative Lee to close debate. The roll call vote was placed before the body."

RULING BY THE SPEAKER

The Speaker: "The rules pertaining to closing debate only apply to after the fiftieth day. The Chair attempts to recognize a speaker to close debate hoping that perhaps no one else will get involved, but there are no rules to prevent it."

Mr. Charette spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lee and others to Substitute House Bill No. 169, and the amendment was not adopted by the following vote: Yeas, 35; nays, 62; not voting, 1.

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

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

Not voting: Representative Maxie.

MOTION

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 169 was placed on final passage.

Representatives Shinpoch and Blair 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, 65; nays, 32; not voting, 1.

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

Voting nay: Representatives Amen, Barnes, Barr, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Gallagher, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Polk, Sanders, Schmitten, Shinoda, Struthers, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representative Maxie.

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. 196, by Representatives Bauer, Pardini, Clemente, Sommers, Lee, Polk, Fortson, Barnes, Erickson, Greengo, Heck, Knedlik, North, Sanders and Wilson:

Implementing constitutional amendment permitting school district levies for two-year periods.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 196 was substituted for House Bill No. 196, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 196 was read the second time.

On motion of Ms. Sommers, the following amendment was adopted:

On page 2, line 35 after "proposition." strike all the material down to and including "set forth." on page 3, line 2 and insert "In the case of a school district proposition for a two-year period, the dollar amount and the corresponding estimate of the dollar rate of tax levy shall be set forth for each of the two years."

Substitute House Bill No. 196 was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 196 was placed on final passage.

Representatives Bauer and Deccio 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. 196, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Maxie.

Engrossed Substitute House Bill No. 196, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

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

Mr. Bender moved that HOUSE BILL NO. 117 be rereferred from Committee on Transportation to Committee on Energy and Utilities.

Representatives Bender, Lysen and Conner spoke in favor of the motion, and Representatives Berentson and Patterson spoke against it.

The motion was carried.

MOTIONS

On motion of Mr. Bender, HOUSE BILL NO. 151 was rereferred from Committee on State Government to Committee on Appropriations.

On motion of Mr. Bender, HOUSE BILL NO. 210 was rereferred from Committee on State Government to Committee on Local Government.

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, January 24, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 24, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Tilly, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Caroline Kraabel and Chuck Sorger. Prayer was offered by Father William Treacy of St. Michael's Catholic Church of Olympia.

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

MESSAGE FROM THE SENATE

January 21, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2088,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 368, by Representatives Fortson, Adams, Shinpoch, Pruitt, Lux, Pearsall, Kreidler, Becker, Knedlik, North and Vrooman:

AN ACT Relating to nursing homes; amending section 2, chapter 117, Laws of 1951 as last amended by section 1, chapter 108, Laws of 1973 1st ex. sess. and RCW 18.51.010; and adding new sections to chapter 18.51 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 369, by Representative Warnke:

AN ACT Relating to alcoholic beverage control; and amending section 1, chapter 217, Laws of 1937 (adding new section 23-E to 1933 ex.s. c 62) and RCW 66.24.250.

To Committee on Commerce

HOUSE BILL NO. 370, by Representatives Erickson, Chandler and Thompson:

AN ACT Relating to tuition and fees of the state institutions of higher education; reenacting section 3, chapter 279, Laws of 1971 ex. sess. as amended by section 1, chapter 46, Laws of 1973 1st ex. sess. and by section 2, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.15.041; amending section 28B.15.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.020; amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; amending section 11, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.530; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.380; amending section 28B.10.200, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 62, Laws of 1973 and RCW 28B.10.200; amending section 28B.10.215, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 68, Laws of 1974 ex. sess. and RCW 28B.10.215; setting forth new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW and to Title 28B RCW; repealing section 28B.15.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200; repealing section 28B.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300; repealing section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400; repealing section 22, chapter 279, Laws of

1971 ex. sess., section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; and making an effective date.

To Committee on Higher Education

HOUSE BILL NO. 371, by Representatives Becker, Hanna, Deccio, Knowles, Fischer, Salatino, Nelson (Dick) and Maxie:

AN ACT Relating to juveniles; adding a new chapter to Title 13 RCW; repealing section 1, chapter 160, Laws of 1913, section 1, chapter 302, Laws of 1961 and RCW 13.04.010; repealing section 2, chapter 160, Laws of 1913, section 1, chapter 135, Laws of 1921, section 1, chapter 176, Laws of 1929, section 1, chapter 65, Laws of 1937 and RCW 13.04.030; repealing section 3, chapter 160, Laws of 1913, section 1, chapter 43, Laws of 1921, section 1, chapter 270, Laws of 1951, section 9, chapter 331, Laws of 1959 and RCW 13.04.040; repealing section 4, chapter 160, Laws of 1913 and RCW 13.04.050; repealing section 2, chapter 302, Laws of 1961, section 1, chapter 101, Laws of 1973 1st ex. sess. and RCW 13.04.053; repealing section 3, chapter 302, Laws of 1961 and RCW 13.04.056; repealing section 5, chapter 160, Laws of 1913 and RCW 13.04.060; repealing section 6, chapter 160, Laws of 1913 and RCW 13.04.070; repealing section 7, chapter 160, Laws of 1913, section 4, chapter 302, Laws of 1961 and RCW 13.04.080; repealing section 5, chapter 302, Laws of 1961 and RCW 13.04.091; repealing section 6, chapter 302, Laws of 1961, section 1, chapter 137, Laws of 1967, section 2, chapter 71, Laws of 1975-76 2nd ex. sess. and RCW 13.04.095; repealing section 8, chapter 160, Laws of 1913, section 7, chapter 302, Laws of 1961, section 1, chapter 138, Laws of 1969 ex. sess. and RCW 13.04.100; repealing section 1, chapter 188, Laws of 1955, section 8, chapter 302, Laws of 1961 and RCW 13.04.105; repealing section 9, chapter 160, Laws of 1913 and RCW 13.04.110; repealing section 11, chapter 160, Laws of 1913 and RCW 13.04.115; repealing section 12, chapter 160, Laws of 1913, section 1, chapter 132, Laws of 1945, section 1, chapter 58, Laws of 1959 and RCW 13.04.120; repealing section 2, chapter 132, Laws of 1945 and RCW 13.04.130; repealing section 13, chapter 160, Laws of 1913, section 1, chapter 121, Laws of 1945 and RCW 13.04.135; repealing section 14, chapter 160, Laws of 1913 and RCW 13.04.140; repealing section 15, chapter 160, Laws of 1913 and RCW 13.04.150; repealing section 16, chapter 160, Laws of 1913 and RCW 13.04.160; repealing section 1, chapter 116, Laws of 1953 and RCW 13.04.170; repealing section 18, chapter 160, Laws of 1913 and RCW 13.04.180; repealing section 10, chapter 302, Laws of 1961 and RCW 13.04.190; repealing section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of 1959, section 12, chapter 302, Laws of 1961 and RCW 13.04.200; repealing section 13, chapter 302, Laws of 1961 and RCW 13.04.210; repealing section 14, chapter 302, Laws of 1961, section 54, chapter 81, Laws of 1971 and RCW 13.04.220; repealing section 15, chapter 302, Laws of 1961 and RCW 13.04.230; repealing section 16, chapter 302, Laws of 1961 and RCW 13.04.240; repealing section 1, chapter 93, Laws of 1967 and RCW 13.04.250; repealing section 1, chapter 170, Laws of 1975 1st ex. sess. and RCW 13.04.260; repealing section 1, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.010; repealing section 2, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.020; repealing section 3, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.030; repealing section 4, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.040; repealing section 5, chapter 165, Laws of 1969 ex. sess., section 1, chapter 165, Laws of 1971 ex. sess., section 1, chapter 198, Laws of 1973 1st ex. sess. and RCW 13.06.050; repealing section 6, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.060; repealing section 1, chapter 331, Laws of 1959 and RCW 13.07.010; repealing section 2, chapter 331, Laws of 1959, section 2, chapter 59, Laws of 1973 1st ex. sess. and RCW 13.07.020; repealing section 4, chapter 331, Laws of 1959, section 2, chapter 137, Laws of 1965 ex. sess. and RCW 13.07.030; repealing section 6, chapter 331, Laws of 1959 and RCW 13.07.040; repealing section 7, chapter 331, Laws of 1959 and RCW 13.07.050; repealing section 8, chapter 331, Laws of 1959 and RCW 13.07.060; repealing section 3, chapter 137, Laws of 1965 ex. sess. and RCW 13.07.070; prescribing penalties; and providing effective dates.

To Committee on Institutions

HOUSE BILL NO. 372, by Representative Martinis:

AN ACT Relating to fisheries administration and enforcement; and amending section 75.08.020, chapter 12, Laws of 1955 and RCW 75.08.020.

To Committee on Natural Resources

HOUSE BILL NO. 373, by Representative Martinis:

AN ACT Relating to fisheries; and adding a new section to chapter 75.04 RCW.

To Committee on Natural Resources

HOUSE BILL NO. 374, by Representative Martinis:

AN ACT Relating to fisheries administration and enforcement; and amending section 3, chapter 112, Laws of 1949 as amended by section 1, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.08.012.

To Committee on Natural Resources

HOUSE BILL NO. 375, by Representative Martinis:

AN ACT Relating to fisheries administration and enforcement; amending section 75.08.150, chapter 12, Laws of 1955 and RCW 75.08.150; amending section 75.08.160, chapter 12, Laws of 1955 and RCW 75.08.160; amending section 75.08.170, chapter 12, Laws of 1955 and RCW 75.08.170; amending section 75.08.190, chapter 12, Laws of 1955 and RCW 75.08.190; amending section 75.08.200, chapter 12, Laws of 1955 and RCW 75.08.200; and amending section 75.36.010, chapter 12, Laws of 1955 and RCW 75.36.010.

To Committee on Natural Resources

HOUSE BILL NO. 376, by Representative Martinis:

AN ACT Relating to fisheries compacts; and amending section 75.40.050, chapter 12, Laws of 1955 and RCW 75.40.050.

To Committee on Natural Resources

HOUSE BILL NO. 377, by Representatives Martinis and May:

AN ACT Relating to fisheries licenses; and amending section 75.28.020, chapter 12, Laws of 1955 as amended by section 1, chapter 171, Laws of 1963 and RCW 75.28.020.

To Committee on Natural Resources

HOUSE BILL NO. 378, by Representative Martinis:

AN ACT Relating to fisheries licenses; and amending section 75.28.040, chapter 12, Laws of 1955 as amended by section 2, chapter 212, Laws of 1955 and RCW 75.28.040.

To Committee on Natural Resources

HOUSE BILL NO. 379, by Representatives Martinis, May and Boldt:

AN ACT Relating to fisheries; amending section 75.40.010, chapter 12, Laws of 1955 and RCW 75.40.010; amending section 75.40.020, chapter 12, Laws of 1955 and RCW 75.40.020; adding new sections to chapter 12, Laws of 1955 and to chapter 75.40 RCW; repealing section 75.40.010, chapter 12, Laws of 1955 and RCW 75.40.010; and repealing section 75.40.020, chapter 12, Laws of 1955 and RCW 75.40.020; and providing an effective date.

To Committee on Natural Resources

HOUSE BILL NO. 380, by Representative Martinis:

AN ACT Relating to fisheries administration and enforcement; amending section 75.36.010, chapter 12, Laws of 1955 and RCW 75.36.010; and adding a new section to chapter 12, Laws of 1955 and to chapter 75.36 RCW.

To Committee on Natural Resources

HOUSE BILL NO. 381, by Representative Martinis:

AN ACT Relating to fisheries; amending section 75.08.190, chapter 12, Laws of 1955 and RCW 75.08.190; amending section 75.08.260, chapter 12, Laws of 1955 and RCW 75.08.260; amending section 75.28.010, chapter 12, Laws of 1955 as amended by section 2, chapter 309, Laws of 1959 and RCW 75.28.010; and prescribing penalties.

To Committee on Natural Resources

HOUSE BILL NO. 382, by Representatives Tallier, Oliver, Lee, Chandler, Polk, Blair, Fuller, Fancher, Schmitt and Bond:

AN ACT Relating to state sales and use taxes; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; prescribing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 383, by Representatives Ehlers, Pardini and Thompson:

AN ACT Relating to public employment; adding a new section to chapter 41.06 RCW; adding a new section to chapter 28B.16 RCW; and prescribing penalties.

To Committee on State Government

HOUSE BILL NO. 384, by Representatives Eng, Fischer and Vrooman:

AN ACT Relating to financial institutions; adding a new section to Title 30 RCW; adding a new section to chapter 31.12 RCW; adding a new section to Title 32 RCW; adding a new section to Title 33 RCW; repealing section 43.19.060, chapter 8, Laws of 1965 and RCW 43.19.060; repealing section 43.19.070,

chapter 8, Laws of 1965 and RCW 43.19.070; repealing section 43.19.120, chapter 8, Laws of 1965 and RCW 43.19.120; prescribing penalties; and declaring an emergency.

To Committee on Financial Institutions

HOUSE BILL NO. 385, by Representatives Douthwaite, Burns and Grier:

AN ACT Relating to life insurance; and adding a new section to chapter 48.23 RCW.

To Committee on Insurance

HOUSE BILL NO. 386, by Representatives Douthwaite and Grier:

AN ACT Relating to insurance; and amending section 20, chapter 193, Laws of 1957 and RCW 48.30.260.

To Committee on Insurance

HOUSE BILL NO. 387, by Representatives Douthwaite and Grier:

AN ACT Relating to insurance; amending section .12.01, chapter 79, Laws of 1947 as amended by section 11, chapter 195, Laws of 1963 and RCW 48.12.010; and adding new sections to chapter 48.12 RCW.

To Committee on Insurance

HOUSE BILL NO. 388, by Representatives McKibbin, Charnley, Boldt and Lux:

AN ACT Relating to revenue and taxation; and adding a new section to chapter 84.36 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 389, by Representatives Berentson, Hansen, Vrooman, Moreau, Kilbury, Struthers and Charnley:

AN ACT Relating to railroads; adding new sections to chapter 81.53 RCW; prescribing penalties; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 390, by Representatives Berentson, Kilbury and Newhouse:

AN ACT Relating to dogs; and amending section 5, chapter 198, Laws of 1929 and RCW 16.08.010.

To Committee on Agriculture

HOUSE BILL NO. 391, by Representatives Pearsall, Newhouse, Hanna and Lux:

AN ACT Relating to speech pathologists and audiologists; adding a new chapter to Title 18 RCW; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 392, by Representatives King, Walk, Sommers, Grimm, Nelson (Gary), Keller, Deccio, Pruitt, Taller and Lux:

AN ACT Relating to public employment; amending section 1, chapter 208, Laws of 1957 and RCW 41.04-.035; and amending section 2, chapter 208, Laws of 1957 as amended by section 16, chapter 106, Laws of 1973 and RCW 41.04.036.

To Committee on State Government

HOUSE BILL NO. 393, by Representative Eng:

AN ACT Relating to banks and trust companies; adding new sections to Title 30 RCW; and prescribing penalties.

To Committee on Financial Institutions

HOUSE BILL NO. 394, by Representatives Knowles and McCormick:

AN ACT Relating to superior courts; and amending section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.061.

To Committee on Judiciary

HOUSE BILL NO. 395, by Representatives Shinpoch, Charette, Polk, Blair and Knedlik:

AN ACT Relating to state government; amending section 4, chapter 95, Laws of 1895 as amended by section 6, chapter 159, Laws of 1963 and RCW 4.92.040; amending section 3, chapter 159, Laws of 1963 as amended by section 2, chapter 164, Laws of 1967 and RCW 4.92.100; amending section 4, chapter 159, Laws of 1963 and RCW 4.92.110; amending section 2, chapter 4, Laws of 1973 as amended by section 1, chapter 4, Laws of 1975 2nd ex. sess. and RCW 29.13.047; amending section 43.09.050, chapter 8, Laws of 1965 as amended by section 1, chapter 170, Laws of 1971 ex. sess. and RCW

43.09.050; adding a new section to chapter 43.10 RCW; adding new sections to chapter 43.41 RCW; repealing section 43.09.160, chapter 8, Laws of 1965 and RCW 43.09.160; and repealing section 1, chapter 46, Laws of 1903 and RCW 44.18.010.

To Committee on Appropriations

HOUSE BILL NO. 396, by Representatives Tilly and Smith (by Judicial Council request):

AN ACT Relating to the selection of jurors in the superior courts; and amending section 3, chapter 57, Laws of 1911 as last amended by section 1, chapter 92, Laws of 1967 and RCW 2.36.060.

To Committee on Judiciary

HOUSE BILL NO. 397, by Representatives Tilly and Smith (by Judicial Council request):

AN ACT Relating to attorney's fees in eminent domain proceedings; and amending section 3, chapter 137, Laws of 1967 ex. sess. as amended by section 3, chapter 39, Laws of 1971 ex. sess. and RCW 8.25.070.

To Committee on Judiciary

HOUSE BILL NO. 398, by Representatives Haley, Bond and Gilleland:

AN ACT Relating to soldiers' and veterans' homes; amending section 72.36.010, chapter 28, Laws of 1959 and RCW 72.36.010; amending section 72.36.070, chapter 28, Laws of 1959 and RCW 72.36.070; amending section 72.36.090, chapter 28, Laws of 1959 and RCW 72.36.090; amending section 72.36.110, chapter 28, Laws of 1959 as amended by section 1, chapter 120, Laws of 1959 and RCW 72.36.110; and adding a new section to chapter 72.36 RCW.

To Committee on State Government

HOUSE BILL NO. 399, by Representatives Knedlik, Knowles and Monohon (by Judicial Council request):

AN ACT Relating to judicial review of administrative agencies; and amending section 13, chapter 234, Laws of 1959 as amended by section 6, chapter 237, Laws of 1967 and RCW 34.04.130.

To Committee on Judiciary

HOUSE BILL NO. 400, by Representatives Nelson (Gary), Warnke and Greengo:

AN ACT Relating to the establishment of the Washington innovation service institute as a temporary pilot project; creating new sections and providing for the expiration thereof; and making an appropriation.

To Committee on Commerce

HOUSE BILL NO. 401, by Representatives Lux, Pearsall, King, Pruitt, Nelson (Dick), Fischer and Clemente:

AN ACT Relating to unemployment compensation; amending section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030; amending section 6, chapter 2, Laws of 1970 ex. sess. as last amended by section 1, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.04.355; amending section 73, chapter 35, Laws of 1945 as last amended by section 21, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.050; amending section 74, chapter 35, Laws of 1945 as last amended by section 22, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.060; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.120; amending section 89, chapter 35, Laws of 1945 as last amended by section 13, chapter 3, Laws of 1971 and RCW 50.24.010; establishing effective dates; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 402, by Representatives Lysen and Hurley (Margaret):

AN ACT Relating to the budget and accounting act; adding a new section to chapter 43.88 RCW; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 403, by Representatives Charette and Monohon:

AN ACT Relating to property taxation; and adding a new section to chapter 84.36 RCW.

To Committee on Revenue

HOUSE BILL NO. 404, by Representatives Hurley (Margaret), Hughes, Amen, Fortson, Knedlik and Owen:

AN ACT Relating to public assistance; and amending section 74.08.025, chapter 26, Laws of 1959 as last amended by section 1, chapter 169, Laws of 1971 ex. sess. and RCW 74.08.025.

To Committee on Social and Health Services

HOUSE BILL NO. 405, by Representatives Hurley (Margaret), Knowles and Dunlap:

AN ACT Relating to child custody; amending section 14, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.130; and amending section 4, chapter 291, Laws of 1955 as last amended by section 27, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.040.

To Committee on Judiciary

HOUSE BILL NO. 406, by Representatives Amen, Fancher, Hansen, Kilbury, Chandler, Struthers, Barr, Patterson, Whiteside, Hurley (Margaret), Charette, Knowles and Bauer:

AN ACT Relating to elections; amending section 29.01.090, chapter 9, Laws of 1965 and RCW 29.01.090; amending section 29.01.100, chapter 9, Laws of 1965 and RCW 29.01.100; amending section 29.18.020, chapter 9, Laws of 1965 and RCW 29.18.020; amending section 29.18.030, chapter 9, Laws of 1965 as amended by section 1, chapter 103, Laws of 1965 ex. sess. and RCW 29.18.030; amending section 29.18.050, chapter 9, Laws of 1965 and RCW 29.18.050; amending section 29.18.150, chapter 9, Laws of 1965 and RCW 29.18.150; amending section 29.30.080, chapter 9, Laws of 1965 as last amended by section 1, chapter 18, Laws of 1971 and RCW 29.30.080; amending section 29.30.100, chapter 9, Laws of 1965 and RCW 29.30.100; amending section 29.42.010, chapter 9, Laws of 1965 and RCW 29.42.010; adding new sections to chapter 29.18 RCW; repealing section 29.24.010, chapter 9, Laws of 1965 and RCW 29.24.010; repealing section 29.24.020, chapter 9, Laws of 1965 and RCW 29.24.020; repealing section 29.24.030, chapter 9, Laws of 1965 and RCW 29.24.030; repealing section 29.24.040, chapter 9, Laws of 1965 and RCW 29.24.040; repealing section 29.24.050, chapter 9, Laws of 1965 and RCW 29.24.050; repealing section 29.24.060, chapter 9, Laws of 1965 and RCW 29.24.060; repealing section 29.24.070, chapter 9, Laws of 1965 and RCW 29.24.070; repealing section 29.24.080, chapter 9, Laws of 1965 and RCW 29.24.080; repealing section 29.24.090, chapter 9, Laws of 1965 and RCW 29.24.090; and declaring an emergency.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 407, by Representatives Enbody, Monohon and Smith (by Judicial Council request):

AN ACT Relating to courts; and amending section 4, chapter 264, Laws of 1969 ex. sess. and RCW 7.33-.040.

To Committee on Judiciary

HOUSE BILL NO. 408, by Representatives Clemente, Barnes and Heck (by Superintendent of Public Instruction request):

AN ACT Relating to education; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.04.120; amending section 28A.67.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.010; amending section 28A.67.035, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.035; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.005; amending section 28A.70.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 137, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.160; amending section 28A.70.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 138, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.170; amending section 28A.70.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.180; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.70 RCW; and providing penalties.

To Committee on Education

HOUSE BILL NO. 409, by Representatives Knowles, Tilly and Smith (by Judicial Council request):

AN ACT Relating to juries; amending section 2, chapter 57, Laws of 1911 as amended by section 1, chapter 39, Laws of 1967 and RCW 2.36.080; amending section 7, chapter 57, Laws of 1911 and RCW 2.36.100; amending and recodifying section 10, page 74, Laws of 1866 as amended by section 2351, Code of 1881 and RCW 2.36.120; amending section 72.23.050, chapter 28, Laws of 1959 and RCW 72.23.050; repealing section 218, page 53, Laws of 1869, section 218, page 45, Laws of 1877, section 214, Code of 1881 and RCW 4.44.200; and repealing section 90, chapter 130, Laws of 1943 and RCW 38.40.090.

To Committee on Judiciary

HOUSE BILL NO. 410, by Representatives Enbody, Knowles and Tilly (by Judicial Council request):

AN ACT Relating to civil procedure; and amending section 2, chapter 131, Laws of 1959 as amended by section 22, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 4.28.185.

To Committee on Judiciary

HOUSE BILL NO. 411, by Representatives Enbody, Knowles and Monohon (by Judicial Council request):

AN ACT Relating to torts; and adding a new chapter to Title 4 RCW.

To Committee on Judiciary

HOUSE BILL NO. 412, by Representatives Enbody, Knowles, Monohon and Tilly (by Judicial Council request):

AN ACT Relating to civil procedure; amending section 1, chapter 138, Laws of 1973 1st ex. sess. and RCW 4.22.010; amending section 2, chapter 138, Laws of 1973 1st ex. sess. and RCW 4.22.020; adding new sections to chapter 138, Laws of 1973 1st ex. sess. and to chapter 4.22 RCW; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 413, by Representatives Knedlik, Knowles and Enbody (by Judicial Council request):

AN ACT Relating to courts; and amending section 1, chapter 56, Laws of 1907 as amended by section 3, chapter 51, Laws of 1951 and RCW 2.40.010.

To Committee on Judiciary

HOUSE BILL NO. 414, by Representatives Tilly and Smith (by Judicial Council request):

AN ACT Relating to courts; amending section 3, page 418, Laws of 1869 as last amended by section 8, chapter 304, Laws of 1961 and RCW 10.46.190; amending section 70, page 235, Laws of 1854 as last amended by section 1, page 118, Laws of 1888 and RCW 12.12.030; and amending section 35.20.090, chapter 7, Laws of 1965 as amended by section 8, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.090.

To Committee on Judiciary

HOUSE BILL NO. 415, by Representatives Knedlik, Knowles, Monohon and Tilly (by Judicial Council request):

AN ACT Relating to judicial review of administrative agencies; and adding a new section to chapter 234, Laws of 1959 and to chapter 34.04 RCW.

To Committee on Judiciary

HOUSE BILL NO. 416, by Representatives Bauer and Owen:

AN ACT Relating to hunting and fishing licenses; and amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1973 1st ex. sess. and RCW 77.32.230.

To Committee on Natural Resources

HOUSE BILL NO. 417, by Representatives Sherman, Warnke, Ehlers and Lysen:

AN ACT Relating to gambling; and amending section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.110.

To Committee on Commerce

HOUSE BILL NO. 418, by Representatives Kilbury, Fischer and Lux:

AN ACT Relating to employment; and creating a new section.

To Committee on Labor

HOUSE BILL NO. 419, by Representatives Clemente, Barnes and Bauer (by Superintendent of Public Instruction request):

AN ACT Relating to education; amending section 7, chapter 127, Laws of 1893 as last amended by section 1, chapter 11, Laws of 1967 and RCW 4.28.080; amending section 12, chapter 15, Laws of 1970 ex. sess. as amended by section 45, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.02.070; and creating a new section.

To Committee on Education

HOUSE BILL NO. 420, by Representatives Clemente, Barnes and Bauer (by Superintendent of Public Instruction request):

AN ACT Relating to education; amending section 28A.57.240, chapter 223, Laws of 1969 ex. sess. as last amended by section 95, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.240; amending section 28A.57.245, chapter 223, Laws of 1969 ex. sess. as last amended by section 96, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.245; and creating a new section.

To Committee on Education

HOUSE BILL NO. 421, by Representatives Burns, Douthwaite, Lux, Hawkins, Nelson (Dick), Blair, Chandler, Charnley, Greengo, Taller, Sherman, Lysen and North:

AN ACT Relating to improvements to single family dwellings; and amending section 3, chapter 125, Laws of 1972 ex. sess. and RCW 84.36.400.

To Committee on Revenue

HOUSE BILL NO. 422, by Representatives King, Pruitt and Nelson (Dick):

AN ACT Relating to unemployment compensation; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.120; prescribing an effective date; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 423, by Representatives Paris, Zimmerman, Amen, Lee, Taller, Haley, Polk, Whiteside, Wilson, Berentson, Sanders, Greengo, Craswell, Tilly, Barnes and Gilleland:

AN ACT Relating to the legislature; and amending section 1, chapter 173, Laws of 1941 as last amended by section 2, chapter 3, Laws of 1969 and RCW 44.04.080.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 21, by Representatives Fortson, Patterson and Sommers (by State Auditor request):

Amending the Constitution to allow audits of the judicial branch.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 22, by Representatives Nelson (Dick), Lux, Charnley, Becker, Pruitt, Douthwaite, Burns, Sommers, Salatino, Williams, Sherman, Eng, Valle and Chandler:

Repealing the constitutional limitation on the use of fuel tax revenues.

To Committee on Transportation

HOUSE JOINT RESOLUTION NO. 23, by Representatives Valle, Fortson, Douthwaite, Burns, Conner, Charnley, Eng, Lux and Nelson (Dick):

Authorizing income tax at percentage of federal tax liability.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 24, by Representatives Valle, Fortson, Douthwaite, Burns, Conner, Charnley, Lux and Nelson (Dick):

Amending Constitution to authorize income tax with revisions in tax structure.

To Committee on Revenue

HOUSE CONCURRENT RESOLUTION NO. 12, by Representatives Fortson, Adams, Pruitt, Lux, Pearsall and Kreidler:

Proposing a salary increase for nursing assistants who complete training courses.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2088, by Senators Henry, Peterson and Guess:

Making supplemental appropriations for highways.

To Committee on Transportation

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and were passed to the committees designated.

REPORTS OF STANDING COMMITTEES

January 20, 1977

HOUSE BILL NO. 9, Prime Sponsor: Representative Fischer, establishing sickle cell disease testing and counseling programs in the Department of Social and Health Services. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Haley, Hanna, May, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

January 21, 1977

HOUSE CONCURRENT RESOLUTION NO. 2, Prime Sponsor: Representative Martinis, petitioning for the formation of a tri-state legislative fisheries committee for Idaho, Oregon and Washington. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after the semicolon insert the following: "and

WHEREAS, The three states have not been able to arrive at mutually agreeable language for a Columbia River Compact;"

On page 1, line 15 after "states" insert "including, but not limited to, the Columbia River Compact"

Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Fuller, Gilleland, Greengo, Lysen, May, Schmitten, Shinoda, Vrooman.

To Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 55, by Representatives Deccio, Boldt, Becker, Kilbury, Amen, Flanagan, Hansen, Erickson and Clayton (by House Committee on Agriculture of the 44th Legislature request):

Revising regulation and support of stream patrolmen.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, 10th Day, January 19, 1977.)

On motion of Mr. Kilbury, the committee amendment was adopted.

House Bill No. 55 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 59, by Representatives King, Burns, Bender, Fischer, Charnley, Pearsall, Douthwaite, Knowles, Lux, May, McKibbin, Moreau and Salatino:

Providing for collective bargaining at the state institutions of higher education.

The bill was read the second time.

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

On page 3, line 30 strike "1976" and insert "1977"

Mr. Bond moved adoption of the following amendment:

On page 4, line 5 after "activities" strike all of the material down to and including "organization" on line 19 and insert ": PROVIDED, That no employee shall be required to join any union or association nor shall any employee be required to pay any moneys to any union or association for activities of such union or association which the employee does not believe were of benefit to the employee: AND PROVIDED FURTHER, That a recognized bargaining unit is not required to assist any employee who is not a member in any proceeding by the employee to enforce a provision of the collective bargaining agreement"

Mr. Bond spoke in favor of the amendment, and Mr. Clemente spoke against it.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, I have just laid upon the desk an amendment dealing with the same section on line 13. Representative Bond's amendment would strike the language which I am attempting to perfect. Would it be possible for me to get my amendment in and perfect before striking?"

With the consent of the House, Mr. Bond temporarily withdrew his amendment.

Mr. Pardini moved adoption of the following amendments:

On page 4, line 13 after "organization" strike all material starting with "mutually" down through and including "fees" on line 16.

On line 17 after "made." strike all material starting with "If" down through and including "organization." on line 19.

Mr. Pardini spoke in favor of the amendments, and Mr. King spoke against them.

Mr. Pardini spoke again in favor of the amendments, and they were not adopted.

Mr. Bond again moved adoption of his amendment to page 4, line 5.

Representatives Bond and Barnes spoke in favor of the amendment, and Representatives Lux and May spoke against it.

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

Mr. Bond spoke again in favor of the amendment, and Representatives King and Warnke spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to House Bill No. 59, and the amendment was not adopted by the following vote: Yeas, 26; nays, 70; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Haley, Nelson G. A., Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Teller, Whiteside.

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

Not voting: Representatives Tilly, Zimmerman.

STATEMENT FOR THE JOURNAL

I wish to change my vote from Aye to Nay on the Bond amendment to House Bill No. 59.
ALEX DECCIO, 14th District.

Mr. King moved adoption of the following amendment:

On page 4, beginning on line 30 after "That" strike everything down through "employees" on line 31 and insert "any or all of the employees listed below"

Mr. King spoke in favor of the amendment.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Patterson.

Mr. Patterson: "The language that follows your amendment identifies medical interns and residents, fellows, or undergraduates, and so forth—that's an exempt group that could form a separate unit. Is it a possibility that you are really speaking primarily to the University of Washington and the medical school personnel? And whether or not you see within this bill the opportunity for other groups that are primarily off campus, such as an extension service personnel, as being able to form their own unit under this act?"

Mr. King: "The answer to that is yes, they could form their own unit. The unit determination under this bill would be made by the PERS Commission with the exception of the specific areas that we have identified in the past. If they were not included within the original unit and didn't want to be, they would be able to make application for separate status and would probably be granted separate status."

Mr. Patterson: "So the enabling legislation which we are talking about here does afford that opportunity for those groups who feel that they have some distinguishing reason why they should be separated from the total?"

Mr. King: "Yes, it does."

POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "The language which we are striking out talks about groups of employees, the language which you are inserting talks about employees. When we leave out the groups of employees could an individual employee under your language then negotiate for his own unit?"

Mr. King: "I don't believe that he could. The reason for taking out groups in the first place, I believe, had to do with the fact of whether or not they were a unit under this law until such time as the PERS Commission recognized them as a separate group or unit—they would simply be a bunch of employees. The reason I said one individual would not be, is based on a guess about what the PERS Commission would do. I know of no labor relations commission in any state in the country on a national level that would recognize one person under the collective bargaining act as a bargaining unit."

Mr. Pardini: "Maybe we can clarify it. Is it your intent that if your amendment is adopted that we would still be dealing with groups of employees?"

Mr. King: "After they were recognized as a group, yes, that is the intent. Prior to recognition you wouldn't be dealing with them under this bill. Labor negotiations would not occur until after recognition of this."

Mr. Pardini: "Then it would follow that an individual could make his own group?"

Mr. King: "Only in the instance that he could convince the PERS Commission that he was representative of a wide group of people, etc. I don't think it's very possible at all, but highly impossible."

The amendment was adopted.

Mr. Berentson moved adoption of the following amendment by Representatives Berentson and Pardini:

On page 5, section 6, line 5 after "receives a" strike "majority of the votes cast" and insert "a favorable vote of a majority of all members of the bargaining unit to be represented. These votes shall be cast"

Representatives Berentson, Pardini and Chandler spoke in favor of the amendment, and Representatives Lux and Douthwaite spoke against it.

Representative Berentson closed debate, speaking again in favor of the amendment.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Berentson and Pardini to House Bill No. 59, and the amendment was not adopted by the following vote: Yeas, 39; nays, 58; not voting, 1.

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

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

Not voting: Representative Tilly.

On motion of Mr. King, the following amendment was adopted:
On page 5, line 26 strike "1976" and insert "1977"

Mr. Polk moved adoption of the following amendment:
On page 6, section 10, beginning on line 8 strike all of subsection (2)

Mr. Polk spoke in favor of the amendment, and Mr. King spoke against it.

POINT OF INQUIRY

Mr. Polk yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley (Margaret): "I wonder if you would elaborate just a little bit on your statement relating to how this section could bind future legislators?"

Mr. Polk: "During the last two years we found ourselves in a situation where some money had been negotiated at one particular level and we had been appropriating money as I mentioned before for the seven different formulas in what had been considered by some in the legislature to have been a management plan. There was a lot of debate here as to whether that was in fact a management plan or whether that was a generator of dollars for the various institutions. Now I frankly was on the side of saying that it was a generator of dollars. What happened to us however is that when the community colleges negotiated higher salaries in one particular college and then came back to us and said we didn't give them enough money for libraries, and they said they were letting their library resources go downhill. They talked to us about equipment; they talked to us about a number of different areas where we were not providing enough money to supply their needs and their resources. It became very apparent that if we are going to allow that to occur then we are allowing the salaries to be driven up and therefore they become a driver in the formula that is used in the next biennium or in a supplemental budget as to what the average faculty salary is, and therefore drives the entire level up once more."

Mr. Shinpoch spoke on the amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Newhouse.

Mr. Newhouse: "You neglected to say then, are you speaking for or against the amendment? I take it you are for the Polk amendment?"

Mr. Shinpoch: "Mr. Polk's amendment struck this subsection, and yes, I am for the amendment as this subsection now stands. If someone were to amend it and take out that sentence then I would probably change to the other side, from what I understand and the manner in which I read the paragraph and what it says."

MOTION

Mr. King moved that further consideration of the amendment by Representative Polk be deferred and that it be placed after the remaining amendments had been considered.

POINT OF ORDER

Mr. Newhouse: "Shouldn't we set the whole bill down to the bottom of the calendar rather than just this amendment? Perhaps this amendment would be critical to the disposition as to how we vote on other amendments. I suggest that the motion by Mr. King be amended to say that the bill be set down or held over until tomorrow."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "That isn't a point of order; that's your opinion. State your point of order."

Mr. Newhouse: "Mr. Speaker, it is a point of order because the disposition of this amendment will affect how we may want to vote on other amendments."

The Speaker (Mr. O'Brien presiding): "All he wants to do is set it down to review this section. If that is agreed then his motion is in order."

ROLL CALL

The Clerk called the roll on the motion by Mr. King to defer further consideration of the Polk amendment to House Bill No. 59, and the motion was carried by the following vote: Yeas, 60; nays, 35; not voting, 3.

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

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bauer, Monohon, Tilly.

STATEMENT FOR THE JOURNAL

I wish the record to show that on Mr. King's motion to defer consideration of the Polk amendment, I would have voted on the prevailing side.

CAROL MONOHON, 19th District.

MOTIONS

Mr. Berentson moved that further consideration of House Bill No. 59 be deferred and that it be placed at the bottom of today's second reading calendar.

With the consent of the House, Mr. Berentson withdrew the motion.

On motion of Mr. King, further consideration of House Bill No. 59 was deferred and the bill was ordered placed at the top of Wednesday's second reading calendar.

HOUSE BILL NO. 85, by Representatives Fischer, Pearsall and King:

Including certain law enforcement and court personnel under the public employee collective bargaining laws.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 10th Day, January 19, 1977.)

Mr. Lux moved adoption of the committee amendment.

POINT OF INQUIRY

Mr. Lux yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley (Margaret): "My question is about the pension system—the LEOFF plan. If these people are brought in this system as it now exists, I presume, then any changes that would be made would grandfather this whole group in before the changes were made, and the changes then would not relate to them. Is this true?"

Mr. Lux: "As I understand it, this doesn't have anything to do with the pension system. It does not affect the pension system."

Mrs. Hurley (Margaret): "But they'd be members of the pension system, wouldn't they?"

Mr. Lux: "It just places them under the public employee relations commission, that's all it does. It doesn't do a thing about their pension system."

The committee amendment was adopted.

House Bill No. 85 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 1, by Representatives Warnke, Paris, Greengo and Gaines:

Requesting the federal government to give the state more administrative freedom under the federal insecticide, fungicide, and rodenticide act.

The memorial was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, 10th Day, January 19, 1977.)

On motion of Mr. Kilbury, the committee amendment was adopted.

House Joint Memorial No. 1 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House adjourned until 1:30 p.m., Wednesday, January 26, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

SEVENTEENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, January 26, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Shinoda, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Misty Mondress and Larry Sheahan. Prayer was offered by Father William Treacy of St. Michael's Catholic Church of Olympia.

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

MESSAGE FROM THE SENATE

January 25, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2056,
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 424, by Representatives Douthwaite, Burns, Lux, Boldt, Leckenby, Pruitt, Nelson (Dick), Valle, Charnley, Hughes, Fischer, Knowles, Chandler, Grier and Bender:

AN ACT Relating to blind persons; establishing the Washington state commission for the blind; amending section 40, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.300; amending section 74.16.170, chapter 26, Laws of 1959 and RCW 74.16.170; amending section 1, chapter 59, Laws of 1967 and RCW 74.16.181; amending section 2, chapter 59, Laws of 1967 and RCW 74.16.183; amending section 74.16.190, chapter 26, Laws of 1959 and RCW 74.16.190; amending section 74.16.300, chapter 26, Laws of 1959 and RCW 74.16.300; amending section 1, chapter 251, Laws of 1975 1st ex. sess. and RCW 74.17.010; amending section 2, chapter 251, Laws of 1975 1st ex. sess. and RCW 74.17.020; amending section 4, chapter 251, Laws of 1975 1st ex. sess. and RCW 74.17.040; adding new sections to chapter 74.16 RCW; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 425, by Representatives Smith, Enbody, Knowles, Chandler, Grier, McCormick, Vrooman, Hawkins, Burns, Pearsall and Haley:

AN ACT Relating to registration of contractors; and amending section 3, chapter 77, Laws of 1963 as amended by section 3, chapter 153, Laws of 1973 1st ex. sess. and RCW 18.27.030.

To Committee on Commerce

HOUSE BILL NO. 426, by Representatives Charnley and Nelson (Dick):

AN ACT Relating to smoking control; adding a new chapter to Title 70 RCW; adding a new section to chapter 26.28 RCW; prescribing penalties; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 427, by Representatives Berentson, Vrooman, Moreau and Gallagher:

AN ACT Relating to county operated ferries; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 1, chapter 57, Laws of 1975-'76 2nd ex. sess. and RCW 46.68.100; amending section 1, chapter 21, Laws of 1975 1st ex. sess. as amended by section 2, chapter 57, Laws of 1975-'76 2nd ex. sess. and RCW 47.56.725; declaring an emergency; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 428, by Representatives Martinis, Kilbury and Boldt:

AN ACT Relating to railroads; adding a new section to chapter 81.44 RCW; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 429, by Representatives Kilbury, May, Clemente, Lux, Burns, Fischer, Becker, Martinis, Bender, Boldt and Grier:

AN ACT Relating to railroads; amending section 43.22.050, chapter 8, Laws of 1965 as last amended by section 4, chapter 52, Laws of 1973 1st ex. sess. and RCW 43.22.050; amending section 81.40.095, chapter 14, Laws of 1961 and RCW 81.40.095; amending section 81.44.065, chapter 14, Laws of 1961 and RCW 81.44.065; adding a new section to chapter 14, Laws of 1961 and to chapter 81.44 RCW; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 430, by Representative Kilbury:

AN ACT Relating to tort claims; amending section 1, chapter 95, Laws of 1895 as last amended by section 1, chapter 44, Laws of 1973 and RCW 4.92.010; amending section 4, chapter 95, Laws of 1895 as amended by section 6, chapter 159, Laws of 1963 and RCW 4.92.040; repealing section 1, chapter 136, Laws of 1961, section 2, chapter 159, Laws of 1963 and RCW 4.92.090; repealing section 3, chapter 159, Laws of 1963, section 2, chapter 164, Laws of 1967 and RCW 4.92.100; repealing section 4, chapter 159, Laws of 1963 and RCW 4.92.110; repealing section 5, chapter 159, Laws of 1963 and RCW 4.92.120; repealing section 8, chapter 159, Laws of 1963, section 4, chapter 126, Laws of 1975 1st ex. sess. and RCW 4.92.140; repealing section 9, chapter 159, Laws of 1963, section 5, chapter 126, Laws of 1975 1st ex. sess. and RCW 4.92.150; repealing section 10, chapter 159, Laws of 1963, section 2, chapter 140, Laws of 1969, section 6, chapter 126, Laws of 1975 1st ex. sess. and RCW 4.92.160; repealing section 1, chapter 164, Laws of 1967 and RCW 4.96.010; and repealing section 4, chapter 164, Laws of 1967 and RCW 4.96.020.

To Committee on Judiciary

HOUSE BILL NO. 431, by Representative Kilbury:

AN ACT Relating to state government; and amending section 43.03.050, chapter 8, Laws of 1965 as last amended by section 94, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.050.

To Committee on State Government

HOUSE BILL NO. 432, by Representatives Smith, Hanna, Hawkins and Craswell:

AN ACT Relating to the superior court; and amending section 4, chapter 125, Laws of 1951 as last amended by section 1, chapter 79, Laws of 1975-'76 2nd ex. sess. and RCW 2.08.062.

To Committee on Judiciary

HOUSE BILL NO. 433, by Representatives Ehlers, Blair, Shinpoch and Polk:

AN ACT Relating to state government; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 1, chapter 122, Laws of 1975 1st ex. sess. and RCW 28B.16.100; adding a new section to chapter 28B.16 RCW; adding a new section to chapter 41.06 RCW; adding a new section to chapter 43.88 RCW; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 434, by Representatives Ehlers, Pearsall and Grier:

AN ACT Relating to the Washington state patrol; amending section 1, chapter 11, Laws of 1972 ex. sess. as amended by section 1, chapter 133, Laws of 1973 1st ex. sess. and RCW 41.06.070; and adding a new section to chapter 41.06 RCW.

To Committee on State Government

HOUSE BILL NO. 435, by Representatives Sommers, Pardini, McKibbin, Hawkins, Valle, Becker and Blair:

AN ACT Relating to the teachers' retirement system; and amending section 1, chapter 80, Laws of 1947 as last amended by section 149, chapter 275, Laws of 1975 1st ex. sess. and RCW 41.32.010.

To Committee on Appropriations

HOUSE BILL NO. 436, by Representatives Fortson, Sherman, Fischer, Clemente and Knedlik:

AN ACT Relating to a special election for the creation and organization of a new county; and adding a new chapter to Title 36 RCW.

To Committee on Local Government

HOUSE BILL NO. 437, by Representatives Ehlers, Leckenby and Sommers (by Department of Motor Vehicles request):

AN ACT Relating to the possession, sale, and registration of firearms; amending section 1, chapter 172, Laws of 1935 as last amended by section 1, chapter 302, Laws of 1971 ex. sess. and RCW 9.41.010; amending section 7, chapter 172, Laws of 1935 as last amended by section 2, chapter 302, Laws of 1971 ex. sess. and RCW 9.41.070; amending section 9, chapter 172, Laws of 1935 as last amended by section 1, chapter 227, Laws of 1969 ex. sess. and RCW 9.41.090; amending section 2, chapter 227, Laws of 1969 ex. sess. and RCW 9.41.093; amending section 11, chapter 172, Laws of 1935 as last amended by section 4, chapter 227, Laws of 1969 ex. sess. and RCW 9.41.110; amending section 15, chapter 172, Laws of 1935 as amended by section 11, chapter 124, Laws of 1961 and RCW 9.41.150; amending section 16, chapter 172, Laws of 1935 as amended by section 12, chapter 124, Laws of 1961 and RCW 9.41.160; amending section 1, chapter 109, Laws of 1953 as amended by section 1, chapter 90, Laws of 1969 ex. sess. and RCW 9.41.170; adding a new section to chapter 9.41 RCW; and prescribing penalties.

To Committee on State Government

HOUSE BILL NO. 438, by Representatives Sommers and Flanagan:

AN ACT Relating to property taxation; and amending section 10, chapter 146, Laws of 1967 ex. sess. as last amended by section 8, chapter 187, Laws of 1974 1st ex. sess. and RCW 84.40.045.

To Committee on Revenue

HOUSE BILL NO. 439, by Representatives Smith, Winsley and Knowles:

AN ACT Relating to unemployment benefits; and adding a new section to chapter 162, Laws of 1937 and to chapter 50.20 RCW.

To Committee on Labor

HOUSE BILL NO. 440, by Representatives Smith, Winsley and Knowles (by Judicial Council request):

AN ACT Relating to homesteads; and amending section 24, chapter 64, Laws of 1895 as last amended by section 1, chapter 12, Laws of 1971 ex. sess. and RCW 6.12.050.

To Committee on Judiciary

HOUSE BILL NO. 441, by Representatives Knowles, Monohon and Winsley (by Judicial Council request):

AN ACT Relating to courts; permitting electronic recording of proceedings; amending section 1, chapter 126, Laws of 1913 as last amended by section 1, chapter 244, Laws of 1957 and RCW 2.32.180; and adding new sections to chapter 2.32 RCW.

To Committee on Judiciary

HOUSE BILL NO. 442, by Representatives Hurley (Margaret), Hansen, Greengo and Bond:

AN ACT Relating to the Washington Criminal Code; amending section 9A.16.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.16.020; and amending section 9A.16.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.16.050.

To Committee on Judiciary

HOUSE BILL NO. 443, by Representatives Hurley (Margaret) and Hughes:

AN ACT Relating to land areas along the Pacific Ocean; and amending section 46.08.180, chapter 12, Laws of 1961 as amended by section 7, chapter 120, Laws of 1967 and RCW 43.51.680.

To Committee on Parks and Recreation

HOUSE BILL NO. 444, by Representatives Conner, Charnley, Lux and Grier:

AN ACT Relating to the liability of parents; and amending section 1, chapter 99, Laws of 1961 as amended by section 1, chapter 46, Laws of 1967 ex. sess. and RCW 4.24.190.

To Committee on Judiciary

HOUSE BILL NO. 445, by Representatives Smith, Enbody and Leckenby:

AN ACT Relating to eminent domain; and amending section 21, chapter 240, Laws of 1971 ex. sess. and RCW 8.25.075.

To Committee on Judiciary

HOUSE BILL NO. 446, by Representatives Warnke, Polk and Knowles (by Department of Motor Vehicles request):

AN ACT Relating to real estate brokers and salesmen; amending section 2, chapter 252, Laws of 1941 as last amended by section 1, chapter 57, Laws of 1973 1st ex. sess. and RCW 18.85.010; amending section 7, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.095; amending section 10, chapter 222, Laws of 1951 as last amended by section 1, chapter 42, Laws of 1973 1st ex. sess. and RCW 18.85.120; amending section 12, chapter 222, Laws of 1951 as last amended by section 12, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.140; amending section 13, chapter 222, Laws of 1951 as last amended by section 13, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.150; amending section 14, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.155; amending section 21, chapter 222, Laws of 1951 as last amended by section 15, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.161; and adding a new section to chapter 18.85 RCW.

To Committee on Commerce

HOUSE BILL NO. 447, by Representatives Warnke, Greengo and Polk (by Department of Motor Vehicles request):

AN ACT Relating to real estate brokers and salesmen; amending section 19, chapter 252, Laws of 1941 as last amended by section 19, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.230; amending section 3, chapter 74, Laws of 1967 ex. sess. as last amended by section 2, chapter 132, Laws of 1973 1st ex. sess. and RCW 46.70.011; and repealing section 1, chapter 60, Laws of 1973 1st ex. sess. and RCW 18.85.410.

To Committee on Commerce

HOUSE BILL NO. 448, by Representatives Warnke, Greengo and Polk (by Department of Motor Vehicles request):

AN ACT Relating to real estate brokers and salesmen; amending section 19, chapter 252, Laws of 1941 as last amended by section 19, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.230; and adding a new section to chapter 18.85 RCW.

To Committee on Commerce

HOUSE BILL NO. 449, by Representatives Erickson, Salatino, Sherman, Maxie, Pruitt, Nelson (Dick), Williams, Gruger, Lee, Knedlik, Lux and Valle (by Executive request of Governor Ray):

AN ACT Relating to state government; creating the Washington state women's commission; creating a new chapter in Title 43 RCW; and making an appropriation.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 25, by Representatives Pardini, Patterson, Lee and Haley:

Revising state tax structure.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 26, by Representatives Hawkins, Charnley, Haley and Lux:

Establishing a unicameral legislature.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 27, by Representatives Sommers, Conner and Haley (by Executive request of Governor Ray):

Amending the Constitution to authorize the governor to organize and reorganize the executive branch of state government.

To Committee on Constitution

HOUSE CONCURRENT RESOLUTION NO. 13, by Representatives Hanna, Knowles and Winsley:

Proposing a commission on prisoner sentencing and corrections.

To Committee on Institutions

ENGROSSED SUBSTITUTE SENATE BILL NO. 2056, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard and McDermott - by Superintendent of Public Instruction request):

Implementing constitutional amendment permitting school district levies for two-year periods.

To Committee on Revenue

MOTIONS

Mr. King moved that all bills, memorials and resolutions listed on today's agenda be considered first reading under the fourth order of business and be referred to the committees designated with the exception of HOUSE BILL NO. 426, to be referred to Committee on Ecology, and HOUSE JOINT RESOLUTION NO. 27, to be referred to Committee on State Government.

Mr. Newhouse moved that Mr. King's motion be amended and that HOUSE BILL NO. 437 be referred to Committee on Judiciary instead of Committee on State Government.

POINT OF ORDER

Mr. Charette: "I have a motion that would also be an amendment, must I state it as an amendment to Mr. Newhouse's amendment, or shall I wait until his matter has been considered before the vote is put?"

The Speaker: "Does your motion refer to House Bill No. 437?"

Mr. Charette: "It does not, Mr. Speaker."

The Speaker: "You can make your amendment after Representative Newhouse's amendment has been acted upon."

Mr. Newhouse spoke in favor of the motion to amend the King motion, and Representatives King and Ehlers spoke against it.

The motion was not carried.

MOTION

Mr. Charette moved that the motion by Mr. King be amended, and that House Bill No. 443 be indefinitely postponed.

POINT OF ORDER

Mrs. Hurley (Margaret): "Mr. Speaker, I don't believe that this is an acceptable motion at this time."

SPEAKER'S RULING

The Speaker: "The motion to postpone is in order anytime except when the bill is on first reading. Your point of order is well taken, Representative Margaret Hurley. Your motion is out of order, Mr. Charette."

The Speaker stated the question before the House to be the motion by Mr. King.

The motion carried.

MOTION

Mr. Charette moved that House Bill No. 443 be indefinitely postponed.

SPEAKER'S RULING

The Speaker: "Your motion is still out of order; the bill is still on first reading and has not come back to the floor for second reading."

POINT OF PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, you have ruled that the bill is still on first reading, but it was my understanding that the bill had been read in and referred to a committee, and it is now referred to the Committee on Parks and Recreation. The bill is no longer on first reading and is before the Committee on Parks and Recreation. It would seem to me it would be in order to

indefinitely postpone now. It is only for the reason of an orderly process—to eliminate the possibility of having the insurrection and war that will be caused by this bill even being heard that I propose that it be indefinitely postponed."

SPEAKER'S RULING

The Speaker: "The Speaker will rule that House Bill No. 443 has been referred to committee and does not appear on second reading until it has been reported out of committee; therefore that motion is out of order."

REPORTS OF STANDING COMMITTEES

January 25, 1977

HOUSE BILL NO. 1, Prime Sponsor: Representative Conner, authorizing port districts to waive or reduce rent security deposits for nonprofit corporations. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 after "rent." strike "Such security shall be for" and insert "((Such security shall be for)) Evidence of the existence of such insurance, bonds, or security shall be on file with the commission at all times during"

On page 1, following section 1 add a new section as follows:

***NEW SECTION. Sec. 2.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title strike "and" and on line 2 of the title after "RCW 53.08.085" insert "; and declaring an emergency"

Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Bender, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 9, Prime Sponsor: Representative Fischer, establishing sickle cell disease testing and counseling programs in the department of social and health services. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Social and Health Services.

January 25, 1977

HOUSE BILL NO. 18, Prime Sponsor: Representative Sherman, adding municipal gas-works to utilities that can get lien for unpaid bill. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 22, Prime Sponsor: Representative Gaines, making an appropriation for the promotion of tourism. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 1 after "one million" insert "thirty thousand"

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

MINORITY recommendation: Do not pass. Signed by Representatives Greengo, Ranking Minority Member; Shinoda.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 30, Prime Sponsor: Representative Erickson, requiring the recording of notices of water and sewer hook-up charges and requiring contracts for the sale of undeveloped lands to include any restrictions on water or sewer facilities. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Zimmerman.

To Committee on Rules for second reading.

January 26, 1977

HOUSE BILL NO. 57, Prime Sponsor: Representative Valle, modifying the environmental coordination procedures act. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 9, line 22 after "by" insert "and desiring to appeal"
On page 9, line 24 after "amended" strike "may" and insert "shall"

Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Chandler, Douthwaite, Grier, Gruger, Hughes, Hurley (George), Kreidler, Leckenby, Oliver, Tilly.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 69, Prime Sponsor: Representative Nelson (Gary), reporting cost data on boards and commissions. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 25 after "compile, and" strike all material down to and including "year" on line 26 and insert "revise within ninety days after the beginning of each biennium"

On page 2, beginning on line 18 after "preceding" strike "fiscal year" and insert "biennium"

On page 2, line 22 after "total" insert "estimated"

On page 2, line 23 strike "fiscal year" and insert "biennium"

On page 2, line 24 strike "fiscal year" and insert "biennium"

On page 2, line 24 strike "actual" and insert "estimated"

On page 2, line 25 before "cost" insert "estimated"

On page 2, at the beginning of line 31 strike "The" and insert "Not later than ninety days after the beginning of each biennium, the"

On page 2, line 32 strike "annually"

On page 3, beginning on line 6 after "shall" strike all material down to and including "period," on line

7

On page 3, line 21 after "committees." strike the remainder of the section.

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 100, Prime Sponsor: Representative North, requiring under certain conditions reimbursement for cost of a loaner vehicle when owner's is destroyed. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 strike "an" and insert "a third party"

On page 1, lines 9 and 10, strike "unless there is a contractual agreement to the contrary" and insert "in an action against a tort-feasor"

On page 1, line 11 strike "reasonable" and insert "reasonably incurred"

Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Erickson, Keller, Maxie, Monohon, Sanders, Taller.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 123, Prime Sponsor: Representative Charnley, making unlawful the commercial selling of term papers, theses or other work assignments utilized for postsecondary education purposes. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Haley, Moreau, Oliver, Patterson, Thompson.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 139, Prime Sponsor: Representative Polk, deleting obsolete powers of town supervisors. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 141, Prime Sponsor: Representative Flanagan, deleting obsolete requirements for guideposts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 144, Prime Sponsor: Representative Polk, deleting obsolete provisions for county homesite lands. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 172, Prime Sponsor: Representative Monohon, RCW correction – Repeals RCW sections to correct education code. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 173, Prime Sponsor: Representative Monohon, RCW correction – Corrects double amendment to RCW 41.05.020 and 41.06.110. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 174, Prime Sponsor: Representative Monohon, RCW correction – Corrects double amendment to RCW 43.17.010 and 43.17.020. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 175, Prime Sponsor: Representative Monohon, RCW correction – Corrects double amendment to RCW 46.16.210. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 176, Prime Sponsor: Representative Monohon, RCW correction – corrects double amendment to RCW 67.08.003. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 177, Prime Sponsor: Representative Monohon, RCW correction – Corrects double amendment to RCW 70.95.040. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 178, Prime Sponsor: Representative Monohon, RCW correction – Corrects double amendment to RCW 82.04.291. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 180, Prime Sponsor: Representative Hanna, extending long-arm statute for parties in marriage dissolution cases. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 191, Prime Sponsor: Representative Shinpoch, authorizing certain court proceedings in marriage dissolution cases to be expedited. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 209, Prime Sponsor: Representative Nelson (Dick), giving information on delegate selection in the voter's pamphlet. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

January 24, 1977

HOUSE BILL NO. 216, Prime Sponsor: Representative Bauer, allowing expenses for school district superintendent candidates who travel for employment interview. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bender, Boldt, Craswell, Dunlap, Fortson, Fuller, Lee, McKibbin, Schmitten, Valle, Whiteside.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 237, Prime Sponsor: Representative Adams, requiring the establishment of continuing education requirements for psychologists. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, May, Newhouse, Pruitt, Schmitten.

To Committee on Rules for second reading.

January 26, 1977

HOUSE BILL NO. 262, Prime Sponsor: Representative Martinis, allowing a game commission determination of the quantity of wild animals that may be taken. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Enbody, Fuller, Gilleland, Greengo, May, Schmitten, Smith, Vrooman.

To Committee on Rules for second reading.

January 24, 1977

HOUSE BILL NO. 277, Prime Sponsor: Representative Martinis, penalizing the taking of bear and cougar during closed season. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Martinis, Chairman; Clemente, Enbody, Fuller, Gilleland, Greengo, Lysen, May, Schmitten, Shinoda, Smith, Vrooman.

To Committee on Rules for second reading.

January 25, 1977

HOUSE BILL NO. 282, Prime Sponsor: Representative Hawkins, establishing a presidential preference primary. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Grimm, Heck, Hughes.

MINORITY recommendation: Do not pass. Signed by Representatives Fuller, Ranking Minority Member; Barnes, Blair, Hurley (Margaret).

To Committee on Rules for second reading.

MOTIONS

On motion of Mr. King, HOUSE BILL NO. 22 was rereferred to Committee on Appropriations.

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 55, by Representatives Deccio, Boldt, Becker, Kilbury, Amen, Flanagan, Hansen, Erickson and Clayton (by House Committee on Agriculture of the 44th Legislature request):

Revising regulation and support of stream patrolmen.

The bill was read the third time and placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 55, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris,

Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Conner, Owen.

Not voting: Representatives Berentson, Shinoda.

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.

ENGROSSED HOUSE BILL NO. 85, by Representatives Fischer, Pearsall and King:

Including certain law enforcement and court personnel under the public employee collective bargaining laws.

The bill was read the third time and placed on final passage.

Representatives Lux and King spoke in favor of the bill, and Representatives Zimmerman, Newhouse and Bond spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 85, and the bill passed the House by the following vote: Yeas, 63; nays, 33; not voting, 2.

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

Voting nay: Representatives Amen, Barnes, Barr, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Haley, Hansen, Hurley M., May, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitten, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Berentson, Shinoda.

Engrossed House Bill No. 85, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE JOINT MEMORIAL NO. 1, by Representatives Warnke, Paris, Greengo and Gaines:

Requesting the federal government to give the state more administrative freedom under the federal insecticide, fungicide, and rodenticide act.

The memorial was read the third time and placed on final passage.

Representative Kilbury spoke in favor of passage of the memorial, and Representatives Douthwaite, Pardini and Greengo spoke against it.

Mr. Kilbury spoke again in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 1, and the memorial passed the House by the following vote: Yeas, 60; nays, 36; not voting, 2.

Voting yea: Representatives Adams, Becker, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grimm, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Leckenby, Lysen, Maxie, May, McKibbin, Monohon, Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Sanders, Schmitten, Shinpoch, Smith, Sommers, Struthers, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Becker, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Craswell, Douthwaite, Enbody, Gilleland, Greengo, Grier, Gruger, Hawkins, King, Kreidler, Lee, Lux, Martinis, McCormick, Moreau, Nelson D., Owen, Pardini, Pearsall, Polk, Pruitt, Salatino, Sherman, Taller, Thompson, Valle, Williams.

Not voting: Representatives Berentson, Shinoda.

Engrossed House Joint Memorial No. 1, having received the constitutional majority was declared passed.

MOTION

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

SECOND READING

HOUSE BILL NO. 59, by Representatives King, Burns, Bender, Fischer, Charnley, Pearsall, Douthwaite, Knowles, Lux, May, McKibbin, Moreau and Salatino:

Providing for collective bargaining at the state institutions of higher education.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 15th Day, January 24, 1977.)

Mr. Shinpoch moved adoption of the following amendment by Representatives King and Shinpoch:

On page 3, line 10 following "the" insert "college or university"

POINT OF ORDER

Mr. Polk: "If I'm not mistaken weren't we considering my amendment at the time we adjourned the other day?"

The Speaker: "Your point is well taken, Representative Polk."

The House resumed consideration of the Polk amendment to page 6, line 8, striking subsection (2).

POINT OF ORDER

Mr. Shinpoch: "There are on the desk amendments to subsection 2, and I think we should attempt to perfect it before we consider the striking motion."

SPEAKER'S RULING

The Speaker: "The amendment by Representative Polk was under discussion when the House recessed on its last day of business. The amendment perfecting that section was apparently not before the House. If Representative Polk would be willing to withdraw his amendment until the perfecting amendment had been offered?"

POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "If I were to do that, would I be free to place my amendment again, regardless of the outcome of Representative Shinpoch's amendment?"

The Speaker: "That is correct."

With the consent of the House, Mr. Polk withdrew his amendment.

The Clerk read the following amendment by Representatives King and Shinpoch:
On page 3, line 10 following "the" insert "college or university"

POINT OF ORDER

Mr. Pardini: "Mr. Speaker, we're on page 6 and this amendment is on page 3. We've passed that order of business. It's too late for that amendment to be offered."

The Speaker: "Mr. Polk's amendment was on page 6. He's withdrawn that amendment and we decided to go back and work the entire amendment process."

Mr. Pardini: "Mr. Polk withdrew that amendment as a courtesy to Representative Shinpoch, not to open up the entire bill to the amendatory process, Mr. Speaker."

The Speaker: "If the amendment to page 3 had been in on Monday, I'm sure the body would have gotten to it if it had enough time."

Mr. King moved adoption of the amendment and spoke in favor of it.

The amendment was adopted.

Mr. Shinpoch moved adoption of the following amendment:
On page 6, line 12 after "state legislature" strike "for specific purposes"

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

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. King.

Mr. King: "This section of the bill deals with nonappropriated and local funds primarily. By taking the language out that you would take out if your two amendments were adopted, do you intend that the people of the colleges and universities would not be able to bargain for their salaries and their wages as is provided in several other places in the bill?"

Mr. Shinpoch: "To specifically answer your question, no, but I think it requires more explanation than that. I think a portion of that explanation goes back to Representative Douthwaite's comments. There are three portions of the tuition and fees. The tuition, which basically goes to capital, and that is dedicated funds and cannot and should not be used for this kind of purpose. There is a fee, however, that is called the Local General Fund and in the University of Washington where Representative Douthwaite works that is a considerable amount of money, and that is available for whatever you want to use it for, including negotiation for wages. In fact, the majority of it goes for the negotiation for wages. There is another portion that is student fees that is included in the tuition and fees which is purported to primarily go to student activities. It's supposed to be for students. Sometimes we have difficulty determining that. We now have a personal service contract with a community college to run a marketing survey on tennis and volley ball courts that comes out of those kind of fees, so sometimes it's kind of difficult to determine exactly what's education.

"There is a considerable amount of money that is budgeted that is not appropriated by the legislature. You should not be confused about that. Those local funds, those fees, are a considerable amount of dollars on all local higher education levels—those available under this language—for negotiation, and you shouldn't be confused by the statement that there is nothing left to negotiate. That just isn't a correct understanding of the system that we operate under."

Mr. King spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "The two sources you name which can be open for bargaining as I understand you, are local general funds and student fees. Give me an indication of what percent of the budget this actually equals."

Mr. Shinpoch: "I don't have that. Someone else said 18%, but I'm not sure. If I gave this body the impression that student fees are open for negotiation of salaries that was not my intent. I think only the fees—the other fees, other than student fees, which go into the Local General Fund—are available for negotiation for salaries. Out of those three parts of the tuition and fees, one portion is student fees which in my judgment would not be open for negotiation for salaries, and that which is dedicated to capital funding would not be. I can get you the answer to the other and it is a considerable amount, but I don't know what it is."

Mr. Douthwaite: "So in fact the only source of money to be bargained for under subsection 2 as amended if this amendment is adopted, are the local general funds?"

Mr. Shinpoch: "I guess I'm not real sure what you mean by 'bargain for.' Obviously you are going to bargain for the money that is appropriated by the legislature which isn't covered under here because these are moneys that are other than appropriated. You are going to bargain how you're going to use those. Those moneys are obviously going to be bargained for, whether you're going into fringe benefits, whether you're going into salaries and whether you're going into the low paid or the high paid salaries. You're going to bargain for those and in addition to that this paragraph deals with only funds other than those appropriated by the legislature, and that is the local general funds which are budgeted but not appropriated and therefore would not be restricted under this language."

Mr. Douthwaite: "I gather then that in your opinion the local general funds are a sufficient amount which are worthy of the bargaining agreement. My fear, as I said earlier, is that there is nothing much left when you take out the money which is appropriated by the legislature. In fact I'm really worried that the local general funds, I believe, are authorized by the legislature, and I'm still concerned that we might be taking away all the marbles and saying afterwards, 'Now go ahead and collective bargain if you can.' But there is nothing to bargain for."

Mr. Shinpoch: "I guess that's a matter of judgment that there's nothing left to bargain for. I'm sure that the people that want to bargain think there is a considerable amount there to bargain for, otherwise they wouldn't want this bill. Very simply, in the University of Washington I suspect that it probably amounts to somewhere in the neighborhood of \$30 million. If you don't really think you want to bargain for that, then let's just strike the whole thing."

The amendment was adopted.

Mr. Shinpoch moved adoption of the following amendment:

15. On page 6, line 14 after "are used" strike all the material down to and including "state agency" on line

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

Mr. Shinpoch spoke again in favor of the amendment, and it was adopted.

Mr. Polk moved adoption of the following amendment:

On page 6, section 10, line 13 strike "other"

Mr. Polk spoke in favor of the amendment, and Mr. King spoke against it.

The amendment was not adopted.

Mr. Douthwaite moved adoption of the following amendment:

On page 6, line 8, following "(2)" strike all of the following sentence down to and including "agency."

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Douthwaite to House Bill No. 59, and the amendment was not adopted by the following vote: Yeas, 14; nays, 81; not voting, 3.

Voting yea: Representatives Barnes, Becker, Blair, Burns, Chandler, Douthwaite, Gaines, Hurley G. S., Moreau, Nelson D., Pardini, Patterson, Sherman, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Bender, Boldt, Bond, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Berentson, Craswell, Shinoda.

POINT OF PERSONAL PRIVILEGE

Mr. Shinpoch: "I would like to finish answering Representative Douthwaite's question relative to local funds at the University of Washington. I wasn't able to get a breakdown of how much of that came out of student fees and how much came out of other things, but for this biennium for the University of Washington the funds that will be available for negotiation under the manner in which I read this act is \$116.9 million."

POINT OF PERSONAL PRIVILEGE

Mr. Douthwaite: "I work here at the Legislature as do the rest of you and not just for the University of Washington, Mr. Shinpoch; let's get that straight. They've got money at the University of Washington as alleged by Representative Shinpoch. What about the remaining institutions of higher education around the state? I still feel what we've done to this bill is a violation. I object when I'm identified as one coming from the U. of W."

POINT OF ORDER

Mr. Polk: "Mr. Speaker, Representative Douthwaite is now reopening debate on the substance of this bill and is debating the content of it. He's not speaking to any point of personal privilege—just dealing with Representative Douthwaite."

The Speaker: "Your point is well taken. Will you confine your remarks, Representative Douthwaite, to your point of personal privilege?"

Mr. Douthwaite: "Yes. The point is, Mr. Speaker, that I don't represent the University of Washington. There are many other institutions of higher education. I'm not sure whether or

not Mr. Shinpoch is right about this, but let's not forget the rest of the state. I don't like being identified as coming from the University of Washington only."

POINT OF PERSONAL PRIVILEGE

Mr. Shinpoch: "If Representative Douthwaite thought I—apparently he assumed I was needling him or picking on him because he works for the University of Washington. That was the furthest thing from my mind. When I answered your question, I told you I would attempt to find out for the University of Washington. I just simply didn't ask the question for the rest of them. I'll be happy to get that information and relay that. You took it entirely differently than I intended. I was merely answering your question. Now, if I've offended you, I apologize, but it was not my intent. I'm sure you'll know when I intend to do that."

Mr. Bond moved adoption of the following amendment by Representatives Bond and Sanders:

On page 7, following section 11 add a new section as follows:

"NEW SECTION. Sec. 12. A student team to consist of the elected student association officers of any institution of higher education, or their designees, not to exceed three in number, shall be notified of and allowed to be present at all collective bargaining sessions. Rules regarding confidentiality shall apply to such students in the same manner as to the employer and the exclusive bargaining representative. If rules regarding confidentiality are violated by any student the commission shall have the authority to exclude any or all students from any or all further bargaining sessions affecting the negotiations in process when the violation occurred. In no event shall student representatives be allowed to be present during or participate in third party dispute resolution proceedings. Participation, other than observation, by students during bargaining sessions shall be determined by agreement between the employer and exclusive bargaining representative."

Representatives Bond, Nelson (Gary) and Sanders spoke in favor of the amendment, and Representatives Lux and Barnes spoke against it.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Patterson.

Mr. Patterson: "This is a very nice question. Representative Shinpoch, in the discussion on the other part of this question on what of the local funds would be negotiable, you made a statement that the other fees, and you said other student fees, and I think there are many members here who don't quite understand exactly how that fee breakdown works. Obviously the tuition money does go for capital purposes; the operational fee that is collected is another section, but when you come to the student services and activities fees, that is dedicated for those programs that are to be exclusively used in the promotion of the programs of the students. Now as I understand the way you made the reference, that would be the part of the local funds that would negotiated. Am I right? I would like a clarification."

Mr. Shinpoch: "I thought I had cleared that up with Representative Douthwaite. If I left the impression that there are two of those three portions that were negotiable, it was not my intent. Only the student operating fee portion is negotiable. The student activity fee goes into a separate type fund and is not available for negotiation—to my knowledge at least."

Representatives Patterson, Boldt and Newhouse spoke in favor of the amendment, and Representative Fischer spoke against it.

POINT OF INQUIRY

Mr. Bond yielded to question by Mr. Amen.

Mr. Amen: "The sentence that says, 'If rules regarding confidentiality are violated by any student the commission shall have the authority to exclude any or all students. . . .' Are you saying in this that these students that would be appointed and sitting in on this negotiation could not in any manner report back to the other students?"

Mr. Bond: "I'm saying that there are two parties to the agreement—the faculty negotiating team and the administrative team—to establish the rules of confidentiality that they wish to be observed and then the students would have to follow that."

Mr. Amen: "Then the students could report back to the other students those portions that had been agreed upon that could be reported back?"

Mr. Bond: "That's right. The two parties to the agreement could determine that."

Mr. Clemente spoke against the amendment, and Mr. Bond closed debate, speaking again in favor.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bond and Sanders to House Bill No. 59, and the amendment was not adopted by the following vote: Yeas, 40; nays, 57; not voting, 1.

Voting yea: Representatives Amen, Barr, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Douthwaite, Erickson, Flanagan, Fuller, Gilleland, Greengo, Haley, Hanna, Leckenby, Lee, Maxie, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shipoch, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Charette, Clemente, Conner, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representative Shinoda.

House Bill No. 59 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 51, by Representatives King, Charnley, Fischer, Burns and Pruitt:

Defining preschool for purposes of the state unemployment compensation laws.

The bill was read the second time.

On motion of Mr. Lux, 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 and passed to Committee on Rules for third reading.

HOUSE BILL NO. 64, by Representatives Nelson (Gary), Ehlers, Knedlik, Lee, May, Polk, Sanders, Struthers and Taller:

Abolishing inactive or obsolete boards and commissions.

The bill was read the second time.

Mr. Charette moved adoption of the following amendments by Representatives Charette and Gallagher:

On page 3, line 22 after "advisory committee," insert "and"

On page 3, line 23 after "rates" strike ", and the canal commission"

On page 4, lines 20 and 21 strike "and the canal commission"

On page 22, line 24 after "74.32.170;" insert "and"

On page 22, line 26 after "74.32.180" strike the semicolon and insert a period.

On page 22, beginning on line 27 strike all material down to and including line 3 on page 23.

Mr. Charette spoke in favor of the amendments.

POINT OF ORDER

Mr. Pardini: "Mr. Charette's amendment deals with the Canal Commission—and he's on pornography again. Could we bring him back?"

The Speaker: "Your point of order is well taken. You may continue, Representative Charette, but try to contain your remarks to the rationale for not abolishing the Canal Commission."

Mr. Charette continued his remarks in favor of the amendments, and Representatives Ehlers, North and Berentson spoke against them.

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

Mr. Nelson spoke against the amendment, and Mr. Charette closed debate, speaking again in favor.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Charette and Gallagher to House Bill No. 64, and the amendments were not adopted by the following vote: Yeas, 10; nays, 84; not voting, 4.

Voting yea: Representatives Bender, Charette, Conner, Fortson, Gaines, Gallagher, King, O'Brien, Smith, Warnke.

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

Not voting: Representatives Bond, Enbody, Oliver, Shinoda.

House Bill No. 64 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House adjourned until 1:30 p.m., Friday, January 28, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

NINETEENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, January 28, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Flanagan, Leckenby, Lee, Salatino, Shinoda and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Maribeth Caya and Pat Rotter. Prayer was offered by Rabbi Richard Rosenthal of Temple Beth El of Tacoma.

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

MESSAGE FROM THE SENATE

January 26, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2095,
SENATE BILL NO. 2096,
SENATE BILL NO. 2098,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 450, by Representative Kilbury:

AN ACT Relating to regulation of television, radio, and audio service dealers and technicians; adding a new chapter to Title 18 RCW; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 451, by Representatives Kilbury and Lux:

AN ACT Relating to railroad crossings; amending section 47.36.050, chapter 13, Laws of 1961 and RCW 47.36.050; and amending section 81.53.030, chapter 14, Laws of 1961 and RCW 81.53.030.

To Committee on Transportation

HOUSE BILL NO. 452, by Representatives Winsley and Knowles (by Judicial Council request):

AN ACT Relating to motor vehicles; amending section 46.64.050, chapter 12, Laws of 1961 as amended by section 3, chapter 95, Laws of 1975-'76 2nd ex. sess. and RCW 46.64.050; and adding a new chapter to Title 46 RCW.

To Committee on Judiciary

HOUSE BILL NO. 453, by Representatives Smith, Knedlik, Pardini, Greengo, Charnley, Williams, Walk, North, Burns, Sherman, Gruger, Lux, Knowles, May, Bender, Gallagher, Keller, Enbody, Clemente, Heck, Vrooman, Kreidler, Boldt, Adams, Grier, Hurley (Margaret), Hughes, Erickson, Thompson, Sommers, Owen, Grimm, Struthers, Zimmerman, Dunlap, Becker, Shinpoch, Ehlers, Deccio and Sanders:

AN ACT Relating to crimes; adding a new section to chapter 9.55 RCW; defining crimes; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 454, by Representatives Smith, Knowles and Newhouse:

AN ACT Relating to probate; amending section 11.16.083, chapter 145, Laws of 1965 and RCW 11.16.083; amending section 11.20.020, chapter 145, Laws of 1965 as last amended by section 27, chapter 117, Laws of 1974 ex. sess. and RCW 11.20.020; amending section 11.20.090, chapter 145, Laws of 1965 and RCW 11.20.090; amending section 11.28.110, chapter 145, Laws of 1965 as amended by section 29, chapter 117, Laws of 1974 ex. sess. and RCW 11.28.110; amending section 46, chapter 117, Laws of 1974 ex. sess. and RCW 11.28.185; amending section 11.28.237, chapter 145, Laws of 1965 as last amended by section 30, chapter 117, Laws of 1974 ex. sess. and RCW 11.28.237; amending section 32, chapter 117, Laws of 1974 ex. sess. and RCW 11.28.340; amending section 11.40.030, chapter 145, Laws of 1965 as amended by section 35, chapter 117, Laws of 1974 ex. sess. and RCW 11.40.030; amending section 11.52.012, chapter 145, Laws of 1965 as amended by section 8, chapter 117, Laws of 1974 ex. sess. and RCW 11.52.012; amending section 11.52.022, chapter 145, Laws of 1965 as last amended by section 10, chapter 117, Laws of 1974 ex. sess. and RCW 11.52.022; amending section 24, chapter 64, Laws of 1895 as last amended by section 1, chapter 12, Laws of 1971 ex. sess. and RCW 6.12.050; amending section 4, chapter 117, Laws of 1974 ex. sess. and RCW 11.62.010; amending section 5, chapter 117, Laws of 1974 ex. sess. and RCW 11.62.020; amending section 11.64.002, chapter 145, Laws of 1965 and RCW 11.64.002; amending section 11.64.008, chapter 145, Laws of 1965 and RCW 11.64.008; amending section 11.64.016, chapter 145, Laws of 1965 and RCW 11.64.016; amending section 11.64.022, chapter 145, Laws of 1965 and RCW 11.64.022; amending section 11.64.030, chapter 145, Laws of 1965 and RCW 11.64.030; amending section 11.68.010, chapter 145, Laws of 1965 as last amended by section 13, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.010; amending section 11.68.030, chapter 145, Laws of 1965 as amended by section 15, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.030; amending section 11.68.040, chapter 145, Laws of 1965 as amended by section 16, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.040; amending section 17, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.050; amending section 18, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.060; amending section 19, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.070; amending section 20, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.080; amending section 22, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.100; amending section 23, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.110; amending section 53, chapter 117, Laws of 1974 ex. sess. and RCW 11.94.020; amending section 30.20.020, chapter 33, Laws of 1955 as last amended by section 39, chapter 117, Laws of 1974 ex. sess. and RCW 30.20.020; adding a new section to chapter 11.62 RCW; and repealing section 11.76.140, chapter 145, Laws of 1965 and RCW 11.76.140.

To Committee on Judiciary

HOUSE BILL NO. 455, by Representatives Hawkins, King and Haley:

AN ACT Relating to the registration for and reporting of lobbying activities; and amending section 16, chapter 1, Laws of 1973 as amended by section 9, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.160.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 456, by Representative Leckenby:

AN ACT Relating to political campaigns; amending section 2, chapter 1, Laws of 1973 as amended by section 2, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.020; adding a new section to chapter 42.17 RCW; and prescribing penalties.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 457, by Representatives Lysen, Lux and Burns:

AN ACT Relating to petroleum transfer; amending section 4, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.390; adding new sections to Title 90 RCW; and declaring an emergency.

To Committee on Ecology

HOUSE BILL NO. 458, by Representatives Smith, Hanna, Newhouse, Leckenby, Knedlik and Deccio:

AN ACT Relating to justice courts; and amending section 111, chapter 299, Laws of 1961 as amended by section 2, chapter 10, Laws of 1973 1st ex. sess. and RCW 3.62.070.

To Committee on Local Government

HOUSE BILL NO. 459, by Representatives Conner, Pearsall, Kilbury, Thompson, Moreau, Nelson (Dick) and Lux:

AN ACT Relating to industrial insurance; and amending section 51.28.040, chapter 23, Laws of 1961 and RCW 51.28.040.

To Committee on Labor

HOUSE BILL NO. 460, by Representatives Valle, Gruger, Paris, Burns, Douthwaite, Hawkins, Conner, Thompson, Pruitt, Clayton, Fischer, Lux, Sommers, Grimm, Nelson (Dick) and Blair:

AN ACT Relating to smoking; adding a new section to chapter 49.17 RCW; adding a new chapter to Title 70 RCW to be designated chapter 70.56 RCW; and providing penalties.

To Committee on Ecology

HOUSE BILL NO. 461, by Representative Kilbury:

AN ACT Relating to railroads; adding a new section to chapter 81.44 RCW; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 462, by Representative Hanna:

AN ACT Relating to crime and punishment; amending section 387, chapter 249, Laws of 1909 and RCW 9.24.020; amending section 1, chapter 111, Laws of 1893 as amended by section 388, chapter 249, Laws of 1909 and RCW 9.24.030; amending section 390, chapter 249, Laws of 1909 and RCW 9.24.050; amending section 9A.60.020, chapter 260, Laws of 1975 1st ex. sess. as amended by section 13, chapter 38, Laws of 1975-76 2nd ex. sess. and RCW 9A.60.020; amending section 9A.60.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 14, chapter 38, Laws of 1975-76 2nd ex. sess. and RCW 9A.60.030; amending section 9A.68.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.010; amending section 9A.68.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.020; amending section 9A.68.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.030; amending section 9A.68.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.040; amending section 9A.68.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.050; amending section 40, chapter 282, Laws of 1959 as amended by section 5, chapter 17, Laws of 1965 and RCW 21.20.400; amending section 30.04.160, chapter 33, Laws of 1955 and RCW 30.04.160; amending section 30.12.090, chapter 33, Laws of 1955 and RCW 30.12.090; amending section 30.12.100, chapter 33, Laws of 1955 and RCW 30.12.100; amending section 30.12.110, chapter 33, Laws of 1955 and RCW 30.12.110; amending section 30.12.120, chapter 33, Laws of 1955 and RCW 30.12.120; amending section 29, chapter 53, Laws of 1973 1st ex. sess. and RCW 30.42.290; amending section 30.44.110, chapter 33, Laws of 1955 and RCW 30.44.110; amending section 30.44.120, chapter 33, Laws of 1955 and RCW 30.44.120; amending section 19, chapter 172, Laws of 1923 and RCW 31.04.220; amending section 28, chapter 173, Laws of 1933 as amended by section 21, chapter 131, Laws of 1943 and RCW 31.12.340; amending section 32.04.100, chapter 13, Laws of 1955 and RCW 32.04.100; amending section 32.04.110, chapter 13, Laws of 1955 and RCW 32.04.110; amending section 32.24.080, chapter 13, Laws of 1955 and RCW 32.24.080; amending section 89, chapter 235, Laws of 1945 and RCW 33.36.030; amending section 90, chapter 235, Laws of 1945 and RCW 33.36.040; amending section 91, chapter 235, Laws of 1945 and RCW 33.36.060; amending section 96, chapter 249, Laws of 1909 and RCW 40.16.020; amending section 97, chapter 249, Laws of 1909 and RCW 40.16.030; amending section 317, chapter 249, Laws of 1909 and RCW 42.20.070; amending section 319, chapter 249, Laws of 1909 and RCW 42.20.090; amending section 43.08.140, chapter 8, Laws of 1965 and RCW 43.08.140; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 463, by Representative Kilbury:

AN ACT Relating to school districts; amending section 2, chapter 10, Laws of 1970 ex. sess. as amended by section 7, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.180; amending section 29.21.210, chapter 9, Laws of 1965 as last amended by section 8, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.210; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW.

To Committee on Education

HOUSE BILL NO. 464, by Representatives Thompson, Newhouse, Eng, King and Berentson (by State Treasurer request):

AN ACT Relating to local government investment pools; adding a new chapter to Title 39 RCW; and making an appropriation.

To Committee on Local Government

HOUSE BILL NO. 465, by Representatives Lux, Burns and Gilleland:

AN ACT Relating to local improvement assessments; amending section 35.44.070, chapter 7, Laws of 1965 and RCW 35.44.070; and amending section 35.44.080, chapter 7, Laws of 1965 and RCW 35.44.080.

To Committee on Local Government

HOUSE BILL NO. 466, by Representatives Lux and Zimmerman:

AN ACT Relating to criminal trespass; amending section 9A.52.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.080; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 467, by Representatives Lux, Eng and Burns:

AN ACT Relating to safety glazing material; repealing section 1, chapter 2, Laws of 1973 1st ex. sess. and RCW 70.89.005; repealing section 1, chapter 128, Laws of 1963, section 2, chapter 2, Laws of 1973 1st ex. sess. and RCW 70.89.010; repealing section 3, chapter 2, Laws of 1973 1st ex. sess. and RCW 70.89.021; repealing section 4, chapter 2, Laws of 1973 1st ex. sess. and RCW 70.89.031; repealing section 4, chapter 128, Laws of 1963, section 8, chapter 2, Laws of 1973 1st ex. sess. and RCW 70.89.040; repealing sections 5 through 7, chapter 2, Laws of 1973 1st ex. sess. and RCW 70.89.050 through 70.89.070; repealing section 5, chapter 128, Laws of 1963 and RCW 70.89.900; and repealing section 10, chapter 2, Laws of 1973 1st ex. sess. and RCW 70.89.910.

To Committee on Labor

HOUSE BILL NO. 468, by Representatives Eng, Burns, Maxie and Vrooman:

AN ACT Relating to state sales and use taxes; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; prescribing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 469, by Representatives Williams, Gilleland and Maxie:

AN ACT Relating to local government; adding new sections to chapter 35.21 RCW; adding new sections to chapter 36.01 RCW; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 470, by Representatives Clemente, Barnes, Ehlers and Heck (by Superintendent of Public Instruction request):

AN ACT Relating to public school personnel in-service training; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.71 RCW.

To Committee on Education

HOUSE BILL NO. 471, by Representatives Sommers and Taller:

AN ACT Relating to state government; and amending section 7, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.755.

To Committee on Revenue

HOUSE BILL NO. 472, by Representatives Erickson, Moreau, Vrooman, Becker, Hughes, Grier, Pardini, Knowles, McCormick, Deccio, Berentson, Chandler, Bond and May:

AN ACT Relating to higher education; amending section 2, chapter 194, Laws of 1937 and RCW 17.08.020; amending section 6, chapter 152, Laws of 1919 and RCW 17.12.060; amending section 2, chapter 156, Laws of 1947 and RCW 17.24.110; amending section 2, chapter 216, Laws of 1941 and RCW 27.44.020; amending section 28B.10.015, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.015; amending section 28B.10.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.020; amending section 4, chapter 176, Laws of 1974 ex. sess. and RCW 28B.10.025; amending section 28B.10.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.050; amending section 28B.10.140, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.140; amending section 28B.10.280, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 15, Laws of 1970 ex. sess. and RCW 28B.10.280; amending section 10, chapter 269, Laws of 1969 ex. sess. and RCW 28B.10.290; amending section 28B.10.300, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.10.300; amending section 1, chapter 258, Laws of 1971 ex. sess. and RCW 28B.10.350; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 212, Laws of 1975 1st ex. sess. and RCW 28B.10.400; amending section 28B.10.405, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.405; amending section 28B.10.410, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.410; amending section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.415; amending section 5, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.417; amending section 28B.10.420, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.420; amending section 28B.10.500, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.500; amending section 28B.10.525, chapter 223, Laws of 1969 ex. sess. as amended by section 72, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW

28B.10.525; amending section 28B.10.550, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.550; amending section 28B.10.560, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.560; amending section 28B.10.600, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.600; amending section 28B.10.605, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.605; amending section 28B.10.640, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.640; amending section 28B.10.650, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.650; amending section 28B.10.700, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.700; amending section 2, chapter 28, Laws of 1971 ex. sess. and RCW 28B.10.703; amending section 1, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.005; amending section 28B.15.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.020; amending and reenacting section 3, chapter 279, Laws of 1971 ex. sess. as amended by section 1, chapter 46, Laws of 1973 1st ex. sess. and section 2, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.15.041; amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.380; amending section 28B.15.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400; amending section 11, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.530; amending section 28B.15.600, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.15.600; amending section 2, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.020; amending section 2, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.020; amending section 4, chapter 277, Laws of 1969 ex. sess. as amended by section 4, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.040; amending section 28B.40.010, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.010; amending section 28B.40.100, chapter 223, Laws of 1969 ex. sess. as amended by section 11, chapter 62, Laws of 1973 and RCW 28B.40.100; amending section 28B.40.105, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.105; amending section 28B.40.110, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.110; amending section 28B.40.115, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.115; amending section 28B.40.120, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.120; amending section 28B.40.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.130; amending section 28, chapter 15, Laws of 1970 ex. sess. and RCW 28B.40.190; amending section 28B.40.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.200; amending section 7, chapter 66, Laws of 1970 ex. sess. and RCW 39.90.060; amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 33, Laws of 1973 and RCW 40.04.040; amending section 5, chapter 150, Laws of 1941 as amended by section 2, chapter 33, Laws of 1973 and RCW 40.04.090; amending section 4, chapter 233, Laws of 1963 and RCW 40.06.040; amending section 5, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.515; amending section 6, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.516; amending section 7, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.517; amending section 9, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.519; amending section 10, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.520; amending section 11, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.521; amending section 1, chapter 142, Laws of 1965 ex. sess. as amended by section 3, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.010; amending section 43.79.150, chapter 8, Laws of 1965 and RCW 43.79.150; amending section 43.79.180, chapter 8, Laws of 1965 and RCW 43.79.180; amending section 43.79.304, chapter 8, Laws of 1965 and RCW 43.79.304; amending section 43.79.314, chapter 8, Laws of 1965 and RCW 43.79.314; amending section 43.79.324, chapter 8, Laws of 1965 and RCW 43.79.324; amending section 1, chapter 248, Laws of 1969 ex. sess. as amended by section 9, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.195; amending section 43.92.050, chapter 8, Laws of 1965 and RCW 43.92.050; amending section 3, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.030; amending section 69.32.030, chapter 27, Laws of 1959 and RCW 69.32.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; amending section 5, chapter 51, Laws of 1923 and RCW 87.25.050; adding a new section to chapter 28B.10 RCW; and adding a new section to chapter 28B.40 RCW.

To Committee on Higher Education

HOUSE BILL NO. 473, by Representatives Fortson, Charette, Hansen, North, Walk, Fancher, Grimm, Hurley (George), Barr and Sanders:

AN ACT Relating to inheritance taxes; and amending section 19, chapter 292, Laws of 1961 and RCW 83.40.010.

To Committee on Revenue

HOUSE BILL NO. 474, by Representatives Lux, Charnley and Berentson:

AN ACT Relating to public works; and amending section 1, chapter 166, Laws of 1921 as last amended by section 1, chapter 104, Laws of 1975 1st ex. sess. and RCW 60.28.010.

To Committee on Commerce

HOUSE BILL NO. 475, by Representatives Lux, Thompson, Lee, Adams, Bender, Vrooman, Eng, North and Douthwaite:

AN ACT Relating to local improvement districts; creating a new section; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 476, by Representatives Charette, Smith and Knowles:

AN ACT Relating to adoption; amending section 9, chapter 291, Laws of 1955 as amended by section 1, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.090; and amending section 5, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.230.

To Committee on Judiciary

HOUSE BILL NO. 477, by Representatives Heck, Zimmerman, Gaines, Clemente, Warnke, Valle, Whiteside and Grimm:

AN ACT Relating to education; and adding a new section chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW.

To Committee on Education

HOUSE BILL NO. 478, by Representatives Knowles, Knedlik, Monohon, Enbody, Charette and Smith:

AN ACT Relating to the court of appeals; amending section 2, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.020; amending section 1, chapter 114, Laws of 1973 and RCW 2.06.150; and adding a new section to chapter 2.06 RCW.

To Committee on Judiciary

HOUSE BILL NO. 479, by Representatives Lux, Blair, Burns, Knedlik, Nelson (Dick), Hawkins, Becker, Sherman, Gruger, Pruitt, Kreidler, Lee, Fischer and Vrooman:

AN ACT Relating to taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; and amending section 82.12-.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030.

To Committee on Revenue

HOUSE BILL NO. 480, by Representatives Clemente, Zimmerman, Eng, Taller, Lux, Boldt and Valle (by Superintendent of Public Instruction request):

AN ACT Relating to education; providing for bilingual instruction in the common schools; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; making an appropriation; and making effective dates.

To Committee on Education

HOUSE BILL NO. 481, by Representatives Lux, Eng, Pruitt, Douthwaite, Maxie, Salatino, Nelson (Dick), Burns and Hanna:

AN ACT Relating to school holidays; and amending section 13, chapter 283, Laws of 1969 ex. sess. as last amended by section 2, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 28A.02.061.

To Committee on Education

HOUSE BILL NO. 482, by Representatives Gaines, Martinis, Warnke, Gilleland, Boldt and Gallagher:

AN ACT Relating to gambling; and amending section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.030.

To Committee on Commerce

HOUSE BILL NO. 483, by Representatives Moreau, Vrooman, Becker, Chandler and Grimm:

AN ACT Relating to certain institutions of higher education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

To Committee on Higher Education

HOUSE BILL NO. 484, by Representatives Sommers, Flanagan and Sherman:

AN ACT Relating to food; and amending section 1, chapter 39, Laws of 1975 and RCW 69.04.930.

To Committee on Commerce

HOUSE BILL NO. 485, by Representatives Oliver, Boldt, Sanders, Newhouse, Clayton, Struthers, Kilbury and Deccio:

AN ACT Relating to public disclosure; and amending section 31, chapter 1, Laws of 1973 as last amended by section 5, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.310.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 486, by Representatives Moreau, Martinis, Vrooman, Becker, Charnley, Fischer, Grier, Lysen, Eng, Lux and Burns:

AN ACT Relating to gas, electrical, and water companies; adding a new section to chapter 80.28 RCW; creating a new section; providing penalties; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 487, by Representatives Moreau and Becker:

AN ACT Relating to state colleges; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

To Committee on Higher Education

HOUSE BILL NO. 488, by Representatives Hansen, McCormick, Gaines and Fortson:

AN ACT Relating to the aeronautics commission; amending section 1, chapter 165, Laws of 1947 and RCW 14.04.020; amending section 2, chapter 263, Laws of 1961 and RCW 14.04.340; amending section 3, chapter 263, Laws of 1961 and RCW 14.04.350; adding a new section to chapter 14.04 RCW; repealing section 4, chapter 263, Laws of 1961 and RCW 14.04.360; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 489, by Representatives Charette, Thompson, Pardini, Becker, Paris, Zimmerman, Salatino and Knowles:

AN ACT Relating to education; amending section 5, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.455; amending section 28A.58.460, chapter 223, Laws of 1969 ex. sess. as amended by section 14, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.460; amending section 28A.58.480, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.480; amending section 28A.58.490, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.490; amending section 18, chapter 34, Laws of 1969 ex. sess. as last amended by section 8, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.515; amending section 22, chapter 34, Laws of 1969 ex. sess. as last amended by section 3, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.065; amending section 16, chapter 15, Laws of 1970 ex. sess. as last amended by section 4, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.070; amending section 1, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.072; and creating a new section.

To Committee on Education

HOUSE BILL NO. 490, by Representatives Erickson, Pearsall, Grier and Fischer:

AN ACT Relating to public employment; adding new sections to chapter 41.26 RCW; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 491, by Representatives Douthwaite, Haley, Sommers and Knedlik:

AN ACT Relating to insurance; amending section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; and amending section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440.

To Committee on Insurance

HOUSE BILL NO. 492, by Representative Hawkins:

AN ACT Relating to elections; amending section 29.21.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.010; amending section 3, chapter 1, Laws of 1931 and RCW 54.08.010; and amending section 4, chapter 1, Laws of 1931 as last amended by section 1, chapter 106, Laws of 1969 and RCW 54.12.010.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 493, by Representatives Valle, Lux, Nelson (Dick), Williams, Charnley, Pruitt, Maxie and Fischer:

AN ACT Relating to labor; amending section 1, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.005; amending section 43.22.280, chapter 8, Laws of 1965 as last amended by section 4, chapter 16, Laws of 1973 2nd ex. sess. and RCW 43.22.280; amending section 8, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.105; amending section 17, chapter 174, Laws of 1913 as amended by section 16, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.170; adding new sections to chapter 49.12 RCW; repealing section 17, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.185; and prescribing penalties.

To Committee on Labor

HOUSE BILL NO. 494, by Representatives Lux, Nelson (Dick), Williams, Charnley, Gallagher, Maxie and Fischer:

AN ACT Relating to industrial welfare; amending section 15, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.121; amending section 3, chapter 51, Laws of 1973 and RCW 49.12.123; amending section 2, chapter 294, Laws of 1959 as last amended by section 2, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.020; and adding a new section to chapter 49.12 RCW.

To Committee on Labor

HOUSE BILL NO. 495, by Representative Lux (by Department of Employment Security request):

AN ACT Relating to unemployment compensation; amending section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030; and amending section 10, chapter 35, Laws of 1945 as amended by section 2, chapter 215, Laws of 1947 and RCW 50.04.090.

To Committee on Labor

HOUSE BILL NO. 496, by Representative Lux (by Department of Employment Security request):

AN ACT Relating to unemployment compensation; and amending section 60, chapter 35, Laws of 1945 as last amended by section 4, chapter 73, Laws of 1973 and RCW 50.16.010.

To Committee on Labor

HOUSE BILL NO. 497, by Representative Lux (by Department of Employment Security request):

AN ACT Relating to employment security records; adding a new chapter to Title 50 RCW to be designated as chapter 50.13 RCW; repealing section 50, chapter 35, Laws of 1945, section 3, chapter 215, Laws of 1951, section 1, chapter 255, Laws of 1971 ex. sess. and RCW 50.12.110; and prescribing penalties.

To Committee on Labor

HOUSE BILL NO. 498, by Representatives Valle, Lux, Nelson (Dick), Williams, King, Charnley, Pruitt, Gallagher, Maxie and Fischer:

AN ACT Relating to hours of labor; and adding a new section to chapter 49.12 RCW.

To Committee on Labor

HOUSE BILL NO. 499, by Representatives Lux, Pruitt and Fischer (by Department of Labor and Industries request):

AN ACT Relating to the registration of contractors; and amending section 6, chapter 77, Laws of 1963 and RCW 18.27.060.

To Committee on Labor

HOUSE BILL NO. 500, by Representatives Sommers and Knedlik (by Department of Revenue request):

AN ACT Relating to revenue and taxation; amending section 82.04.480, chapter 15, Laws of 1961 as amended by section 44, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.480; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.08.040, chapter 15, Laws of 1961 as amended by section 46, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.040; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; amending section 2, chapter 296, Laws of 1971 ex. sess. as amended by section 6, chapter 270, Laws of 1975 1st ex. sess. and RCW 82.14.045; amending section 82.32.340, chapter 15, Laws of 1961 as last amended by section 4, chapter 89, Laws of 1967 ex. sess. and RCW 82.32.340; amending section 1, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.010; amending section 3, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.030; amending section 10, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.100; repealing section 82.04.420, chapter 15, Laws of 1961 and RCW 82.04.420; repealing section 5, chapter 89, Laws of 1967 ex. sess. and RCW 82.12.035; and repealing section 82.32.040, chapter 15, Laws of 1961, section 15, chapter 299, Laws of 1971 ex. sess. and RCW 82.32.040.

To Committee on Revenue

HOUSE BILL NO. 501, by Representatives Sommers and Knedlik (by Department of Revenue request):

AN ACT Relating to sales and use taxes; amending section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050; amending section

82.12.040, chapter 15, Laws of 1961 as last amended by section 11, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.040; and providing penalties.

To Committee on Revenue

HOUSE BILL NO. 502, by Representative Sommers (by Department of Revenue request):

AN ACT Relating to appeals to and from the board of tax appeals; amending section 42, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.130; amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140; and amending section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180.

To Committee on Revenue

HOUSE BILL NO. 503, by Representatives Sommers and Knedlik (by Department of Revenue request):

AN ACT Relating to excise taxes; providing for the collection of use taxes on aircraft; adding a new section to chapter 15, Laws of 1961 and to chapter 82.12 RCW; defining a crime; and prescribing a penalty.

To Committee on Revenue

HOUSE BILL NO. 504, by Representatives Lux, Fischer and Pruitt (by Department of Labor and Industries request):

AN ACT Relating to the department of labor and industries; authorizing the department of labor and industries to insure employers of this state against their liability for compensation and benefits for injuries or death under the federal longshoremen's and harbor workers' compensation act; amending section 43.22.030, chapter 8, Laws of 1965 and RCW 43.22.030; adding a new chapter to Title 51 RCW; making an appropriation; and declaring an emergency.

To Committee on Labor

HOUSE JOINT RESOLUTION NO. 28, by Representatives Kilbury and Hughes:

Amending the Constitution to provide four-year terms for state representatives and six-year terms for state senators.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 29, by Representatives Nelson (Dick) and Erickson:

Giving each state representative an individual district.

To Committee on State Government

HOUSE CONCURRENT RESOLUTION NO. 14, by Representatives Haley, Sanders, Berentson, Fuller, Barnes and Greengo:

Resolving that the legislature define basic education and provide a method of funding.

To Committee on Education

ENGROSSED SENATE BILL NO. 2095, by Senators Rasmussen, Newschwander and Bausch (by State Treasurer request):

Revising state treasurer's procedures for issuing receipts.

To Committee on State Government

SENATE BILL NO. 2096, by Senators Rasmussen and Newschwander (by State Treasurer request):

Establishing a deposit interest account in the state general fund and eliminating certain deposit interest payments occasioned by interfund loans.

To Committee on State Government

SENATE BILL NO. 2098, by Senators Rasmussen, Newschwander and Bausch (by State Treasurer request):

Making the judges' retirement fund a part of the state treasury.

To Committee on Appropriations

MOTION

Mr. King moved that all bills, memorials and resolutions listed on today's agenda be considered first reading under the fourth order of business and referred to the committees designated with the exception of HOUSE BILL NO. 457, which should be referred to Committee on Energy and Utilities.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Newhouse.

Mr. Newhouse: "With reference to House Bill No. 457, which imposes a tax, is it your plan that at some stage during the year that bill would be referred to the Revenue Committee?"

Mr. King: "I think it has been our policy to do so in the past."

The motion was carried.

REPORTS OF STANDING COMMITTEES

January 27, 1977

HOUSE BILL NO. 47, Prime Sponsor: Representative Heck, allowing persons to register and vote by absentee ballot during the thirty days immediately preceding an election. Reported by Committee on Elections and Governmental Ethics.

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

To Committee on Rules for second reading.

January 27, 1977

HOUSE BILL NO. 68, Prime Sponsor: Representative Ehlers, expanding the cemetery board and providing for its abolition in 1979. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

January 27, 1977

HOUSE BILL NO. 95, Prime Sponsor: Representative Sherman, redefining "roadway" and permitting only certain stops therein. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Dunlap, Gaines, Gallagher, Grier, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

January 28, 1977

HOUSE BILL NO. 100, Prime Sponsor: Representative North, requiring under certain conditions, reimbursement for cost of a loaner vehicle when owner's is destroyed. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Insurance.

January 27, 1977

HOUSE BILL NO. 106, Prime Sponsor: Representative Conner, deleting the requirement of farmer signature for vehicle farm license applications and permits the movement of parade floats with letters of authority. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Dunlap, Gaines, Gallagher, Grier, Paris, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

January 27, 1977

HOUSE BILL NO. 109, Prime Sponsor: Representative Conner, repealing a provision of the financial responsibility law declared unconstitutional by the U. S. Supreme Court. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Dunlap, Gaines, Gallagher, Grier, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

January 27, 1977

HOUSE BILL NO. 111, Prime Sponsor: Representative Conner, eliminating automatic expiration of motor vehicle excise tax refund permits and necessity for keeping permanent records and permitting departmental discretion in collection of minor interest charges. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Dunlap, Gaines, Gallagher, Grier, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

January 27, 1977

HOUSE BILL NO. 122, Prime Sponsor: Representative Conner, increasing county participation in reviews of ferry tariffs and charges. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Dunlap, Gaines, Gallagher, Grier, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

January 27, 1977

HOUSE BILL NO. 217, Prime Sponsor: Representative Charnley, increasing insurance coverage required for auto transportation companies to obtain certificate of operation. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Erickson, Maxie, Monohon, Sanders, Taller.

To Committee on Rules for second reading.

January 27, 1977

HOUSE BILL NO. 227, Prime Sponsor: Representative Hawkins, establishing postcard voter registration. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Blair, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

January 28, 1977

HOUSE BILL NO. 274, Prime Sponsor: Representative Martinis, requiring knowledge of trapping techniques for a trapping license in certain cases. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 14 strike "may" and insert "shall"

Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Enbody, Fuller, Gilleland, Greengo, May, Schmitten, Smith.

To Committee on Rules for second reading.

January 27, 1977

HOUSE BILL NO. 385, Prime Sponsor: Representative Douthwaite, permitting life insurance purchaser to cancel without charge within ten days. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 14 after "office" strike "through the agent from whom" and insert "or to the agent through whom"

On page 1, following line 16 add a new paragraph as follows:

"This section shall not apply to individual life insurance policies issued in connection with a credit transaction or issued under a contractual policy change or conversion privilege provision contained in a policy."

Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Knedlik, Maxie, Monohon, Sanders, Taller.

To Committee on Rules for second reading.

January 27, 1977

HOUSE CONCURRENT RESOLUTION NO. 4, Prime Sponsor: Representative Sherman, directing that the next state ferry be named the "Issaquah". Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Dunlap, Gaines, Gallagher, Grier, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

January 27, 1977

ENGROSSED SENATE BILL NO. 2088, Prime Sponsor: Senator Henry, making supplemental appropriations for highways. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2 of both the printed and engrossed bills, following section 3 add a new section to read as follows:

*Sec. 4. Section 3, chapter 279, Laws of 1975 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated to the Washington toll bridge authority for the biennium ending June 30, 1977, from the Puget Sound reserve account in the motor vehicle fund \$4,031,801 or so much thereof as may be necessary to carry out the provisions of RCW 47.60.420, and from the Puget Sound capital construction account in the motor vehicle fund \$12,122,737 or so much thereof as may be necessary to design and construct new, or modify existing ferry vessels and terminals including \$260,000 to pay a judgment entered against the state in King County cause no. 781791, incident to the construction of the ferries Walla Walla and Spokane, and to plan and improve transportation facilities for the crossing of Puget Sound and any of its tributary waters, and from the Puget Sound ferry operations account in the motor vehicle fund \$11,155,989 or so much thereof as may be necessary for the operation and maintenance of the ferry system to supplement tolls: PROVIDED, That if SSB 2159 is not enacted into law during the 1975 1st extraordinary session and signed by the governor the appropriation from the Puget Sound ferry operations account shall be \$3,352,829, or so much thereof as may be necessary, for operation and maintenance of the ferry system to supplement tolls, and from the motor vehicle fund \$7,803,160 or so much thereof as may be necessary to supplement the appropriation from the Puget Sound ferry operations account contained in this section: PROVIDED FURTHER, That if chapter . . . (SSB 2159), Laws of 1975 1st ex. sess. is enacted into law during the 1975 1st extraordinary session and signed by the governor no funds appropriated in this section from the motor vehicle fund to supplement the appropriation from the Puget Sound ferry operations account shall be available for expenditure."

Renumber the remaining section consecutively.

On page 1, line 2 of the title of both the printed and engrossed bills, after "(uncodified);" insert "amending section 3, chapter 279, Laws of 1975 1st ex. sess. (uncodified);"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Gaines, Gallagher, Grier, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 64, by Representatives Nelson (Gary), Ehlers, Knedlik, Lee, May, Polk, Sanders, Struthers and Taller:

Abolishing inactive or obsolete boards and commissions.

The bill was read the third time and placed on final passage.

Mr. Nelson (Gary) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 64, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting, 7.

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

Voting nay: Representatives Charette, O'Brien, Warnke.

Not voting: Representatives Flanagan, Leckenby, Lee, Salatino, Shinoda, Wilson, Winsley.

House Bill No. 64, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 59, by Representatives King, Burns, Bender, Fischer, Charnley, Pearsall, Douthwaite, Knowles, Lux, May, McKibbin, Moreau and Salatino:

Providing for collective bargaining at the state institutions of higher education.

The bill was read the third time and placed on final passage.

Mr. King spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "Representative King, you indicated in your comments that this would give bargaining rights to higher education. It is my understanding that the Public Employee Relations Commission at the present time has before them a petition for a declaratory ruling. That petition for declaratory ruling is coming from the AFL/CIO Local No. 1823 saying that in their opinion the higher education faculty at Eastern Washington State College is already covered under 41.56, the Public Employees' Collective Bargaining Act. Would passage of this bill moot the petition for declaratory ruling?"

Mr. King: "I'm not an expert in law, but I believe that if it were to pass the question would be moot because they would clearly be granted the rights to bargain collectively under a different provision of law. They wouldn't need to have that decision made."

Mr. Pardini: "In your investigation of the subject as the prime sponsor of this bill, and perhaps as chairman of the Labor Committee, are we well-advised to pass this particular bill while this petition for declaratory ruling is pending before the Public Employee Labor Relations Commission?"

Mr. King: "I would say so, yes. The Boards of Regents have been advised by their attorneys that current law does not allow them to enter into collective bargaining agreements and until such time as that is changed there will be no collective bargaining. If this bill is passed it will allow collective bargaining and the petitioners goals would have been achieved."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 59, and the bill passed the House by the following vote: Yeas, 77; nays, 13; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson,

Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Sanders, Schmitt, Sherman, Shipoch, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Berentson, Bond, Craswell, Dunlap, Fancher, Gilleland, Haley, Hurley M., Polk, Struthers, Tilly, Winsley.

Not voting: Representatives Clayton, Flanagan, Leckenby, Lee, Salatino, Shinoda, Smith, Wilson.

Engrossed House Bill No. 59, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 51, by Committee on Labor (Originally sponsored by Representatives King, Charnley, Fischer, Burns and Pruitt):

Defining preschool for purposes of the state unemployment compensation laws.

The bill was read the third time and placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 51, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Flanagan, Leckenby, Lee, Salatino, Shinoda, Wilson.

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.

MOTION

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

SECOND READING

HOUSE BILL NO. 91, by Representatives Erickson, Gallagher, Ehlers, Greengo, Grimm, Hughes, Salatino and Walk:

Excluding any church building or portion thereof maintained by a religious order an an exclusive residence for either clerics or nuns from the definition of nursing home.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, Twelfth Day, January 21, 1977.)

On motion of Mr. Adams, the committee amendment was adopted.

House Bill No. 91 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 104, by Representatives King, Berentson, Conner, Erickson, Fortson, Grier, Hansen, Knedlik, Kreidler, Moreau, North, Owen, Pearsall, Sherman, Shipoch, Struthers, Vrooman and Walk:

Exempting volunteer firemen from the state minimum wage act.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, Twelfth Day, January 21, 1977.)

On motion of Mr. Lux, the committee amendments were adopted.

House Bill No. 104 was ordered engrossed and passed to committee on rules for third reading.

HOUSE CONCURRENT RESOLUTION NO. 2, by Representatives Martinis, Moreau, Greengo, Gaines and Smith:

Petitioning for the formation of a tri-state legislative fisheries committee for Idaho, Oregon and Washington.

The resolution was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 15th Day, January 24, 1977.)

On motion of Mr. Martinis, the committee amendments were adopted.

Mr. Chandler moved adoption of the following amendments:

On page 1, line 10 after "Committees" insert "and a representative from the executive branch selected by the Governor"

On page 1, line 12 after "Committee" insert "and their gubernatorial designees"

Representatives Chandler and Zimmerman spoke in favor of the amendments, and Mr. Martinis spoke against them.

The amendments were not adopted.

House Concurrent Resolution No. 2 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 172, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

RCW correction - Repeals RCW sections to correct education code.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Bill No. 172 was placed on final passage.

Representative Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 172, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Bender, Flanagan, Leckenby, Lee, Moreau, Salatino, Shinoda, Wilson.

House Bill No. 172, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 173, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

RCW correction - Corrects double amendment to RCW 41.05.020 and 41.06.110.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Bill No. 173 was placed on final passage.

Representative Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 173, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Flanagan, Leckenby, Lee, Pruitt, Salatino, Shinoda, Wilson.

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.

HOUSE BILL NO. 174, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

RCW correction - Corrects double amendment to RCW 43.17.010 and 43.17.020.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 174 was placed on final passage.

Representative Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 174, and the bill passed the House by the following vote: Yeas, 82; nays, 2; not voting, 14.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmittens, Sherman, Shipnosh, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Berentson, Bond.

Not voting: Representatives Clayton, Craswell, Flanagan, Hawkins, Hurley G. S., Knedlik, Leckenby, Lee, Lux, Salatino, Shinoda, Vrooman, Wilson, and Mr. Speaker.

House Bill No. 174, having received the 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. 175, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

RCW correction - Corrects double amendment to RCW 46.16.210.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 175 was placed on final passage.

Representative Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 175, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

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

Not voting: Representatives Barr, Berentson, Flanagan, Leckenby, Lee, Lysen, Monohon, Salatino, Shinoda, Struthers, Wilson.

House Bill No. 175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 176, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

RCW correction – Corrects double amendment to RCW 67.08.003.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 176 was placed on final passage.

Representative Monohon 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, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Flanagan, Leckenby, Lee, Salatino, Shinoda, Tilly, Wilson.

House Bill No. 176, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 177, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

RCW correction – Corrects double amendment to RCW 70.95.040.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 177 was placed on final passage.

Representative Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 177, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Craswell, Flanagan, Leckenby, Lee, North, Salatino, Shinoda, Wilson.

House Bill No. 177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 178, by Representatives Monohon, Knowles, Charette and Knedlik (by Code Reviser's Office request):

RCW correction – Corrects double amendment to RCW 82.04.291.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 178 was placed on final passage.

Representative Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 178, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Flanagan, Hurley M., Leckenby, Lee, North, Salatino, Shinoda, Wilson.

House Bill No. 178, having received the 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. 139, by Representatives Polk, Amen, Shipoch, Flanagan and Oliver (by Legislative Budget Committee request):

Deleting obsolete powers of town supervisors.

The bill was read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and House Bill No. 139 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Pardini.

Mr. Pardini: "I'm still confused on this bill. We're taking away these authorities because the townships really no longer exist. But on page 3 we are giving townships the authority for flood control. Would you once again explain that to me—why are we doing that?"

Mr. Thompson: "The request made of the Code Reviser dealing with the powers of townships did not include on its list the flood control authority. It was, however, alluded to in the earlier sections of the bill, but because it had not been requested and because the Code Reviser always follows instructions explicitly, it had to be inserted later for clarity of language."

Mr. Pardini: "My concern is that if we do this and if the townships are in fact inoperative, will this language allow county commissioners then to work on flood control if that were necessary?"

Mr. Thompson: "This measure will in no way impair that authority of county commissioners."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 139, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Flanagan, Leckenby, Lee, North, Salatino, Shinoda, Wilson.

House Bill No. 139, having received the 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. 141, by Representatives Flanagan, Amen, Shipoch, Polk, Knedlik and Oliver (by Legislative Budget Committee request):

Deleting obsolete requirements for guideposts.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 141 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 141, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Flanagan, Leckenby, Lee, Patterson, Salatino, Shinoda, Tilly, Wilson.

House 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.

HOUSE BILL NO. 144, by Representatives Polk, Shinpoch, Amen and Flanagan (by Legislative Budget Committee request):

Deleting obsolete provisions for county homesite lands.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 144 was placed on final passage.

Mr. Polk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 144, and the bill passed the House by the following vote: Yeas, 88; nays, 4; not voting, 6.

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

Voting nay: Representatives Boldt, King, Pardini, Warnke.

Not voting: Representatives Flanagan, Leckenby, Lee, Salatino, Shinoda, Wilson.

House Bill No. 144, having received the 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. 1, by Representatives Conner, Pruitt and Vrooman:

Authorizing port districts to waive or reduce rent security deposit for nonprofit corporations.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 17th Day, January 26, 1977.)

On motion of Mr. Thompson, the committee amendments were adopted.

House Bill No. 1 was ordered engrossed and passed to Committee on Rules for third reading.

Representative Lee appeared at the bar of the House.

HOUSE BILL NO. 216, by Representatives Bauer, Berentson, Barnes, Heck, Fuller, Hanna, Dunlap, Hawkins, Greengo and Knedlik:

Allowing expenses for school district superintendent candidates who travel for employment interview.

The bill was read the second time.

Mr. Charette moved adoption of the following amendment:

On page 1, line 17 after "district" insert "and the directors shall not receive any expenses for employment interviews conducted outside of the state"

Mr. Charette spoke in favor of the amendment, and Representatives Pardini, Clemente and Kreidler spoke against it.

Mr. Charette spoke again in favor of the amendment.

Mr. Lysen spoke in favor of the amendment, and Mr. Barnes spoke against it.

The amendment was not adopted.

House Bill No. 216 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 30, by Representatives Erickson and North:

Requiring the recording of notices of water and sewer hook-up charges and requiring contracts for the sale of undeveloped lands to include any restrictions on water or sewer facilities.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 30 was substituted for House Bill No. 30, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 30 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 18, by Representatives Sherman, Knedlik and North:

Adding municipal gasworks to utilities that can get lien for unpaid bill.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 180, by Representatives Hanna, Shipoch, Enbody, Smith, Leckenby and Winsley:

Extending long-arm statute for parties in marriage dissolution cases.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 191, by Representatives Shipoch, Knowles, Smith, Leckenby, Winsley and Knedlik:

Authorizing certain court proceedings in marriage dissolution cases to be expedited.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

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

RESOLUTIONS

HOUSE RESOLUTION NO. 77-6, by Representative King:

WHEREAS, It has been the custom for many years that the House of Representatives arrange and pay for a group picture of all members thereof, to be properly mounted and framed, in order that said picture may be hung in the legislative halls; and

WHEREAS, A certain procedure is necessary in order to designate whom the photographer shall be;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Speaker appoint a committee of three House members to consider and recommend to the House the official photographer for the Forty-fifth Regular Session of the Legislature.

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

APPOINTMENT OF COMMITTEE

The Speaker appointed Representatives Thompson, Warnke and Bond as a committee to consider and recommend the official photographer of the House.

NOTICE OF AMENDMENT TO HOUSE RULES

Mr. King served notice that he would, on the next working day, offer an amendment to the House Rules.

MOTIONS

On motion of Mr. Bender, HOUSE BILL NO. 58 was rereferred from Committee on Judiciary to Committee on State Government.

On motion of Mr. Bender, HOUSE BILL NO. 350 was rereferred from Committee on Natural Resources to Committee on Judiciary.

Mr. Charette moved that the rules be suspended and HOUSE BILL NO. 443 be indefinitely postponed.

POINT OF ORDER

Mrs. Hurley (Margaret): "My point of order is that House Bill No. 443 is in my committee, and Mr. Charette is not a member of my committee. It isn't before him or the House at this time."

SPEAKER'S RULING

The Speaker: "On your point of order, Representative Hurley, on consultation with senior member O'Brien, the Speaker will rule that the motion to suspend the rules in in order."

POINT OF PARLIAMENTARY INQUIRY

Mrs. Hurley (Margaret): "I would like to know if it is necessary to make that motion to suspend the rules two times, or if one suspension of the rules will suffice to bring the motion before us?"

The Speaker: "If the rules are suspended, then in effect, we have no rules on the issue at that point. Therefore Representative Charette could move then to indefinitely postpone the bill, but he has to be first successful in suspending the rules, which takes a two-thirds vote."

MOTION

Mr. Newhouse moved that the House adjourn until 11:00 a.m., Monday, January 31, 1977.

A division was called.

ROLL CALL

The Clerk called the roll on the motion by Representative Newhouse that the House adjourn until Monday, January 31, 1977, and the motion was lost by the following vote: Yeas, 35; nays, 56; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Craswell, Dunlap, Fancher, Fuller, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hurley M., Knowles, Lee, Maxie, Nelson G. A., Newhouse, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Grimm, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pearsall, Pruitt, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, Mr. Speaker.

Not voting: Representatives Eng, Flanagan, Knedlik, Leckenby, Salatino, Shinoda, Wilson.

MOTION

Mr. Berentson moved that the motion by Mr. Charette be laid on the table.

POINT OF ORDER

Mr. Charette: "Really, I believe it's in the form of a parliamentary inquiry. If this motion to table is passed, it takes the bill with it, and it's tabled too. Is that true?"

The Speaker: "The bill is not before us now, Mr. Charette, only your motion."

A division was called on the motion by Mr. Berentson.

ROLL CALL

The Clerk called the roll on the motion by Representative Berentson to table the motion by Representative Charette to indefinitely postpone House Bill No. 443, and the motion was lost by the following vote: Yeas, 36; nays, 55; not voting, 7.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dunlap, Eng, Fancher, Fuller, Gilleland, Greengo, Gruger, Haley, Hanna, Hansen, Hurley M., Lee, May,

Nelson G. A., Newhouse, O'Brien, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Tally, Tilly, Walk, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, Oliver, Owen, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Deccio, Flanagan, Leckenby, Pardini, Salatino, Shinoda, Wilson.

The Speaker stated the question before the House to be the motion by Mr. Charette to suspend the rules and indefinitely postpone House Bill No. 443.

Mr. Charette spoke in favor of the motion.

SPEAKER'S ADMONITION

The Speaker: "Mr. Charette, kindly confine your remarks to the merits of your motion to suspend the rules."

Mr. Charette continued his remarks.

SPEAKER'S ADMONITION

The Speaker: "Mr. Charette, under the rules the mover of the motion to suspend the rules to indefinitely postpone a bill is asked to give a brief explanation of the motion, and I think you're getting into the merits of the bill again."

Mrs. Hurley (Margaret) spoke against the motion.

SPEAKER'S ADMONITION

The Speaker: "Representative Hurley, I feel you're straying a little afield in your discussion to oppose the motion by Representative Charette."

The motion failed.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, January 31, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 31, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Lysen.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jane Scates and Pat Bodine. Prayer was offered by Reverend Paul Beeman 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.

MESSAGE FROM THE SENATE

January 28, 1977

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 101,
SENATE CONCURRENT RESOLUTION NO. 105,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 505, by Representatives Clemente, Chandler, King, Blair, Warnke, Valle, Bender, Lee, Boldt, Fuller, Charnley, Knedlik, Sommers, Burns, Lux, Greengo, Nelson (Dick), Shipoch, Grimm, Salatino and Hanna:

AN ACT Relating to education; implementing a program of special education for gifted children; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.16 RCW; repealing section 28A.16.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.010; repealing section 28A.16.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.020; repealing section 28A.16.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.16.030; prescribing an effective date; and providing penalties.

To Committee on Education

HOUSE BILL NO. 506, by Representative Heck:

AN ACT Relating to public utility districts' sewage systems; and amending section 19, chapter 390, Laws of 1955 as last amended by section 1, chapter 196, Laws of 1963 and RCW 54.16.180.

To Committee on Energy and Utilities

HOUSE BILL NO. 507, by Representatives Knedlik, Smith, Flanagan, Barnes, Salatino, Fischer, Hanna, Sherman, Blair, Kilbury and Grimm:

AN ACT Relating to professional advertising; amending section 11, chapter 4, Laws of 1919 as amended by section 2, chapter 142, Laws of 1963 and RCW 18.57.170; and creating a new chapter in Title 18 RCW.

To Committee on Commerce

HOUSE BILL NO. 508, by Representatives O'Brien, Fischer and Lux:

AN ACT Relating to public health and safety; adding a new chapter to Title 70 RCW; prescribing penalties; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 509, by Representatives Blair and Sommers:

AN ACT Relating to the teachers' retirement system; amending section 11, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.401; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 510, by Representatives Kilbury and Boldt:

AN ACT Relating to metropolitan municipal corporations; amending section 35.58.010, chapter 7, Laws of 1965 as amended by section 1, chapter 70, Laws of 1974 ex. sess. and RCW 35.58.010; and amending section 35.58.050, chapter 7, Laws of 1965 as amended by section 3, chapter 70, Laws of 1974 ex. sess. and RCW 35.58.050.

To Committee on Local Government

HOUSE BILL NO. 511, by Representatives Thompson, Polk, Shinpoch, Amen and Douthwaite:

AN ACT Relating to motor vehicle registration fees; and amending section 40, chapter 3, Laws of 1963 ex. sess. and RCW 46.16.061.

To Committee on Transportation

HOUSE BILL NO. 512, by Representatives Kreidler, Keller and Thompson:

AN ACT Relating to public employees; and amending section 6, chapter 59, Laws of 1969 and RCW 41.04.240.

To Committee on Local Government

HOUSE BILL NO. 513, by Representatives Lux, Becker, Pruitt, Fischer and Bender:

AN ACT Relating to industrial insurance; and adding new sections to chapter 51.04 RCW.

To Committee on Labor

HOUSE BILL NO. 514, by Representatives Hansen, Gallagher and Gilleland:

AN ACT Relating to habitual traffic offenders; amending section 4, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.020; amending section 5, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.030; amending section 8, chapter 284, Laws of 1971 ex. sess. as amended by section 1, chapter 83, Laws of 1973 1st ex. sess. and RCW 46.65.060; amending section 9, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.070; amending section 11, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.090; amending section 46.04.480, chapter 12, Laws of 1961 and RCW 46.04.480; adding a new section to chapter 284, Laws of 1971 ex. sess. and to chapter 46.65 RCW; repealing section 6, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.040; repealing section 7, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.050; and repealing section 13, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.110.

To Committee on Transportation

HOUSE BILL NO. 515, by Representatives Hansen, Smith and Patterson:

AN ACT Relating to negligent driving; and amending section 46.56.030, chapter 12, Laws of 1961 as amended by section 69, chapter 32, Laws of 1967 and RCW 46.61.525.

To Committee on Judiciary

HOUSE BILL NO. 516, by Representatives Clemente, Pruitt, Becker, Fischer, Lux and Bender:

AN ACT Relating to the minimum wage; and amending section 2, chapter 294, Laws of 1959 as last amended by section 2, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.020.

To Committee on Labor

HOUSE BILL NO. 517, by Representatives Erickson, Zimmerman, Bender, Polk, Fischer, Nelson (Gary), Gruger and Charnley:

AN ACT Relating to revenue and taxation; amending section 1, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.010; amending section 1, chapter 87, Laws of 1972 ex. sess. as amended by section 5, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.150; adding a new section to chapter 90, Laws of 1970 ex. sess. and to chapter 82.14 RCW; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 518, by Representatives Keller, Sherman, Nelson (Dick), King, Knedlik, Enbody, Knowles, Nelson (Gary) and Kreidler:

AN ACT Relating to legal holidays; and amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 1.16.050.

To Committee on State Government

HOUSE BILL NO. 519, by Representatives Burns, Lux, Douthwaite, Oliver, Charnley, Blair, Eng, Sherman, Vrooman, Becker and Fischer:

AN ACT Relating to community college fees; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; amending section 29, chapter 261, Laws of 1969 ex. sess. as last amended by section 2, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.520; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 9, chapter 59, Laws of 1970 ex. sess., section 13, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.523; and making an appropriation.

To Committee on Higher Education

HOUSE BILL NO. 520, by Representatives Shinpoch, Charnley and Sherman:

AN ACT Relating to automobile insurance; creating a new chapter in Title 48 RCW; prescribing penalties; and prescribing an effective date.

To Committee on Insurance

HOUSE BILL NO. 521, by Representatives Douthwaite, Becker and Hanna:

AN ACT Relating to witnesses; and amending section 95, page 117, Laws of 1854 as last amended by section 1069, Code of 1881 and RCW 10.52.020.

To Committee on Judiciary

HOUSE BILL NO. 522, by Representatives Sommers and Erickson:

AN ACT Relating to pollution control tax credits and exemptions; amending section 1, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.010; repealing section 8, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.080; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 523, by Representatives Sommers, Chandler, Nelson (Dick), Lux, Salatino and Burns:

AN ACT Relating to campaign funding for the offices of state legislator; adding a new chapter to Title 42 RCW; defining crimes; providing a termination date; and prescribing penalties.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 524, by Representative Charette:

AN ACT Relating to comparative fault; adding a new chapter to Title 4 RCW; and repealing section 1, chapter 138, Laws of 1973 1st ex. sess. and RCW 4.22.010.

To Committee on Judiciary

HOUSE BILL NO. 525, by Representatives Martinis, Wilson, Lysen, Lux, Hawkins, Burns, Blair, Charnley, Nelson (Dick), Pruitt, Sherman and Knedlik:

AN ACT Relating to forest protection; adding new sections to chapter 76.04 RCW; repealing section 1, chapter 13, Laws of 1951 and RCW 76.04.222; repealing section 2, chapter 13, Laws of 1951, section 3, chapter 142, Laws of 1955 and RCW 76.04.223; repealing section 3, chapter 13, Laws of 1951, section 4, chapter 142, Laws of 1955 and RCW 76.04.224; repealing section 4, chapter 13, Laws of 1951, section 5, chapter 142, Laws of 1955, section 6, chapter 111, Laws of 1957 and RCW 76.04.225; repealing section 5, chapter 13, Laws of 1951, section 6, chapter 142, Laws of 1955 and RCW 76.04.226; and repealing section 6, chapter 13, Laws of 1951, section 7, chapter 142, Laws of 1955 and RCW 76.04.227.

To Committee on Natural Resources

HOUSE BILL NO. 526, by Representatives Martinis, Wilson and Lux:

AN ACT Relating to forest protection; amending section 1, chapter 58, Laws of 1951 as amended by section 1, chapter 207, Laws of 1971 ex. sess. and RCW 76.04.010; adding new sections to chapter 76.04 RCW; creating a new section and providing for the expiration thereof; repealing section 1, chapter 13, Laws of 1951 and RCW 76.04.222; repealing section 2, chapter 13, Laws of 1951, section 3, chapter 142, Laws of 1955 and RCW 76.04.223; repealing section 3, chapter 13, Laws of 1951, section 4, chapter 142, Laws of 1955 and RCW 76.04.224; repealing section 4, chapter 13, Laws of 1951, section

5, chapter 142, Laws of 1955, section 6, chapter 111, Laws of 1957 and RCW 76.04.225; repealing section 5, chapter 13, Laws of 1951, section 6, chapter 142, Laws of 1955 and RCW 76.04.226; and repealing section 6, chapter 13, Laws of 1951, section 7, chapter 142, Laws of 1955 and RCW 76.04-227.

To Committee on Natural Resources

HOUSE BILL NO. 527, by Representatives Dunlap, Shinpoch, Berentson, Warnke, Whiteside, Hurley (Margaret), Patterson, Sherman and Bauer:

AN ACT Relating to the public health, safety and welfare; and creating a new section.

To Committee on Commerce

HOUSE BILL NO. 528, by Representatives Patterson, Charnley, Hansen, Gilleland, Dunlap, Wilson, Berentson and Gaines:

AN ACT Relating to transportation taxation; amending section 12, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.277; amending section 13, chapter 255, Laws of 1969 ex. sess. as last amended by section 2, chapter 270, Laws of 1975 1st ex. sess. and RCW 35.58.278; amending section 14, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.279; amending section 82.44.020, chapter 15, Laws of 1961 as amended by section 2, chapter 199, Laws of 1963 and RCW 82.44.020; amending section 82.44.110, chapter 15, Laws of 1961 as last amended by section 3, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.110; amending section 1, chapter 87, Laws of 1972 ex. sess. as amended by section 5, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.150; adding a new section to chapter 82.44 RCW; creating new sections; declaring an emergency; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 529, by Representatives Knedlik, Gaines, Polk, Greengo, Taller, Nelson (Dick), Gruger, Barnes, Burns, Clemente, Lux, Sherman, Gilleland, Pruitt, Douthwaite, Charnley, Maxie, North, Bender, Williams, Valle and O'Brien:

AN ACT Relating to superior courts; and amending section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.061.

To Committee on Judiciary

HOUSE BILL NO. 530, by Representatives Sherman, Barnes, Charnley, Hansen and Dunlap:

AN ACT Relating to auto transportation companies; and amending section 81.68.030, chapter 14, Laws of 1961 and RCW 81.68.030.

To Committee on Transportation

HOUSE BILL NO. 531, by Representatives Douthwaite, Grier, Keller, Monohon, Knedlik, Erickson, Sanders, Haley and Taller:

AN ACT Relating to risk management; amending section 3, chapter 32, Laws of 1969 as last amended by section 2, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.190; amending section 43.19-.1906, chapter 8, Laws of 1965 as amended by section 8, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1906; amending section 43.19.1935, chapter 8, Laws of 1965 as amended by section 9, chapter 40, Laws of 1975 and RCW 43.19.1935; amending section 43.17.100, chapter 8, Laws of 1965 as amended by section 6, chapter 40, Laws of 1975 and RCW 43.17.100; amending section 43.19.030, chapter 8, Laws of 1965 as amended by section 7, chapter 40, Laws of 1975 and RCW 43.19.030; adding new sections to chapter 43.19 RCW; creating a new section; repealing section 11, chapter 112, Laws of 1949 and RCW 75.08.023; and repealing section 3, chapter 23, Laws of 1972 ex. sess. and RCW 28B.10.844.

To Committee on Insurance

HOUSE BILL NO. 532, by Representatives Fortson, Heck, Bauer, Boldt, Whiteside, Sanders, Dunlap, Clemente, North, Bender, Vrooman, Grier, Fischer and Pearsall:

AN ACT Relating to the powers and duties of the state board of education; and amending section 28A.04-.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.04.120.

To Committee on Education

HOUSE BILL NO. 533, by Representatives Hanna and Becker:

AN ACT Relating to probation and sentencing; adding a new section to chapter 9.92 RCW; and adding new sections to chapter 9.95 RCW.

To Committee on Institutions

HOUSE BILL NO. 534, by Representative Martinis:

AN ACT Relating to food fish and shellfish licenses; and adding a new section to chapter 75.28 RCW.

To Committee on Natural Resources

HOUSE BILL NO. 535, by Representatives King, Lux, Nelson (Dick) and Pruitt:

AN ACT Relating to industrial insurance; and adding new sections to chapter 23, Laws of 1961 and to chapter 51.12 RCW.

To Committee on Labor

HOUSE BILL NO. 536, by Representatives Fortson, Blair, Charnley, Maxie, Gruger, Thompson, Pardini, Pruitt, Adams and Lux:

AN ACT Relating to public assistance; and amending section 3, chapter 10, Laws of 1973 2nd ex. sess. and RCW 74.04.620.

To Committee on Social and Health Services

HOUSE BILL NO. 537, by Representatives Fortson, Hansen and North:

AN ACT Relating to moral nuisances; amending section 1, chapter 127, Laws of 1913 and RCW 7.48.050; amending section 2, chapter 127, Laws of 1913 and RCW 7.48.060; amending section 3, chapter 127, Laws of 1913 and RCW 7.48.070; amending section 4, chapter 127, Laws of 1913 and RCW 7.48.080; amending section 5, chapter 127, Laws of 1913 as amended by section 1, chapter 94, Laws of 1927 and RCW 7.48.090; amending section 6, chapter 127, Laws of 1913 as amended by section 2, chapter 94, Laws of 1927 and RCW 7.48.100; and adding new sections to chapter 127, Laws of 1913 and to chapter 7.48 RCW.

To Committee on Judiciary

HOUSE BILL NO. 538, by Representatives Hanna, Becker, King, Maxie, Gruger, Douthwaite, Nelson (Gary) and Whiteside:

AN ACT Relating to social workers; adding a new chapter to Title 18 RCW; and defining crimes.

To Committee on Social and Health Services

HOUSE BILL NO. 539, by Representative Gallagher:

AN ACT Relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.08.020; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.020; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; creating a new section; declaring an emergency; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 540, by Representative Charette:

AN ACT Relating to class actions; and adding a new chapter to Title 4 RCW.

To Committee on Judiciary

HOUSE BILL NO. 541, by Representatives King, Lux, Paris and Pearsall:

AN ACT Relating to industrial insurance; amending section 51.32.080, chapter 23, Laws of 1961 as last amended by section 21, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.080; adding a new section to chapter 51.32 RCW; prescribing an effective date; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 542, by Representatives North, Deccio, Barr, Grier, Bauer, McKibbin and Sherman:

AN ACT Relating to site selection; and adding a new section to chapter 36.01 RCW.

To Committee on Local Government

HOUSE BILL NO. 543, by Representatives May, Becker and Charnley:

AN ACT Relating to funding public transportation systems; amending section 4, chapter 111, Laws of 1965 ex. sess. as amended by section 4, chapter 270, Laws of 1975 1st ex. sess. and RCW 35.95.040; and amending section 2, chapter 296, Laws of 1971 ex. sess. as amended by section 6, chapter 270, Laws of 1975 1st ex. sess. and RCW 82.14.045.

To Committee on Transportation

HOUSE BILL NO. 544, by Representative North:

AN ACT Relating to the state capitol; adding new sections to chapter 79.24 RCW; making an appropriation; and creating a new section.

To Committee on State Government

HOUSE BILL NO. 545, by Representatives Berentson, Ehlers, Oliver, Bond and Fuller:

AN ACT Relating to the powers of public utility districts; and adding a new section to chapter 54.16 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 546, by Representatives Douthwaite, Conner, Lysen, Lux, Eng, Becker, Nelson (Dick), Enbody, Grier, Charnley, Struthers, Clayton, Nelson (Gary), Dunlap, Sherman, Bender, Maxie, Tilly, Heck, Clemente, Kreidler, Patterson, Berentson, Chandler and Craswell:

AN ACT Relating to mopeds; amending section 46.04.330, chapter 12, Laws of 1961 and RCW 46.04.330; amending section 28, chapter 154, Laws of 1963 and RCW 46.04.332; amending section 46.04.670, chapter 12, Laws of 1961 and RCW 46.04.670; amending section 1, chapter 232, Laws of 1967 and RCW 46.20.500; amending section 46.44.050, chapter 12, Laws of 1961 as amended by section 12, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.050; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.12 RCW; and adding new sections to chapter 46.61 RCW.

To Committee on Transportation

HOUSE JOINT MEMORIAL NO. 5, by Representative Dunlap:

Memorializing Congress to not make Washington state a transshipment point for Alaskan oil.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 6, by Representatives Dunlap and Lysen:

Memorializing Congress relative to the question of Alaskan oil and the shipment thereof.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 7, by Representatives Lysen, Pardini, Thompson, Hurley (Margaret), Becker, Blair, Smith, Sommers, Charnley, Shinpoch, Bauer, Taller, Sherman, Nelson (Dick), Pruitt, Enbody, Douthwaite, Hanna, Gruger, Burns and Knedlik:

Stating the policy of the state to encourage the construction of a single oil transfer facility at or west of Port Angeles.

To Committee on Energy and Utilities

HOUSE JOINT RESOLUTION NO. 30, by Representatives O'Brien, Lux, Eng, Thompson, Douthwaite, Burns, Taller, Zimmerman, Sommers, Maxie and Berentson:

Amending the Constitution to permit the property taxes from increased property values attributable to development or redevelopment projects to be used to support such projects.

To Committee on Revenue

SENATE CONCURRENT RESOLUTION NO. 101, by Senators Sandison, Clarke, Goltz, Wilson and Bluechel:

Establishing the joint legislative committee on Washington/British Columbia cooperation.

To Committee on Rules

SENATE CONCURRENT RESOLUTION NO. 105, by Senators Bailey, Rasmussen and Clarke:

Providing for review of the operations of the state actuary.

To Committee on Rules

MOTIONS

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and were passed to the committees designated.

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 1, by Representatives Conner, Pruitt and Vrooman:

Authorizing port districts to waive or reduce rent security deposit for nonprofit corporations.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Deccio, Eng, Leckenby, Lux, Lysen, Martinis.

Engrossed House Bill No. 1, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please show my vote as "Aye" on Engrossed House Bill No. 1.

ALEX DECCIO, 14th District.

ENGROSSED HOUSE BILL NO. 104, by Representatives King, Berentson, Conner, Erickson, Fortson, Grier, Hansen, Knedlik, Kreidler, Moreau, North, Owen, Pearsall, Sherman, Shinpoch, Struthers, Vrooman and Walk:

Exempting volunteer firemen from the state minimum wage act.

The bill was read the third time and placed on final passage.

Mr. King spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Blair.

Mr. Blair: "I think I understood you correctly, Representative King, but I wanted to be absolutely sure to have my facts correct. Are you suggesting that there are certain types of occupations and services which people should be permitted to perform without receiving minimum wage?"

Mr. King: "If they choose to do so on their own, yes."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 104, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman,

Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Warnke.

Not voting: Representatives Eng, Leckenby, Lysen.

Engrossed House Bill No. 104, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 216, by Representatives Bauer, Berentson, Barnes, Heck, Fuller, Hanna, Dunlap, Hawkins, Greengo and Knedlik:

Allowing expenses for school district superintendent candidates who travel for employment interview.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 216, and the bill passed the House by the following vote: Yeas, 84; nays, 11; not voting, 3.

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

Voting nay: Representatives Charette, Ehlers, Enbody, Grier, Monohon, Owen, Pearsall, Salatino, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Leckenby, Lysen.

House Bill No. 216, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 91, by Representatives Erickson, Greengo, Gallagher, Ehlers, Grimm, Hughes, Salatino and Walk:

Excluding any church building or portion thereof maintained by a religious order as an exclusive residence for either clerics or nuns from the definition of nursing home.

The bill was read the third time and placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 91, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Eng, Leckenby, Lysen.

Engrossed House Bill No. 91, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2, by Representatives Martinis, Moreau, Greengo, Gaines and Smith:

Petitioning for the formation of a tri-state legislative fisheries committee for Idaho, Oregon and Washington.

The resolution was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 2, and the resolution was adopted by the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

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

Voting nay: Representatives Newhouse, Pardini.

Not voting: Representatives Leckenby, Lysen.

Engrossed House Concurrent Resolution No. 2, having received the constitutional majority, was declared adopted.

SUBSTITUTE HOUSE BILL NO. 30, by Committee on Local Government (Originally sponsored by Representative Erickson):

Requiring the recording of notices of water and sewer hook-up charges and requiring contracts for the sale of undeveloped lands to include any restrictions on water or sewer facilities.

The bill was read the third time and placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 30, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Leckenby, Lysen.

Substitute House Bill No. 30, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 191, by Representatives Shipoch, Knowles, Smith, Leckenby, Winsley and Knedlik:

Authorizing certain court proceedings in marriage dissolution cases to be expedited.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 191, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Leckenby, Lysen.

House Bill No. 191, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 18, by Representatives Sherman, Knedlik and North:

Adding municipal gasworks to the utilities that can get lien for unpaid bill.

The bill was read the third time and placed on final passage.

Representative Sherman spoke in favor of passage of the bill.

POINT OF INQUIRY

Representative Lee asked Representative Sherman to yield to question.

Representative Sherman refused to yield.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 18, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

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

Voting nay: Representatives Amen, Clayton, Greengo, Gruger, Schmittens, Struthers.

Not voting: Representatives Clemente, Leckenby, Lysen.

House Bill No. 18, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 180, by Representatives Hanna, Shinpoch, Enbody, Smith, Leckenby and Winsley:

Extending long-arm statute for parties in marriage dissolution cases.

The bill was read the third time and placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Pardini.

Mr. Pardini: "On line 22 of the bill it says, 'Living in a marital relationship within this state. . . ' If a man and wife are living together in a marital relationship and a child is born out of wedlock, will this long-arm statute go toward the father of that child? Basically, I guess, what is the definition of marital relationship? How far can we reach with this?"

Mr. Hanna: "It is my understanding that the state of Washington does not recognize common-law marriage, but I think that in this instance the court makes the decision that the acknowledged father who has moved away could and would be held responsible for that child's support."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 180, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Leckenby, Lysen.

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.

MOTION

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

SECOND READING

HOUSE BILL NO. 277, by Representatives Martinis, Wilson, Moreau, Hughes and Schmitt:

Penalizing the taking of bear and cougar during the closed season.

The bill was read the second time.

On motion of Mr. Martinis, Substitute House Bill No. 277 was substituted for House Bill No. 277, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 277 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 123, by Representatives Charnley, Owen, Moreau, Burns, Gruger, Knedlik, Lux, Salatino and Vrooman:

Making unlawful the commercial selling of term papers, theses or other work assignments utilized for postsecondary education purposes.

The bill was read the second time.

On motion of Ms. Erickson, Substitute House Bill No. 123 was substituted for House Bill No. 123, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 123 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 9 after "that" strike "commercial operations" and insert "individuals and commercial firms"

Representatives Tilly and Erickson spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Patterson.

Mr. Patterson: "Is the intent of the legislation to strike at the commercial operations rather than the individual that might unknowingly get involved in preparing a paper and helping one of his classmates?"

Mr. Charnley: "Basically, you are correct—the primary concern that was brought before the subcommittee during the last interim in dealing with the preparation of theses, papers, etc., for students at any level of postsecondary education by commercial firms. The majority of the testimony was that this was where most of these things are available. It is true, and I had two instances where individuals reported to me that individuals approached them and asked if they would like to have that individual, acting as his own agent, prepare a paper for him, but I believe that in the great majority of the cases this is not where the problem lies. We now have seven states with statutes of this type, and in all cases they have been very successful in helping curb this activity. At any rate in those states, and my primary concern here, would be the commercial operation. In direct response to the proposed amendment, I guess I shall probably have no objection, but I will leave it to the body to decide whether or not they feel that we should broaden the intent section of this bill as is proposed by Representative Tilly."

Representatives Tilly and Owen spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Substitute House Bill No. 123, and the amendment was not adopted by the following vote: Yeas, 36; nays, 56; not voting, 6.

Voting yea: Representatives Barnes, Blair, Chandler, Conner, Enbody, Erickson, Fancher, Fuller, Gilleland, Greengo, Gruger, Haley, Hanna, Hughes, Hurley G. S., Hurley M., Kilbury, Kreidler, Leckenby, Lee, Lux, Maxie, May, Monohon, Nelson D., Nelson G. A., Oliver, Owen, Pardini, Pruitt, Smith, Taller, Tilly, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Ehlers, Eng, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Hansen, Hawkins, Heck, King, Knedlik, Knowles, Martinis, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitten, Sherman, Shinoda, Sommers, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams.

Not voting: Representatives Bond, Dunlap, Keller, Lysen, Shinpoch, and Mr. Speaker.

Mr. Tilly moved adoption of the following amendment:

On page 2, line 31 after "a" strike "university, college, or other" and insert "public or private"

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

The amendment was not adopted.

On motion of Ms. Erickson, the following amendments were adopted:

On page 3, line 18 after "provision of" strike "sections 1 through 3 of"

On page 3, line 24 after "person" strike all material through "liable for" on line 26 and insert "against whom a judgment has been entered pursuant to section 3 (4) of this 1977 act, shall upon any subsequent violation of this act be subject to"

Mr. Patterson moved adoption of the following amendment:

On page 2, line 3 after "individual" insert "except enrolled student preparing any material for another enrolled student at the same institution which material is intended for submission, either in whole or substantial part in fulfillment of these requirements for a degree, diploma, certificate, or course of study at that institution,"

Mr. Patterson spoke in favor of the amendment, and Mr. Charnley spoke against it.

POINT OF INQUIRY

Mr. Patterson yielded to question by Mr. Chandler.

Mr. Chandler: "In committee you will recall that we talked about the problem of fraternities and sororities having on file a vast library of papers and subjects, and there was some concern that we should try to get it back in. Is it your opinion that under the bill as it is written it would be a violation of this law for a person to either make available or to use one of those papers on file with the sorority or fraternity, and if it is would your amendment exempt from the provisions of the law those papers and that activity where the fraternities and sororities are involved?"

Mr. Patterson: "Yes, I think it would exempt the live-in groups that you refer to. To go on with your question, I think under section 3, subsection (3) on page 2, there are three words at the bottom of the page that I think would be the key to the question, and that's whether or not it's done for a fee. In other words, you are not liable, as I read this bill, unless you did it for a fee."

Representatives Chandler and Erickson spoke against the amendment, and it was not adopted.

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

On page 3, line 18 strike "Anyone" and insert "Any person"

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

On page 3, line 34 strike all of section 4 and renumber the remaining section consecutively.

On page 1, line 3 of the title strike "; and declaring an emergency"

Substitute House Bill No. 123 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 237, by Representatives Adams, Whiteside, Fortson, Pruitt, Newhouse, Paris, May, Pearsall, Kreidler, Lux, Charette, Charnley, Shinpoch, Conner, Fischer, McCormick, Gallagher, North and Knowles:

Requiring the establishment of continuing education requirements for psychologists.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 57, by Representatives Valle, Hughes, Charnley, Hawkins, Douthwaite, Flanagan, Chandler, Zimmerman, Lux and Becker (by House Committee on Ecology of the 44th Legislature request):

Modifying the environmental coordination procedures act.

The bill was read the second time.

MOTION

On motion of Mr. Bender, further consideration of House Bill No. 57 was deferred, and the bill was ordered held for the top of the second reading calendar of the next working day.

HOUSE BILL NO. 69, by Representatives Nelson (Gary), Sommers, Leckenby, Boldt, Clayton, Deccio, Ehlers, Greengo, Knedlik, Lee, Polk and Taller:

Reporting cost data on boards and commissions.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 17th Day, January 26, 1977.)

On motion of Mr. Ehlers, the committee amendments were adopted.

House Bill No. 69 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 209, by Representatives Nelson (Dick), Hawkins, Hughes and Lux:

Giving information on delegate selection in the voter's pamphlet.

The bill was read the second time.

On motion of Mr. Hawkins, Substitute House Bill No. 209 was substituted for House Bill No. 209, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 209 was read the second time.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 209 was deferred, and the bill was ordered placed on the second reading calendar immediately following House Bill No. 262.

HOUSE BILL NO. 262, by Representatives Martinis, Wilson, Moreau and Vrooman:

Allowing a game commission determination of the quantity of wild animals that may be taken.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House moved to immediately consider House Bill No. 95.

HOUSE BILL NO. 95, by Representatives Sherman, Charnley and Lee:

Redefining "roadway" and permitting only certain stops therein.

The bill was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 209:

The House resumed consideration of Substitute House Bill No. 209 on second reading.

On motion of Mr. Tilly, the following amendments by Representatives Tilly and Nelson (Dick) were adopted:

On page 1, line 15 after "chairpersons," strike "and"

On page 1, beginning on line 16 after "places," strike "(c)" and insert "and"

Renumber the remaining subsections consecutively.

MOTION

Mr. Newhouse moved that Substitute House Bill No. 209 be rereferred to Committee on Appropriations.

Representatives Newhouse and Pardini spoke in favor of the motion, and Representatives King and Nelson (Dick) spoke against it.

The motion was lost.

Substitute House Bill No. 209 was ordered engrossed and passed to Committee on Rules for third reading.

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

MOTION

On motion of The Speaker, the House was recessed until 2:15 p.m.

AFTERNOON SESSION

The House was called to order at 2:15 p.m. by the Speaker. The Clerk called the roll and all members were present.

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

MESSAGE FROM THE SENATE

January 31, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 169 with the following amendments:

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

NEW SECTION. Section 1. That a supplemental budget as set forth in sections 2 through 19 of this 1977 amendatory act is hereby adopted and subject to the provisions set forth in sections 2 through 19 of this 1977 amendatory act, the several amounts specified in sections 2 through 19 of this 1977 amendatory act, or so much thereof as shall be sufficient to accomplish the purposes designated are hereby appropriated and authorized to be disbursed for salaries, wages and other expenses of the designated agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1975 and ending June 30, 1977, except as otherwise provided, out of the several funds of the state hereinafter named, and making other appropriations.

NEW SECTION. Sec. 2. FOR THE SUPREME COURT

General Fund Appropriation	\$	44,000
Total Appropriation	\$	44,000

The appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively for indigent appeals, and the average amount paid to attorneys for indigent appeals shall not exceed \$500.

NEW SECTION. Sec. 3. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	100,000
Total Appropriation	\$	100,000

The appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated herein and shall be subject to the following conditions and limitations:

- (1) Not more than \$75,000 shall be expended for the payment of criminal cost bills for the remainder of the 1975-77 biennium;
- (2) Not more than \$25,000 shall be expended for the additional superior court judge in Lewis County provided for in chapter 79, Laws of 1975-'76 2nd ex. sess.

NEW SECTION. Sec. 4. FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	684,000
Total Appropriation	\$	684,000

The appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the initiative and referendum program.

NEW SECTION. Sec. 5. FOR THE DATA PROCESSING AUTHORITY

Highway Safety Fund Appropriation	\$	45,000
Motor Vehicle Fund Appropriation	\$	100,000
Total Appropriation	\$	145,000

The appropriations contained in this section, or so much thereof as may be necessary, shall be expended exclusively for conversion costs at data processing service center number 3.

NEW SECTION. Sec. 6. FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	100,000
Total Appropriation	\$	100,000

The appropriation contained in this section shall be expended for the cost associated with the reclassification of revenue auditors granted by the State Personnel Board effective December 10, 1976.

NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation	\$	79,000
Facilities and Services Revolving Fund Appropriation	\$	344,000
Total Appropriation	\$	423,000

(1) \$65,000 of the general fund appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the maintenance and upkeep of Northern State Hospital for the period beginning January 1, 1977, and ending June 30, 1977.

(2) \$14,000 of the general fund appropriation contained in this section, or so much thereof as may be necessary, shall be expended in the form of a grant to the Skagit Regional Planning Council. No funds shall be expended for this purpose until such time as a \$55,000 grant from the Economic Development Administration has been secured.

(3) The \$344,000 facilities and services revolving fund appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively for cost overruns caused by unanticipated inflationary increases in electricity, natural gas, and fuel oil used in the Capitol Campus Buildings for the remainder of the 1975-77 biennium.

NEW SECTION. Sec. 8. FOR THE INSURANCE COMMISSIONER

General Fund Appropriation	\$	39,000
Total Appropriation	\$	39,000

The appropriation contained in this section shall be used exclusively for unanticipated legal costs attributable to litigation in State V. Herrmann, Thurston County #54529: PROVIDED, That in the event the Insurance Commissioner should receive an allocation from the Governor's Emergency Fund in an amount needed to pay these unanticipated legal expenses, this appropriation shall be null and void: PROVIDED FURTHER, That the funds hereby appropriated shall be expended only as actually needed to pay such unanticipated legal expenses, and that any unexpended portion of this appropriation shall be reverted to the state general fund.

NEW SECTION. Sec. 9. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	20,000
Total Appropriation	\$	20,000

The appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the conduct of certified public accountant examinations and inflationary costs.

NEW SECTION. Sec. 10. FOR THE ENERGY FACILITIES SITE EVALUATION COUNCIL

General Fund Appropriation	\$	46,000
Total Appropriation	\$	46,000

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

(1) \$10,000 of the appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the costs of preparing and certifying records for court purposes and for Attorney General services in defense of the state in the Satsop national pollutant discharge elimination system permit and Skagit lawsuits;

(2) \$18,500, or so much thereof as may be necessary, shall be expended exclusively for costs related to the Northern Tier Pipeline Company application;

(3) \$11,000, or so much thereof as may be necessary, shall be expended exclusively for costs related to the anticipated Transmountain Pipeline Company application;

(4) \$6,500, or so much thereof as may be necessary, shall be expended exclusively for additional Attorney General services of the Assistant Attorney General permanently assigned to the council.

NEW SECTION. Sec. 11. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund Appropriation	\$	1,500
Total Appropriation	\$	1,500

The appropriation contained in this section shall be expended exclusively for Attorney General services, to the county road administration board, should the Day Labor case, Board of County Commissioners of Snohomish County vs.

Ronkin, cause # 44310, Superior Court for Snohomish County, be appealed to an appellate court.

NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation	\$	288,000
Total Appropriation	\$	288,000

The appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively for payments to victims of crime.

NEW SECTION. Sec. 13. FOR THE MEXICAN-AMERICAN AFFAIRS COMMISSION

General Fund Appropriation	\$	6,500
Total Appropriation	\$	6,500

The appropriation contained in this section shall be subject to the following condition and limitation: \$6,500, or so much as may be necessary, shall be expended exclusively for travel and per diem expenses connected with the regular meetings of the commission.

NEW SECTION. Sec. 14. FOR THE STATE BOARD OF COMMUNITY COLLEGE EDUCATION

Community College Capital Projects Account Appropriation	\$	200,000
Total Appropriation	\$	200,000

The appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively to complete the construction and equipping of the physical education facility at Walla Walla Community College.

NEW SECTION. Sec. 15. FOR THE STATE BOARD OF COMMUNITY COLLEGE EDUCATION

Community College Capital Projects Account Appropriation	\$	625,000
Total Appropriation	\$	625,000

The appropriation contained in this section, or so much thereof as may be necessary, shall be expended exclusively to design, construct, and equip the third floor auditorium for drama at Seattle Central Community College.

NEW SECTION. Sec. 16. FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Fund Appropriation	\$	700,000
Total Appropriation	\$	700,000

The appropriation contained in this section shall be transferred to the Tort claims revolving fund to be expended exclusively for payment of claims on behalf of the Department of Highways during the period July 1, 1975, through June 30, 1977.

NEW SECTION. Sec. 17. FOR THE STATE TREASURER—TRANSFERS

Community College Bond Retirement Fund Appropriation	\$	825,000
Total Appropriation	\$	825,000

The appropriation contained in this section shall be transferred to the General Fund—Community College Capital Projects Account on or before June 30, 1977.

Sec. 18. Section 61, chapter 269, Laws of 1975 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

(1) GENERAL ADMINISTRATION.

General Fund Appropriation—State	\$	5,082,245
General Fund Appropriation—Federal	\$	3,181,567
Total Appropriation	\$	8,263,812

The appropriations contained in this subsection shall be subject to the following conditions or limitations:

(a) The department shall expend not more than 335.0 FTE staff years within the general administration category during the 1975-77 biennium;

(b) \$313,762 of the General Fund Appropriation—State contained in this subsection shall be expended exclusively for conversion costs at data processing service center number 3.

(2) PERSONNEL.

General Fund Appropriation—State	\$	1,868,179
General Fund Appropriation—Federal	\$	1,169,509
Total Appropriation	\$	3,037,688

The appropriations contained in this section shall be subject to the following condition or limitations: The department shall expend not more than 150.0 FTE staff years within the personnel category during the 1975-77 biennium.

(3) INFORMATION SYSTEMS.

General Fund Appropriation—State.....	\$	6,713,530
General Fund Appropriation—Federal.....	\$	4,179,205
Total Appropriation.....	\$	10,892,735

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

- (a) The department shall expend not more than 570.0 FTE staff years within the information systems category during the 1975-77 biennium.
- (b) \$562,073 (including \$224,829 from federal funds) and a staffing level not to exceed 30.0 FTE's shall be expended to upgrade information systems.
- (c) \$343,774 (including \$137,510 from federal funds) and a staffing level not to exceed 30.0 FTE staff years shall be expended for workload increases.
- (d) \$413,530 (including \$165,413 from federal funds) shall be expended for twice-monthly payments.

(4) COLLECTIONS AND DISBURSEMENTS.

General Fund Appropriation—State.....	\$	4,855,873
General Fund Appropriation—Federal.....	\$	3,257,739
Total Appropriation.....	\$	8,113,612

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

- (a) The department shall expend not more than 569.1 FTE staff years within the collections and disbursements category during the 1975-77 biennium.
- (b) \$672,151 (including \$268,861 from federal funds) and a staffing level not to exceed 52.6 FTE's shall be expended for increased workload.
- (c) \$358,673 (including \$143,470 from federal funds) and 28.5 FTE's shall be utilized for increased non-assistance support collection.

(5) OPERATING AND FISCAL AUDIT SERVICES.

General Fund Appropriation—State.....	\$	4,444,599
General Fund Appropriation—Federal.....	\$	2,772,214
Total Appropriation.....	\$	7,216,813

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

- (a) The department shall expend not more than 386.0 FTE staff years within the operating and fiscal audit services category during the 1975-77 biennium.
- (b) \$678,362 (including \$261,169 from federal funds) and a staffing level not to exceed 36.0 FTE's shall be expended for increased nursing home auditors.
- (c) \$705,478 (including \$271,609 from federal funds) and a staffing level not to exceed 28.0 FTE's shall be expended for increased performance and fiscal audit teams.
- (d) \$272,466 (including \$108,987 from federal funds) and a staffing level not to exceed 18.0 FTE's shall be expended for increased fraud investigators.
- (e) \$205,980 (including \$82,392 from federal funds) and 12.0 FTE's shall be utilized for increased operational review.
- (f) \$349,805 (including \$139,922 from federal funds) and 18.0 FTE's shall be expended for increased audit staff.

(6) FISCAL SERVICES.

General Fund Appropriation—State.....	\$	4,341,996
General Fund Appropriation—Federal.....	\$	2,711,199
Total Appropriation.....	\$	7,053,195

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

- (a) The department shall expend not more than 479.8 FTE staff years within the fiscal services category during the 1975-77 biennium.
- (b) \$429,650 and 28.0 FTE staff years (including \$171,860 from federal funds) shall be expended for increased accounting workload.

(7) SPECIAL PROJECTS.

General Fund Appropriation—Federal.....	\$	6,611,187
Total Appropriation.....	\$	6,611,187

The appropriation contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 65.0 FTE staff years within the special projects category during the 1975-77 biennium.

(8) PROGRAM SUPPORT.

General Fund Appropriation—State.....	\$	5,586,473
---------------------------------------	----	-----------

General Fund Appropriation—Federal	\$	3,701,822
Total Appropriation	\$	9,288,295

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

- (a) The department shall expend not more than 455.8 FTE staff years within the program support category during the 1975-77 biennium.
- (b) \$424,975 (including \$163,615 from federal funds) and a staffing level not to exceed 16.0 FTE's shall be expended for industrial engineers.
- (c) \$315,577 (including \$126,231 from federal funds) and 19.0 FTE's shall be expended for increased quality control in SSI and Title XIX and for standard setting and program analysis.
- (d) \$764,940 (including \$430,211 from federal funds) and 48.8 FTE's shall be expended for augmenting productivity efforts.
- (e) \$171,176 (including \$68,470 from federal funds) shall be expended for twice-monthly payment support.

Sec. 19. Section 62A, chapter 269, Laws of 1975 1st ex. sess. (uncodified) is amended to read as follows:

DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS

General Fund Reappropriation—State	\$ ((6,989,000))	7,368,036
General Fund Reappropriation—Federal	\$	350,952
Total Reappropriation	\$ ((7,339,952))	7,718,988

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

(1) \$6,477,000 shall be for medical services and supplies not in excess of the unexpended balance of the 1973-75 appropriations or allotments for this purpose. Within this amount, the following programs shall be included:

- (a) Mental health, \$175,000;
- (b) Income Maintenance, \$2,000;
- (c) Community social services, \$300,000; and
- (d) Medical assistance, \$6,000,000.

(2) \$512,000 shall be for grants to communities for mental retardation construction grants from the developmental disabilities program not in excess of the unexpended balance of the 1973-75 appropriations or allotments for this purpose.

(3) \$350,952 from federal funds shall be for innovation and expansion projects in the vocational rehabilitation program not in excess of the unexpended balance of the 1973-75 appropriation or allotments for this purpose.

(4) \$147,300 shall be for payment of 1973-75 vendor billings for the Washington state penitentiary not in excess of the unexpended balance of the 1973-75 appropriations or allotments for this purpose.

(5) \$231,736 shall be for payment of 1973-75 O.A.S.D.I. payroll taxes within the administration and supporting services program not in excess of the unexpended balance of the 1973-75 appropriations or allotments for this purpose.

NEW SECTION. Sec. 20. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation	\$	5,365,000
Total Appropriation	\$	5,365,000

NEW SECTION. Sec. 21. FOR THE SENATE

General Fund Appropriation	\$	4,439,000
Total Appropriation	\$	4,439,000

NEW SECTION. Sec. 22. 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 "AN ACT" strike the remainder of the title and insert "Relating to state agencies; adopting a supplemental budget; making supplemental appropriations and authorizing expenditures; making other appropriations; amending section 61, chapter 269, Laws of 1975 1st ex. sess. (uncodified); amending section 62A, chapter 269, Laws of 1975 1st ex. sess. (uncodified); and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Shinpoch moved that the House do concur in the Senate amendments to Substitute House Bill No. 169.

Mr. Shinpoch spoke in favor of the motion, and Mr. Polk spoke against it.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Shinpoch, I realize this is short notice, but getting back to page 12, line 11, subsection (5), '\$231,736 shall be for payment of 1973-75 O.A.S.D.I. payroll taxes. . . .' Are we cutting the Department of Social and Health Services' ability to meet their vendor claims? I really want to know what that item is if you can tell me. I had heard some talk that they were going to make the Department of Social and Health Services eat the data processing allocation. The data processing allocation has been reduced in this budget. I don't think subsection (5) does it, but I don't see where else they do it."

Mr. Shinpoch: "My understanding is that in the area for Social and Health Services, the Department has committed to us that if they have the money they will attempt to do that. My understanding also was that the changes that they made in that area—the reductions that they made—were two: That the freeze would produce X number of dollars and then the other portion was for the data processing portion for Computer Center 3. Other than that, I'm really not prepared to speak to the details of what changes they made in that area."

The motion by Mr. Shinpoch was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 169 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 169 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; nays, 35; not voting, 0.

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

Voting nay: Representatives Amen, Barnes, Barr, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Grengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Substitute House Bill No. 169 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 COMMITTEE

The Speaker appointed Representatives May and Fuller to serve on the House Ethics Committee.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

 SUBSTITUTE HOUSE BILL NO. 169.

STATEMENT FOR THE JOURNAL

My absence from the legislative session on Friday, January 28th was caused by minor but necessary surgery on that day in Seattle.

My absence from the early part of the January 31st session was caused by a meeting at 9:00 a.m. with Mayor Uhlman in Seattle regarding the Spokane Street corridor (the West Seattle Bridge).

 WILLIAM LECKENBY, 34th District.

MOTION

On motion of Mr. King, the House adjourned until 1:30 p.m., Wednesday, February 2, 1977.

 JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-FOURTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, February 2, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Moreau, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Betty Funk and Bruce Wolford. Prayer was offered by Reverend Paul Beeman 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.

MESSAGES FROM THE SENATE

February 2, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2029,
SENATE BILL NO. 2055,
SENATE BILL NO. 2074,
ENGROSSED SENATE BILL No. 2106,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

January 31, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 169,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MESSAGE FROM THE GOVERNOR

February 1, 1977

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

I have the honor to advise that on January 31, 1977, Governor Ray approved the following House Bill entitled:

SUBSTITUTE HOUSE BILL NO. 169, relating to state agencies.

Sincerely,

Joe Zaspel, Legislative Liaison.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 547, by Representative Charette:

AN ACT Relating to fishing; amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 1, chapter 223, Laws of 1975 1st ex. sess. and RCW 75.08.230; amending section 75.12.130, chapter 12, Laws of 1955 as last amended by section 2, chapter 16, Laws of 1969 ex. sess. and RCW 75.12.130; amending section 4, chapter 35, Laws of 1971 as amended by section 1, chapter 23, Laws of 1974 ex. sess. and RCW 75.16.120; amending section 75.32.070, chapter 12, Laws of 1955 as last amended by section 1, chapter 63, Laws of 1973 1st ex. sess. and RCW 75.32.070; and adding a new chapter to Title 75 RCW.

To Committee on Natural Resources

HOUSE BILL NO. 548, by Representatives Enbody and Martinis:

AN ACT Relating to private salmon hatcheries; adding a new chapter to Title 75 RCW; prescribing penalties; and making an appropriation.

To Committee on Natural Resources

HOUSE BILL NO. 549, by Representative Warnke:

AN ACT Relating to public employees' collective bargaining; and adding a new section to chapter 41.56 RCW.

To Committee on Labor

HOUSE BILL NO. 550, by Representatives Salatino, Valle, Nelson (Dick), Smith and Gaines:

AN ACT Relating to automotive repair; and adding a new chapter to Title 46 RCW.

To Committee on Commerce

HOUSE BILL NO. 551, by Representatives Clemente, Barnes, Bauer, Whiteside, Bender, Boldt, Fortson, Hansen, Lux, Hurley (George) and Thompson:

AN ACT Relating to education; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and providing penalties.

To Committee on Education

HOUSE BILL NO. 552, by Representatives Deccio, Becker and Lee:

AN ACT Relating to inheritance taxes; and adding a new section to chapter 83.04 RCW.

To Committee on Revenue

HOUSE BILL NO. 553, by Representatives May, Thompson, Knowles, Lux, Kilbury, Grier, Clemente and Fischer:

AN ACT Relating to labor; and amending section 3, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.130.

To Committee on Labor

HOUSE BILL NO. 554, by Representatives Warnke, Heck and Nelson (Gary):

AN ACT Relating to education; and amending section 28A.58.101, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 97, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.101.

To Committee on Education

HOUSE BILL NO. 555, by Representative Charette:

AN ACT Relating to county assessors, their deputies, and assistants; amending section 36.21.011, chapter 4, Laws of 1963 as last amended by section 1, chapter 11, Laws of 1973 1st ex. sess. and RCW 36.21.011; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.21 RCW.

To Committee on Local Government

HOUSE BILL NO. 556, by Representatives Valle, Blair, Burns, Nelson (Dick) and Pruitt:

AN ACT Relating to air pollution from motor vehicles; adding new sections to chapter 70.94 RCW; defining crimes; prescribing penalties; and making an appropriation.

To Committee on Ecology

HOUSE BILL NO. 557, by Representatives Owen, Hanna, Deccio, Conner, Grier, Salatino, Enbody and Fischer:

AN ACT Relating to state government; and creating a new section.

To Committee on Institutions

HOUSE BILL NO. 558, by Representatives Ehlers, Thompson, King, Hawkins, Barnes, Moreau, Kreidler, Gruger, Grier and Fischer:

AN ACT Relating to the lease and rental of mobile home lots; adding a new section to chapter 59.04 RCW; adding a new section to chapter 59.08 RCW; adding a new section to chapter 59.16 RCW; adding a new section to chapter 59.18 RCW; adding a new chapter to Title 59 RCW; and prescribing remedies for violations.

To Committee on Judiciary

HOUSE BILL NO. 559, by Representatives Ehlers, Berentson, Taller, Whiteside, Grimm and Gaines:

AN ACT Relating to the state employees' insurance board; and reenacting section 1, chapter ... (HB 173), Laws of 1977 and RCW 41.05.020.

To Committee on State Government

HOUSE BILL NO. 560, by Representatives Salatino, Valle, Nelson (Dick) and Smith:

AN ACT Relating to motor vehicles; adding a new chapter to Title 46 RCW; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 561, by Representatives Taller, Leckenby, Zimmerman, Tilly, Paris, Pardini, Struthers, Fuller, Sanders, Blair, Oliver, Polk, Barr, Clayton, Whiteside, Bond, Greengo, Chandler, Winsley and Lee:

AN ACT Relating to criminal punishment; creating a new chapter in Title 9A RCW; and providing penalties.

To Committee on Judiciary

HOUSE BILL NO. 562, by Representatives Sommers, Taller, Sherman and Charnley:

AN ACT Relating to the department of motor vehicles; amending section 2, chapter 156, Laws of 1965 and RCW 46.01.020; amending section 12, chapter 156, Laws of 1965 and RCW 46.01.120; amending section 17, chapter 156, Laws of 1965 and RCW 46.01.170; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; adding a new section to chapter 156, Laws of 1965 and to chapter 46.01 RCW; repealing section 1, chapter 156, Laws of 1965 and RCW 46.01.010; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 563, by Representatives King, Charette and Kilbury:

AN ACT Relating to benefits and claims for unemployment compensation; and amending section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090.

To Committee on Labor

HOUSE BILL NO. 564, by Representatives Ehlers, King, Dunlap, Nelson (Gary), Bauer, Heck, Burns, Walk, Sommers, Whiteside, Taller, Paris, Enbody, Smith, Erickson, Greengo, Grier, Gaines, Salatino, Sanders and Barr:

AN ACT Relating to state government; creating new sections; prescribing an effective date; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 565, by Representatives Erickson, Lee and North:

AN ACT Relating to real property; adding a new chapter to Title 64 RCW; defining crimes; prescribing penalties; and prescribing an effective date.

To Committee on Commerce

HOUSE BILL NO. 566, by Representatives Warnke and Heck:

AN ACT Relating to the transportation of students; amending section 28A.24.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 54, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.24.080; amending section 28A.24.100, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 66, Laws of 1971 ex. sess. and RCW 28A.24.100; amending section 28A.24.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 55, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.24.150; amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 60, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.41.160; amending section 46.37.190, chapter 12, Laws of 1961 as last amended by section 1, chapter 92, Laws of 1971 ex. sess. and RCW 46.37.190; amending section 46.37.290, chapter 12, Laws of 1961 as amended by section 6, chapter 100, Laws of 1970 ex. sess. and RCW 46.37.290; creating new sections; adding a new section to chapter 12, Laws of 1961 and to chapter 46.16 RCW; repealing section 28A.24.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.24.090; and providing penalties.

To Committee on Education

HOUSE BILL NO. 567, by Representatives Valle, Charnley, Pruitt and Nelson (Dick):

AN ACT Relating to education; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; creating new sections; and making an appropriation.

To Committee on Education

HOUSE BILL NO. 568, by Representatives Warnke and Heck:

AN ACT Relating to unemployment compensation; and amending section 21, chapter 35, Laws of 1945 as last amended by section 9, chapter 3, Laws of 1971 and RCW 50.04.200.

To Committee on Labor

HOUSE BILL NO. 569, by Representatives Kilbury and Boldt:

AN ACT Relating to emergency medical service districts; and adding a new chapter to Title 36 RCW.

To Committee on Local Government

HOUSE BILL NO. 570, by Representatives Nelson (Gary), Sommers, Pardini, Barr, Bauer, Becker, Bond, Chandler, Clayton, Clemente, Craswell, Dunlap, Erickson, Fancher, Fuller, Gaines, Greengo, Hansen, McKibbin, Oliver, Polk, Sanders, Shinoda, Struthers, Taller, Tilly, Valle, Wilson and Lee:

AN ACT Relating to state government; adding new sections to chapter 43.17 RCW; creating new sections; repealing section 1, chapter ... (HB ...), Laws of 1977 and RCW 43.17.010; repealing section 2, chapter ... (HB ...), Laws of 1977 and RCW 43.17.020; repealing section .02.01, chapter 79, Laws of 1947 and RCW 48.02.010; repealing section .02.02, chapter 79, Laws of 1947 and RCW 48.02.020; repealing section .02.03, chapter 79, Laws of 1947 and RCW 48.02.030; and repealing section .02.05, chapter 79, Laws of 1947 and RCW 48.02.050.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 31, by Representatives Valle, Blair, Charnley, Lux, Burns, Pearsall, Nelson (Dick) and Enbody:

Declaring privacy to be an inalienable right under the Constitution.

To Committee on Judiciary

SENATE BILL NO. 2029, by Senators Beck and Washington (by American Revolution Bicentennial Commission request):

Abolishing the American revolution bicentennial commission of the state of Washington.

To Committee on State Government

SENATE BILL NO. 2055, by Senators Odegaard, Clarke, Newschwander, Woody and Bausch (by Legislative Budget Committee request):

Disestablishing the anti-monopoly board.

To Committee on State Government

SENATE BILL NO. 2074, by Senators Day, Jones and Buffington:

Allowing the hospital commission to employ a staff.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2106, by Senators Sellar and Talley:

Increasing the auditor's fee for filing internal revenue service liens and exempting them from the prepayment requirement.

To Committee on Local Government

MOTION

On motion of Mr. King, all bills listed on today's agenda were considered first reading under the fourth order of business, and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

February 1, 1977

HOUSE BILL NO. 23, Prime Sponsor: Representative Valle, establishing a dental disciplinary board. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

February 1, 1977

HOUSE BILL NO. 32, Prime Sponsor: Representative Warnke, redefining the term "regular property taxes" for port districts. Reported by Committee on Revenue.

MAJORITY recommendation: Do Pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Erickson, Kilbury, Moreau, Nelson (Dick), O'Brien, Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Nelson (Gary), Ranking Minority Member; Bond.

To Committee on Rules for second reading.

February 1, 1977

HOUSE BILL NO. 38, Prime Sponsor: Representative Hanna, including the Washington state patrol under the public employee collective bargaining laws. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson, Pruitt, Sanders.

MINORITY recommendation: Do not pass. Signed by Representative Bond, Ranking Minority Member.

POINT OF ORDER

Mr. Newhouse: "I have an understanding that this particular bill which is being read in had a public hearing yesterday without adequate notice to the public. Can the committee chairman advise me as to that?"

The Speaker called on Mr. Lux to reply.

Mr. Lux: "There was adequate notice given. There was a week's notice—a full seven days. It was on the schedule."

House Bill No. 38 was referred to Committee on Rules for second reading.

February 2, 1977

HOUSE BILL NO. 41, Prime Sponsor: Representative Hurley (Margaret), providing mounted rangers to two state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 6 after "rangers" strike all the material down to and including "park" on line 8

On page 1, line 20 after "sum of" strike "fifteen" and insert "fifty"

On page 1, line 22 after "rangers" insert a period and strike the remainder of the sentence.

Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; King, Paris.

To Committee on Rules for second reading.

January 28, 1977

HOUSE BILL NO. 44, Prime Sponsor: Representative Hurley (Margaret), establishing moorage fees in marine parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Owen, Paris.

To Committee on Rules for second reading.

February 1, 1977

HOUSE BILL NO. 49, Prime Sponsor: Representative Clemente, changing the term "workman" to "worker" throughout the state industrial insurance laws. Reported by Committee on Labor.

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

To Committee on Rules for second reading.

January 31, 1977

HOUSE BILL NO. 56, Prime Sponsor: Representative Shinpoch, providing a general revision to jail regulations and standards. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

February 1, 1977

HOUSE BILL NO. 62, Prime Sponsor: Representative King, enacting a state labor-management relations act. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 21, line 4 after "he" insert "or she"

On page 22, line 10 strike "10 and 11" and insert "11 and 12"

On page 27, line 4 after "he" insert "or she"

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton, Sanders.

To Committee on Rules for second reading.

January 31, 1977

HOUSE BILL NO. 98, Prime Sponsor: Representative Bauer, establishing thermal performance standards for new dwellings. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 6 after "facilities" strike "for one or two families"

On page 2, at the beginning of line 10 after "houses" strike "of three or more units" and insert "over three stories in height"

Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Charnley, Conner, Grimm, Kilbury, Martinis, McKibbin.

MINORITY recommendation: Do not pass. Signed by Representatives Berentson, Bond, Williams, Wilson.

To Committee on Rules for second reading.

February 1, 1977

HOUSE BILL NO. 130, Prime Sponsor: Representative Erickson, exempting fire districts from the 106 percent property tax limitation. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick), Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Nelson (Gary), Ranking Minority Member; Bond, Flanagan, Tilly.

To Committee on Rules for second reading.

January 31, 1977

HOUSE BILL NO. 136, Prime Sponsor: Representative Amen, repealing certain obsolete laws relating to agricultural conservation. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

January 31, 1977

HOUSE BILL NO. 181, Prime Sponsor: Representative King, providing for physician's trained intravenous therapy technicians and airway management technicians. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Haley, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmittens.

To Committee on Rules for second reading.

January 31, 1977

HOUSE BILL NO. 198, Prime Sponsor: Representative Deccio, creating a Department of Corrections. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struther, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

February 1, 1977

HOUSE BILL NO. 204, Prime Sponsor: Representative Hawkins, making punchcard voting more efficient and certain. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Heck, Hughes.

To Committee on Rules for second reading.

February 1, 1977

HOUSE BILL NO. 242, Prime Sponsor: Representative Hanna, deleting minimum requirement for instruction at cosmetology school. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

February 2, 1977

HOUSE BILL NO. 275, Prime Sponsor: Representative Martinis, prohibiting the application of the distribution percentage to fines and forfeitures transmitted to the director of game. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 14 strike "percentage in RCW 3.62.015" and insert "procedure established by chapter 3.62 RCW"

Signed by Representatives Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Enbody, Fuller, Gilleland, Greengo, May, Schmittens, Shinoda, Smith, Vrooman.

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

To Committee on Rules for second reading.

February 1, 1977

HOUSE BILL NO. 385, Prime Sponsor: Representative Douthwaite, permitting life insurance purchaser to cancel without charge within ten days. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Insurance.

January 27, 1977

HOUSE BILL NO. 386, Prime Sponsor: Representative Douthwaite, revising law relating to property insurance in connection with credit or a debt. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following line 17 insert the following:

"(2) Every person who lends money or extends credit and who solicits insurance on real and personal property must explain to the borrower in prominently displayed writing that the insurance related to such loan or credit extension may be purchased from an insurer or agent of the borrower's choice, subject only to the lender's right to reject a given insurer or agent as provided in subsection (3) (b) of this section."

On page 1, line 18 strike "(2)" and insert "(3)"

On page 2, beginning on line 19 strike all material down to and including "section." on line 24

Signed by Representatives Douthwaite, Chairman; Haley, Ranking Minority Member; Barnes, Keller, Knedlik, Maxie, Monohon, Sanders, Taller.

To Committee on Rules for second reading.

February 2, 1977

HOUSE BILL NO. 390, Prime Sponsor: Representative Berentson, fixing the rate of repaying damage to animals caused by dogs. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8 after "action" strike everything through and including "peace" on page 2, line 16 and insert "((: PROVIDED, That in case the owner or keeper of such dog or dogs is unknown or the damages can not be collected, the person suffering damages may present a claim for such damages to a justice of the peace of the county in which he resides within not more than forty days after any such animal or animals are killed or injured and make affidavit, stating the number of such animals killed or injured, the amount of the damages and the name of the owner of the dog or dogs, if known. The damages shall be proven by not less than two witnesses who shall be freeholders of the county. Justices of the peace are hereby required to administer oaths in such cases and shall issue and file with the county treasurer a certificate stating the amount of damages sustained. Such damages allowed in no event shall exceed the following amounts:

UNREGISTERED ANIMALS OR UNACCREDITED POULTRY.

	Per Head
For sheep or goats killed or injured	\$ 12.50
For cattle killed or injured	50.00
For horses or mules killed or injured	75.00
For turkeys killed or injured	4.00
For other poultry killed or injured	1.50
For swine killed or injured	12.50
For rabbits killed or injured	1.50

REGISTERED ANIMALS OR ACCREDITED POULTRY.

	Per Head
For sheep or goats killed or injured	\$ 25.00
For cattle killed or injured	100.00
For horses or mules killed or injured	150.00
For turkeys killed or injured	8.00
For other poultry killed or injured	3.00
For swine killed or injured	25.00
For rabbits killed or injured	3.00

Upon the filing with the county treasurer of the certificate of the justice of the peace fixing the damages as above provided, the treasurer shall pay to the claimant out of the county dog license tax fund the amount of damages sustained as certified by the justice of the peace))"

Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

February 1, 1977

HOUSE JOINT RESOLUTION NO. 21, Prime Sponsor: Representative Fortson, amending the Constitution to allow audits of the judicial branch. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

February 1, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2056, Prime Sponsor: Senator McDermott, implementing constitutional amendment permitting school district levies for two year periods. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 20 after "or" strike "seventy-five" and insert "fifty"

On page 3, line 21 after "proposition" add "for a two year period"

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Bond, Craswell, Eng, Flanagan, Hurley (George), Kilbury, Nelson (Dick), O'Brien, Tilly, Winsley.

To Committee on Rules for second reading.

MOTIONS

On motion of Mr. King, HOUSE BILL NO. 56 was rereferred to Committee on Appropriations.

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

RESOLUTIONS

HOUSE RESOLUTION NO. 77-7, by the Rules Committee: Representatives Bagnariol, Chairman; O'Brien, Vice Chairman; Berentson, Ranking Minority Member; Amen, Bauer, Charette, Charnley, Flanagan, Gaines, Gallagher, King, Maxie, May, McCormick, Newhouse, North, Pardini, Polk, Smith, Williams and Zimmerman:

BE IT RESOLVED, By the House of Representatives, That the permanent rules of the House for the Forty-fifth Legislature be adopted as set forth herein:

PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES

FORTY-FIFTH LEGISLATURE

1977

HOUSE RULE NO.

- Rule 1 Chief clerk to call to order.
- Rule 2 Election of Speaker, Chief Clerk and Sergeant at Arms.
- Rule 3 Powers and duties of speaker.
- Rule 4 Writs, warrants and subpoenas, how issued.
- Rule 5 Certification of payroll of members and employees.
- Rule 6 Duties of chief clerk.
- Rule 7 Duties of employees.
- Rule 8 Supplies for the house.
- Rule 9 Duties of sergeant at arms.
- Rule 10 Duties of sergeant at arms staff.
- Rule 11 Use of house chamber.
- Rule 12 Visitors gallery.
- Rule 13 Admittance to the floor.
- Rule 14 Regulation of lobbyists.
- Rule 15 House courtesy recognition limited.
- Rule 16 Absentees.
- Rule 17 Number of copies of bills, etc.
- Rule 18 Bill backs, etc.
- Rule 19 Petitions, memorials, etc., addressed to house—Disposition.
- Rule 20 Bills—Time for introduction.
- Rule 21 Introduction of bills, etc.
- Rule 22 Amendatory bills—Form.
- Rule 23 Bills to be printed.
- Rule 24 Bills—Reading of.
- Rule 25 Bills—first reading.
- Rule 26 Bills—Second reading.
- Rule 27 Substitute bills.
- Rule 28 Recommitment of bill.
- Rule 29 Amendments to be offered on furnished blanks.
- Rule 30 Committee amendments.
- Rule 31 Senate amendments to house bills.
- Rule 32 Amendments to be germane.
- Rule 33 Substitution of committee bill.
- Rule 34 Member's privilege to check engrossed and enrolled bills.
- Rule 35 Third reading.
- Rule 36 Recommitment before final passage.
- Rule 37 Final passage.
- Rule 38 Bills passed—Certification.
- Rule 39 Bill—When sent to senate.

- Rule 40 Hour of meeting.
- Rule 41 Roll call and quorum.
- Rule 42 Interruption of roll call.
- Rule 43 Daily calendar.
- Rule 44 Order of business.
- Rule 45 Unfinished business.
- Rule 46 Motions to be entertained or debated.
- Rule 47 Motions in order during debate.
- Rule 48 Without debate.
- Rule 49 Recognition of speaker.
- Rule 50 Order of speaking.
- Rule 51 Right of members to speak.
- Rule 52 Exception to words spoken in debate.
- Rule 53 Transgression of Rules—Appeal.
- Rule 54 Withdrawal of motion, bill, etc.
- Rule 55 Previous question.
- Rule 56 Putting the motion ending debate.
- Rule 57 Reading of a paper.
- Rule 58 Order of questions.
- Rule 59 Motion to adjourn.
- Rule 60 Division of points of debate.
- Rule 61 Putting of question.
- Rule 62 Decorum of members.
- Rule 63 Question of privilege.
- Rule 64 Members to vote.
- Rule 65 Voting within bar only.
- Rule 66 Change of vote—Private interest.
- Rule 67 Clerk's desk during voting.
- Rule 68 Yeas and nays.
- Rule 69 Tie vote, question loses.
- Rule 70 Reconsideration.
- Rule 71 Call of the house.
- Rule 72 Doors to be closed.
- Rule 73 Sergeant at arms to bring in the absentees.
- Rule 74 House under call; raising call.
- Rule 75 Call of house raised when absentees return.
- Rule 76 Parliamentary rules.
- Rule 77 Appeal from decision of chair.
- Rule 78 Veto bills—No reconsideration.
- Rule 79 Standing committees.
- Rule 80 Notice of committee meetings.
- Rule 81 Duties of standing committees.
- Rule 82 Committee quorum.
- Rule 83 Committee cannot meet, when.
- Rule 84 Free conference committee report.
- Rule 85 Standing rules of the house: amendment of; rescind.
- Rule 86 Smoking at Public Committee Meetings.

CHIEF CLERK TO CALL TO ORDER

RULE 1. Custom, so prevalent and so ancient as to have the force of law, has made it the duty of the chief clerk of the previous assembly to call the session to order and to conduct the proceedings generally until a speaker is chosen.

The secretary of state furnishes to the clerk a certified statement of the names of the members elect, which is read by the clerk. The roll is called and the oath of office is administered to the members by a justice of the supreme court. The members rise and are sworn. After adoption of temporary rules, the assembly then proceeds to the election of its officers.

ELECTION OF SPEAKER, CHIEF CLERK AND SERGEANT AT ARMS

RULE 2. The house shall elect the following officers at the commencement of each regular session: Its presiding officer, who shall be styled speaker of the house, a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker, a chief clerk of the house, and a sergeant at arms. An assistant chief clerk may be elected on any legislative day. Such officers shall hold office during all sessions until the convening of the succeeding regular session: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their vote entered on the journal. If any office is declared vacant the house shall fill such vacant office as herein-after provided.

In all elections by the house a Constitutional majority shall be required, the members shall vote viva voce and their vote shall be entered on the journal.

POWERS AND DUTIES OF SPEAKER

RULE 3. The speaker shall take the chair every day precisely at the hour to which the house shall have adjourned on the preceding day, shall call the members to order immediately, and on the appearance of a majority of the members shall proceed with the order of business prescribed by Rule ((43)) 44.

The speaker shall possess the powers and perform the duties herein prescribed, viz.:

(a) The speaker shall preserve order and decorum and may speak to points of order in preference to the other members.

(b) The speaker shall decide all questions of order, subject to appeal to the house. On every appeal the speaker shall have the right, in place, to assign a reason for the decision.

(c) The speaker shall rise to put a question, but may state it sitting.

(d) The speaker shall have a general direction of the house chamber.

(e) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

(f) In appointing the committee members to standing committees, the speaker shall name members in the same ratio as the membership of the respective parties in the house. Committee members will be selected by each party's caucus. The majority party caucus will select all committee chairmen/chairwomen.

Members of the Rules Committee will be selected in the same manner and same ratio as provided above, and the speaker will serve as chairman of the Rules Committee.

Interim committee memberships will be elected by the respective caucuses, unless otherwise provided by law, on a basis of statutory and geographical representation; otherwise, the same ratio between the parties will prevail in the caucus election of interim committee members.

Patronage will be divided proportionately by the party caucuses, following as closely as possible the ratio between the parties.

(g) In case of any disturbance or disorderly conduct in the house chamber and legislative areas, the speaker shall have the power to order the same to be cleared.

(h) The speaker shall designate the persons who shall act as reporters for the public press.

(i) The speaker shall announce the business before the house in the order in which it is to be acted upon.

(j) The speaker shall sign all acts, joint resolutions, concurrent resolutions and joint memorials in open session of the house.

(k) The speaker shall authenticate by signature, when necessary, all the acts, orders and proceedings of the house.

(l) The speaker pro tempore shall exercise the duties, powers and prerogatives of the speaker in the event of the speaker's death, illness, or inability to act, until the speaker's successor shall be elected.

WRITS, WARRANTS AND SUBPOENAS, HOW ISSUED

RULE 4. All writs, warrants and subpoenas issued by the order of the house shall be under the hand and seal of the speaker, attested by the chief clerk.

CERTIFICATION OF PAYROLL OF MEMBERS AND EMPLOYEES

RULE 5. The speaker shall sign and the chief clerk countersign all payrolls and vouchers for all expenses of the house and transmit same to the state treasurer and budget director for payment.

DUTIES OF CHIEF CLERK

RULE 6. The duties of the chief clerk shall be as follows:

(a) The chief clerk shall employ all employees of the house on recommendations of the employment committee, by and with the consent of the speaker and may remove them subject to the approval of the employment committee, by and with the consent of the speaker: **PROVIDED, HOWEVER,** That the spouse of members of the house of representatives and senate shall not be eligible for employment in the house: And provided further, That no one who has reached the age of seventy shall be employed in the house.

(b) The chief clerk shall see that the journal is kept properly, and have general supervision over all clerks and employees not under the supervision of the sergeant at arms.

(c) Under the direction of the presiding officer, the chief clerk shall perform all other duties pertaining to the office of clerk and shall be responsible for the official acts of any assistants.

(d) The assistant chief clerk shall exercise the duties, powers and prerogatives of the chief clerk in the event of the chief clerk's death, illness or inability to act.

DUTIES OF EMPLOYEES

RULE 7. The staff of the house shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the speaker, and such other duties as the house may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services.

No house employee shall seek to influence the passage or rejection of proposed legislation.

SUPPLIES FOR THE HOUSE

RULE 8. All supplies for the use of the house shall be furnished upon requisition signed by the chief clerk and approved by the speaker.

DUTIES OF SERGEANT AT ARMS

RULE 9. The duties of the sergeant at arms shall be as follows:

(a) The sergeant at arms shall attend the house during the sittings, ((~~announce all messages,~~)) preserve order, execute all processes issued by authority of the house and directed by the speaker.

(b) The sergeant at arms shall see that the house chamber, adjoining rooms, committee rooms and members' offices are kept clean, well-heated and ventilated, and open for the use of the members from 8:00 a.m. until 11:00 p.m.; and that the furniture is kept in good order and repair and shall protect any personal property of house members left in the house chamber and committee rooms.

(c) The sergeant at arms shall see that no person is admitted to the house chamber, visitor's gallery, or committee rooms except in accordance with the provisions of House Rules ((13 and 14)) and shall strictly enforce the house rules regulating lobbying.

DUTIES OF SERGEANT AT ARMS STAFF

RULE 10. All employees in the department of the sergeant at arms shall report and remain on duty as the sergeant at arms shall designate.

USE OF HOUSE CHAMBER

RULE 11. The use of the committee rooms shall not be granted for any purpose without consent of the committee chairmen/chairwomen, except for meetings of the members of the legislature. The lounge rooms are for the exclusive use of the members of the legislature.

Permission to use any house facility must be obtained from the Rules Committee, while the legislature is in session, or the speaker following adjournment.

VISITORS GALLERY

RULE 12. Portions of both galleries may be reserved for the use of the spouse and families of the governor, lieutenant governor, state officials and members of the legislature. The balance of both galleries shall be used by visitors for the orderly observation of the proceedings of the house. ((~~No member of the house, except the speaker, may introduce visitors in the gallery.~~)) The speaker may order the gallery closed when applause or other disorderly conduct occurs in the gallery.

ADMITTANCE TO THE FLOOR

RULE 13. (A) Except as is provided otherwise in subsection (B) of this rule, the following persons shall be entitled to admittance to the third and fourth floor of the house chamber (excluding the galleries):

1. Senate officers and members of the senate.
2. Persons in the exercise of official duty directly connected with the business of the house.
3. Reporters who have been designated by the speaker and who have received press cards of admittance, subject to revocation.
4. Former members of the legislature not advocating any pending or proposed legislation, upon presentation of cards of admittance issued by the speaker or speaker pro tempore and subject to revocation.
5. The immediate family of members, upon presentation of cards of admittance issued by the speaker or speaker pro tempore and subject to revocation, may be admitted when the house is not in session.
6. Other persons, upon presentation of cards of admittance issued by the speaker, the chief clerk, or members of the house, and subject to revocation, may be admitted except for one-half hour prior to the convening of each day's session and for one-half hour immediately following adjournment each day the house is in session.

(B) No lobbyist, Washington state employee or public official shall be admitted to the house chamber either when the house is convened into its daily session or one-half hour immediately prior to and following the convening of its daily session, except with the consent of the speaker.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited at all times unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

REGULATION OF LOBBYISTS

RULE 14. Every person registering pursuant to RCW 42.17 shall receive an admission card signed by the speaker.

All lobbying information filed in the speaker's office shall be available for inspection by the members, press and public.

Any lobbyist not fully complying with the provisions of the House Rules and RCW 42.17 is subject to having all lobbying privileges canceled by the House Rules Committee.

HOUSE COURTESY RECOGNITION LIMITED

RULE 15. When the house is in session, recognition of visitors and former members shall be made only by the speaker.

ABSENTEES

RULE 16. No member shall be absent from the service of the house without leave from the speaker or unless such member be sick and unable to attend.

NUMBER OF COPIES OF BILLS, ETC.

RULE 17. All bills, resolutions and memorials to be introduced shall be endorsed with a statement of the title and the name of the member or members introducing the same. A bill shall be introduced by no more than three members unless approved by the prime sponsor. Sufficient copies shall be filed as required by the chief clerk. The original is for the use of the house. Bills filed before the opening day of the session or originating in the Statute Law Committee or in the Legislative Council may be introduced in printed form.

BILL BACKS, ETC.

RULE 18. There shall be attached to each bill, resolution or memorial sent to the clerk's desk a substantial cover, which shall be furnished by the clerk and shall bear no writing except the name of the person or persons or committee introducing it and the title of the bill.

PETITIONS, MEMORIALS, ETC., ADDRESSED TO HOUSE—DISPOSITION

RULE 19. Petitions, memorials or other papers addressed to the house may be presented by the speaker or any member, and shall not be debated or decided on the day of their being first read unless the house shall direct otherwise. Floor resolutions shall be on file with the chief clerk for at least 12 hours prior to being read, and shall not be voted thereon until the next working day after introduction. The members shall be furnished with copies of the same by the chief clerk.

BILLS—TIME FOR INTRODUCTION

RULE 20. ~~((1))~~ All bills to be considered by the House of Representatives during the regular session of the ~~((44th))~~ 45th legislature, shall be on the request list of the Code Reviser by ~~((12:00 noon the 33th))~~ 4:00 p.m. on the 35th day and shall be read in on the 4th order of business no later than the 40th legislative day except as the legislature shall direct by a vote of two-thirds of all members elected to each house, said vote to be taken by yeas and nays and entered upon the journal; or unless the same be at a special session. The time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees.

~~((2) Introduction of bills by departmental request shall be limited to the first twenty days of the session unless the house shall otherwise direct by a vote of two-thirds of all the members elected to the house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.))~~

INTRODUCTION OF BILLS, ETC.

RULE 21. Any member desiring to introduce a bill, memorial or resolution on or after the opening day or any session, except resolutions having to do with business of the house, shall file the same with the chief clerk not later than 12:00 (noon), on the day before the next convening session; and which bill, memorial or resolution shall be numbered and read on the next convening day, in the order filed.

Members-elect to the house may prefile bills with the chief clerk on any day after the fifteenth day of November preceding any regular session for which such member or member-elect is elected or ten days prior to any extraordinary session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day.

AMENDATORY BILLS—FORM

RULE 22. Bills introduced in the house of representatives intended to amend existing statutes shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by lining out such matter with a broken line and enclosing the lined out material within double parentheses, and no bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

New sections need not be underlined but shall be designated "NEW SECTION." in upper case type and such designation shall be underlined.

BILLS TO BE PRINTED

RULE 23. All bills shall be printed unless otherwise ordered by the house.

BILLS—READING OF

RULE 24. Every bill shall be read on three separate days unless the house deems it expedient to suspend this rule.

BILLS—FIRST READING

RULE 25. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full. After the first reading, bills are referred to committees unless they are committee bills, in which event they go directly to the Rules Committee.

Upon being reported back by committee, all bills shall go to the Rules Committee.

The Rules Committee may, by majority vote, refer any bill in its possession to a standing committee of the House for further consideration. Such referral shall be reported to the House and entered in the Journal under the fifth order of business.

BILLS—SECOND READING

RULE 26. Upon second reading, the bill number and short title and the last line of the bill shall be read

unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No bills shall be considered on second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise provided by the Rules Committee. No amendment shall be considered by the house until it shall have been sent to the desk in writing, distributed to the desk of each member and read by the clerk. All amendments adopted on the second reading shall be pasted securely to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments. When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

SUBSTITUTE BILLS

RULE 27. When a committee reports a substitute for an original bill, with the recommendation that the substitute pass, it shall be in order to read the substitute the first time and have the same printed.

A motion for the substitution shall not be in order until the second reading of the original bill.

((AMENDMENTS, WHEN—))RECOMMITMENT OF BILL

RULE 28. ~~((Amendments to any bill, resolution or memorial may be offered when the same is on its second reading.))~~

No amendments to a bill shall be received on its third reading but it may be referred or recommitted for the purpose of amendment.

AMENDMENTS TO BE OFFERED ON FURNISHED BLANKS

RULE 29. The Chief clerk shall furnish to members sheets with a proper heading printed in blank, upon which amendments shall be written; and all amendments offered shall be on such blanks and bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

COMMITTEE AMENDMENTS

RULE 30. An amendment to a bill made by a committee shall be in writing in quadruplicate, the original amendment to be pasted to the original copy of the committee report, and the three extra copies of each amendment shall be attached to the committee report with a clip.

When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house in the same manner as amendments that may be offered from the floor.

SENATE AMENDMENTS TO HOUSE BILLS

RULE 31. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to appropriate committee and shall take the same course as for original bills.

AMENDMENTS TO BE GERMANE

RULE 32. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

SUBSTITUTION OF COMMITTEE BILL

RULE 33. In the event a committee has a number of bills on the same subject, none of which can be agreed upon by the committee, and it is their wish to present a different bill upon the same subject, such bill must be reported to the house before any of the other bills can be recommended for indefinite postponement.

MEMBER'S PRIVILEGE TO CHECK ENGROSSED AND ENROLLED BILLS

RULE 34. Any representative shall have the right to compare the original bill and amendments thereto and any representative shall have the right to compare an enrolled bill with the engrossed bill before the speaker signs the same.

THIRD READING

RULE 35. Only the last line of the bills on third reading shall be read unless a majority of the members present demand its reading in full, and no amendment shall be entertained.

RECOMMITMENT BEFORE FINAL PASSAGE

RULE 36. A bill may be recommitted at any time before its final passage.

FINAL PASSAGE

RULE 37. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded as voting in its favor. (See also Constitution, Art. 2, Sec. 22.)

BILLS PASSED—CERTIFICATION

RULE 38. When a bill shall pass, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

BILL—WHEN SENT TO SENATE

RULE 39. No bill, memorial or resolution shall be sent to the senate until the following day after its passage unless otherwise ordered by the house.

HOUR OF MEETING

RULE 40. The speaker shall call the house to order each day of sitting at 10:30 a.m., unless the house shall have adjourned to some other hour.

ROLL CALL AND QUORUM

RULE 41. Before proceeding to business, the roll of the members shall be called and the names of those absent shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. Seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to call the house and compel the attendance of absent members, making order for their fine and censure, and may adjourn. For the purpose of determining whether a quorum be present, the speaker, shall count all members present, whether voting or not.

INTERRUPTION OF ROLL CALL

RULE 42. When once begun, the roll call may not be interrupted.

DAILY CALENDAR

RULE 43. The Rules Committee shall have charge of the daily calendar of the house and direct the chief clerk the order in which the business of the house shall be transacted: PROVIDED, That,

(a) A bill in the Rules Committee may be placed on the calendar by the affirmative vote of a constitutional majority of all members of the house.

(b) Messages from the governor or senate or any communication from any state officer may be read at any time.

ORDER OF BUSINESS

RULE 44. Business shall be disposed of in the following order:

First – Roll call, presentation of colors, prayer and approval of the journal of the preceding day.

Second – Introduction of visiting dignitaries.

Third – Messages from the Senate, Governor and other state officials.

Fourth – Introduction and first reading of bills, memorials, joint resolutions and concurrent resolutions.

Fifth – Committee reports.

Sixth – Second reading of bills.

Seventh – Third reading of bills.

Eighth – Floor resolutions and motions.

Ninth – Presentation of petitions, memorials and remonstrances addressed to the Legislature.

Tenth – Introduction of visitors and other business to be considered.

Eleventh – Announcements.

UNFINISHED BUSINESS

RULE 45. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

MOTIONS TO BE ENTERTAINED OR DEBATED

RULE 46. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated, and by the consent of the house may be withdrawn before amendment or action.

MOTIONS IN ORDER DURING DEBATE

RULE 47. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

PRIVILEGED MOTIONS

Adjourn

Adjourn to a time certain

Recess to a time certain

Reconsider

Demand for division

Question of privilege

Orders of the Day

SUBSIDIARY MOTIONS

- First rank — Question of consideration
- Second rank — To lay on the table
- Third rank — For the previous question
- Fourth rank — To postpone to a day certain
 - To commit or recommit
 - To postpone indefinitely
- Fifth rank — To amend

INCIDENTAL MOTIONS

- Points of order and appeal
- Method of consideration
- Suspend the rules
- Reading papers
- Withdraw a motion
- Division of a question

No motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

WITHOUT DEBATE

RULE 48. A motion to adjourn, to take a recess, to lay on the table and a call for the previous question shall be decided without debate.

All incidental questions of order arising after a motion is made for ((either)) any of the questions named in this rule and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of the motion, and one member may briefly state the opposition to the motion.

RECOGNITION OF SPEAKER

RULE 49. When any member is about to speak in debate or deliver any matter to the house the member shall rise and, respectfully address the Speaker, pause until recognized, shall confine all remarks to the question under debate, and avoid personalities; and no member shall impugn the motive of any member's vote or argument.

ORDER OF SPEAKING

RULE 50. When two or more members arise at once, the speaker shall name the one who is to speak.

RIGHT OF MEMBERS TO SPEAK

RULE 51. No member shall speak more than twice on the same question without leave of the house: **PROVIDED**, That the chairman/chairwoman of the committee or the mover of the question may close the debate except as provided in Rule ((54)) 55: **PROVIDED FURTHER**, That no member shall speak longer than ten minutes without consent of the house.

After the fiftieth day no member shall speak more than once on the same question without leave of the house: **PROVIDED**, That the chairman/chairwoman of the committee or the mover of the question, may close the debate except as provided in Rule ((54)) 55: **PROVIDED FURTHER**, That no member shall speak more than three minutes without the consent of the house.

EXCEPTION TO WORDS SPOKEN IN DEBATE

RULE 52. If any member be called to order for words spoken in debate the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

TRANSGRESSION OF RULES—APPEAL

RULE 53. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall be submitted to.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

WITHDRAWAL OF MOTION, BILL, ETC.

RULE 54. After a motion is stated by the speaker, or a bill, memorial, resolution, petition or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

PREVIOUS QUESTION

RULE 55. The previous question upon all recognized motions or amendments which are debatable may be ordered by two-thirds of the members present, and shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED, HOWEVER, That one of the sponsors of a bill, memorial, or resolution, or the chairman/chairwoman of the committee, when the measure is on final passage or when the motion to postpone indefinitely is pending, may have the privilege of closing debate after the previous question has been ordered.

PUTTING THE MOTION ENDING DEBATE

RULE 56. The previous question is not debatable and cannot be amended. The previous question shall be put in this form: "Representative demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative, the presiding officer, without debate, proceeds to put the question.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

READING OF A PAPER

RULE 57. When the reading of any paper is called for, and is objected to by any member, it shall be determined by a vote of the house.

ORDER OF QUESTIONS

RULE 58. All questions, whether in committee or in the house, shall be propounded in the order in which they are named, except that in filling blanks the largest sum and the longest time shall be put first.

MOTION TO ADJOURN

RULE 59. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move an adjournment when another member has the floor.

DIVISION OF POINTS OF DEBATE

RULE 60. Any member may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

PUTTING OF QUESTION

RULE 61. Questions shall be put in this form, to-wit: "As many as are in favor of (as the question shall be) say 'Aye';" and after the affirmative vote is expressed, "as many as are opposed say 'No'."

DECORUM OF MEMBERS

RULE 62. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

QUESTION OF PRIVILEGE

RULE 63. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

MEMBERS TO VOTE

RULE 64. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the House.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

VOTING WITHIN BAR ONLY

RULE 65. Upon a division and count of the house on the question, only members at their desk within the bar of the house shall be counted.

CHANGE OF VOTE—PRIVATE INTEREST

RULE 66. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When the oral roll call is used, no member shall be allowed to change a vote after the result has been announced. No member shall vote on any question in the event of which that member is immediately or particularly interested,* or in any case when that member is not within the bar of the house before the last name was called, unless by unanimous consent; and when any member shall ask leave to vote, the speaker shall propound the question, "Were you within the bar of the house when the last name was called?"

*A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon." (See also Constitution, Art. 2, Sec. 30.)

CLERK'S DESK DURING VOTING

RULE 67. No member or other person shall visit or remain by the clerk's desk while the yeas and nays are being called.

YEAS AND NAYS

RULE 68. Upon the final passage of any bill, memorial or resolution, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth of the members present.

The speaker shall vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question it shall be entered upon the journal of the house.

TIE VOTE, QUESTION LOSES

RULE 69. In case of an equal division, the question shall be lost.

If the speaker is in doubt, or if division is called for and is supported by at least 17 members, the House shall divide and a recorded vote shall be taken.

RECONSIDERATION

RULE 70. Notice of a motion for reconsideration on the final passage of bills may be made only on the day the vote to be reconsidered was taken.

A motion to reconsider can be made only by a member voting on the prevailing side.

An affirmative or negative vote on the final passage of bills may be reconsidered only on the next working day after such vote has been taken: PROVIDED, That on or after the 50th day reconsideration can be had only on the day the vote to be reconsidered was taken.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

A motion to reconsider can be decided only once when decided in the negative.

CALL OF THE HOUSE

RULE 71. One-sixth of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

DOORS TO BE CLOSED

RULE 72. A call of the house being ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the Rules Committee shall be allowed to meet, upon request of the speaker, in the Rules Committee room while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

SERGEANT AT ARMS TO BRING IN THE ABSENTEES

RULE 73. The clerk shall call a roll of the members immediately and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

HOUSE UNDER CALL; RAISING CALL

RULE 74. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to suspend further proceedings under the call of the house, or a motion to excuse absentees, any of which motions shall be determined by viva voce vote unless a roll call is demanded by a one-sixth of the members present. The motion to suspend further proceedings under the call or to excuse absent members shall not be adopted unless a majority of all members elected to the house vote in favor thereof.

CALL OF HOUSE RAISED WHEN ABSENTEES RETURN

RULE 75. When the sergeant at arms shall make a report showing that all who were absent without leave are present the call of the house may be dispensed with; or the house may proceed under the call, on a majority vote of the members elected, with its regular business.

PARLIAMENTARY RULES

RULE 76. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

APPEAL FROM DECISION OF CHAIR

RULE 77. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

VETO BILLS—NO RECONSIDERATION

RULE 78. The veto message of the governor accompanying any bill passed by the legislature, together with the bill vetoed, shall be read in the house. It shall then be in order to proceed to the reconsideration of the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house.

Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house which have not been passed notwithstanding the veto of the governor shall remain in the custody of the officers of the house until the close of the session, after which they shall be filed with the secretary of state.

STANDING COMMITTEES

RULE 79. The standing committees of the house shall be as follows:

1. Agriculture	9
2. Appropriations	26
3. Commerce	12
4. Constitution	6
5. Ecology	13
6. Education	17
7. Elections and Governmental Ethics	9
8. Energy and Utilities	16
9. Financial Institutions	12
10. Higher Education	10
11. Institutions	10
12. Insurance	12
13. Judiciary	11
14. Labor	9
15. Local Government	15
16. Natural Resources	15
17. Parks and Recreation	6
18. Revenue	15
19. Rules	21
20. Social and Health Services	14
21. State Government	11
22. Transportation	21

NOTICE OF COMMITTEE MEETINGS

RULE 80. The chief clerk shall post on the bulletin board the time, place and subjects to be discussed at committee meetings. All public hearings held by committees during the first forty days of the session shall be scheduled at least five days in advance and shall be given adequate publicity.

DUTIES OF STANDING COMMITTEES

RULE 81. Standing committees shall act upon all referred bills, memorials and resolutions. Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill. A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out: PROVIDED, That a majority of the members elected to the house may require a committee to report a bill back to the house during the order of business at which it may be considered.

Majority recommendations of a committee can only be "do pass", "do pass as amended", or that "the attached substitute be substituted therefor and that the substitute bill do pass." Minority reports, "do not

pass" or "without recommendation", may be submitted with the majority report. Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation, which shall be signed by those members of the committee subscribing thereto. All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports (PROVIDED, That a majority of members elected to the house may require a committee to report a bill back to the house during the order of business at which it may be considered.)

Every vote to report a bill, memorial, or resolution out of committee shall be taken by the yeas and nays, and the names of the members voting for and against shall be recorded. Upon demand of any member, a committee vote on any substantive question shall be taken by the yeas and nays, and the names of the members voting for and against shall be recorded. A copy of each recorded committee vote shall be maintained, open for public inspection, by the chief clerk.

All bills including a direct appropriation must be referred to the Appropriations Committee before appearing on the second reading calendar.

No standing committee shall vote on any issue by secret written ballot.

During its consideration of or vote on any bill, resolution or memorial, the deliberations of any Standing Committee of the House of Representatives shall be open to the public.

((When a bill has been presented to a standing committee by its chairman, if the motion to report out fails for want of a majority favoring, one-sixth of the members of such committee may demand that the vote be recorded and filed with the chief clerk of the house who shall preserve such record for a period of four years.))

COMMITTEE QUORUM

RULE 82. A majority of any committee shall constitute a quorum for the transaction of business.

COMMITTEE CANNOT MEET, WHEN

RULE 83. No committee shall sit while the house is in session without special leave of the speaker: PROVIDED, HOWEVER, That after the fiftieth day the Rules Committee may sit at any time.

FREE CONFERENCE COMMITTEE REPORT

RULE 84. The house shall have twelve hours from the time of receipt to consider reports from a free conference committee and shall not vote thereon until the next working day.

STANDING RULES OF THE HOUSE: AMENDMENT OF; RESCIND

RULE 85. Any standing rule or order of the house may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted in writing to the members together with notice of the consideration thereof at least one day in advance.

Any standing rule of order or business may be suspended temporarily by a two-thirds vote of the members present.

SMOKING AT PUBLIC COMMITTEE MEETINGS

RULE 86. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the House of Representatives, unless such prohibition shall be waived by the chairperson of each committee.

No smoking signs shall be posted in all committee rooms of the House of Representatives.

MOTION

Mr. King moved that the resolution be adopted.

Mr. Paris moved adoption of the following amendment by Representatives Paris, Zimmerman, Gaines, Toller, Lee, Haley, Polk, Whiteside Wilson, Berentson, Sanders, Struthers, Oliver, Shinoda, Greengo, Craswell, Barr, Tilly, Barnes, Gilleland, Schmitten and Amen:

Add to Rule 5 a new paragraph:

Per diem payments made pursuant to RCW 44.04.080 may only be paid for sixty days in even-numbered years and ninety days in odd-numbered years, unless two-thirds of the members elected to each House of the legislature approve a concurrent resolution extending such payment period for not more than thirty additional days in any calendar year, or unless the governor, upon occurrence of an emergency and declaration of an emergency, by proclamation, convenes an extraordinary session of the legislature, whereupon per diem may be paid for an additional period not to exceed thirty days in any calendar year: PROVIDED, That per diem for interim activities is not limited by this rule.

Representatives Paris and Berentson spoke in favor of the amendment, and Mr. King spoke against it.

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

Representatives Zimmerman, Shinoda and Polk spoke in favor of the amendment, and Representatives Charnley, Clemente and Hurley (George) spoke against it.

Mr. Knowles demanded the previous question and the demand was sustained.

MOTION

Mr. King moved that the amendment by Representative Taller be considered immediately.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "We have a motion before this body. That motion was Representative Paris' motion to adopt the amendment, and I don't think Representative King's motion is in order."

The Speaker: "We're trying to expedite the business. Your point is well taken. We can just put the House at ease and wait for an amendment to the Paris amendment to come out. In the interest of time, Representative King made his motion to consider the Taller amendment now, and then we would go back to the Paris amendment and the amendment to that amendment."

Mr. Pardini: "Mr. Speaker, I think we ought to put the House at ease."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Knedlik moved adoption of the following amendment to the amendment by Representative Paris and others:

On the last line of the Paris amendment strike the period and insert ": PROVIDED FURTHER, That no member of the state legislature, who receives any wages, salary, set-off, or any other form of compensation from any employer (excluding profits or draws of a self-employed individual), either directly or indirectly, during or for any period, including but not limited to a single day, for which he or she would otherwise be eligible for per diem under any statute, shall draw any per diem from the state except upon presentation (and approval) of expenses in fact incurred as a direct result of such member's legislative service, but in no case shall such per diem received by such member within any calendar month or part thereof be greater than one-third (1/3) of the per diem paid for such period to those members who do not receive any wage, salary, set-off or any other form of compensation from any employer."

Mr. Knedlik spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Knedlik yielded to question by Mr. Berentson.

Mr. Berentson: "Have you had an attorney look at this amendment?"

Mr. Knedlik: "I don't feel that need. I think one of the problems here—the reason the amendment is awkward—is that because of certain changes, attorneys no longer find it possible to serve. You haven't any in your caucus; we only have four practicing attorneys left in ours. I have looked at the amendment."

Mr. Berentson spoke in opposition to the amendment.

The amendment to the amendment was adopted.

The Speaker stated the question before the House to be the amendment by Representative Paris as amended.

Mr. Paris spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Paris and others as amended to House Resolution No. 77-7, and the amendment was not adopted by the following vote: Yeas, 35; nays, 61; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fuller, Gilleland, Greengo, Haley, Knedlik, Leckenby, Lee, Lysen, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

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

Not voting: Representatives Barr, Moreau.

Mr. Taller moved adoption of the following amendment by Representatives Taller, Schmitten, Clayton, Struthers, Fancher, Shinoda, Oliver, Barr, Fuller, Sanders, Craswell and Winsley:

Add a new paragraph at the end of Rule 79 as follows:

"The name of each member of a standing committee who is present at any meeting of such committee shall be recorded and a copy of such record shall be maintained until the end of the biennium, open for public inspection, by the Chief Clerk of the House of Representatives."

Representatives Taller, Schmitten, Struthers and Owen spoke in favor of the amendment, and Representatives King and Charette spoke against it.

POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "In the interest of precision, Representative Taller, I would like you to tell me when you say, 'each member of a standing committee who is present,' for how long need a member be present in order to be counted as present?"

Mr. Taller: "The intent was to show that the person showed up for the meeting and was present for part of the time. My intent was not to say that he was there for ten minutes out of the hour or thirty minutes. I think the same things hold true in a classroom, many times in lecture classes it's if you show up for the class. That was the intent."

Mr. Douthwaite: "At which point in the proceedings of the committee do you recommend that the attendance record be taken?"

Mr. Taller: "I would leave that up to the discretion of the chairman. I think the intent is that there be a record kept and I don't see us telling the chairman that it must be in the first five minutes or the last five minutes. In many committees you can come in and sign up during the entire session and I think it would be appropriate to follow that procedure."

Representatives Lee, Blair and Oliver spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taller and others to House Resolution No. 77-7, and the amendment was not adopted by the following vote: Yeas, 44; nays, 52; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Erickson, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Eng, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, North, O'Brien, Pearsall, Pruitt, Salatino, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Moreau, Sherman.

Mr. Newhouse moved adoption of the following amendment:

Amend House Rule 81 as follows:

On line 6 strike "signed" and insert "((signed)) affirmatively voted upon"

Mr. Newhouse spoke in favor of the amendment, and Mr. King spoke against it.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Greengo.

Mr. Greengo: "My reading of the rule as it stands now appears to be actually more stringent than what Representative Newhouse is proposing. The wording now says that you must sign it in a regularly called meeting, and I presume once the gavel goes down the meeting is adjourned, and you can no longer sign it. His words don't say that. It actually says that you ought to vote on it and says nothing about signing a do pass sheet. Could you give me your interpretation of the rule as it is now?"

Mr. King: "I think your interpretation is correct. The way the rule works now, you may sign during any regularly called meeting, but what it does say is that you don't have to be present when the vote comes up. I think there are many, many times when I've been at some other committee meeting and come back after the bill (maybe my own bill) has been voted out of the committee, and I have been able to sign that do pass sheet during the committee meeting. I think the flexibility to the legislature is greater under our existing rule than it would be under the proposed rule change."

Mr. Greengo: "With all respect, sir, I don't believe you've answered my specific question, and that is the matter of signing a bill prior to adjournment of the meeting or subsequent to the adjournment."

Mr. King: "The rule says any regularly called meeting. It doesn't have to be the meeting on any particular day. It should be signed during a regularly called meeting."

POINT OF INQUIRY

Mr. King yielded to question by Mr. Bond.

Mr. Bond: "Representative King, one little thing that puzzles me frequently in committee meetings is the situation where a member will vote when the time comes to vote either by voice or by raising hands or something and then that member doesn't sign anything—a do pass or a do not pass. How is that situation covered?"

Mr. King: "That certainly can occur. There are a number of reasons it would occur. It might be that the member is saying that he has changed his mind or it might be that the member is in a hurry to do something else and had to leave before he had a chance to sign, but that certainly can occur."

Mr. Bond: "If he voted and didn't sign, is that vote valid?"

Mr. King: "The vote is valid, but the bill won't move out of committee unless it has the signatures of the majority of the members of the committee."

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

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to House Resolution No. 77-7, and the amendment was not adopted by the following vote: Yeas, 38; nays, 59; not voting, 1.

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

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

Not voting: Representative Moreau.

The Clerk read the following amendment by Representatives Greengo and Lee:

On line 5 of Rule 81 after "bill," strike all the material down to and including "meeting" on line 7 and insert "((A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting)) During and prior to adjournment of a regular meeting of a committee in which a vote on a particular bill is taken, a majority recommendation must be signed by a majority of the entire membership of the committee"

POINT OF INFORMATION

Mr. Greengo: "Mr. King gave us his interpretation a few minutes ago of this particular sentence. Could I have a ruling from the Speaker as to his agreement with Representative King's opinion?"

The Speaker: "The rule is explicit. A bill to be signed out of committee must be signed by a member attending a regularly called meeting."

Mr. Greengo: "So it is your interpretation that the signing must occur at the meeting?"

The Speaker: "That's correct. Not necessarily the meeting the bill was voted upon, but at a meeting of that committee. I'm not saying that happens all the time, but that's the rule."

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

Mr. Berentson moved adoption of the following amendment:

Amend Rule 81 as follows: On line 11 after "considered," insert "A bill must be filed with the chief clerk of the House no later than 5:00 p.m. on the second day after the favorable vote of the committee. A bill not timely filed pursuant to this rule must return to the committee for another vote during a regular session of the committee."

Representatives Berentson and Greengo spoke in favor of the amendment, and Mr. King spoke against it.

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

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Berentson to House Resolution No. 77-7, and the amendment was not adopted by the following vote: Yeas, 37; nays, 59; not voting, 2.

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

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

Not voting: Representatives Moreau, Pruitt.

Mr. Pardini moved adoption of the following amendment:

Amend Rule 81 as follows: On paragraph 3, line 3 after "recorded," strike "Upon demand of any member, a" and insert "A"

Representatives Pardini and Bond spoke in favor of the amendment, and Representatives King and Shipoch spoke in opposition to it.

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

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to House Resolution No. 77-7, and the amendment was not adopted by the following vote: Yeas, 36; nays, 59; not voting, 3.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Gilleland, Greengo, Grier, Haley, Hughes, Leckenby, Lee, Lux, May, Nelson G. A., Oliver, Owen, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

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

Not voting: Representatives Fuller, Moreau, Newhouse.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley, Valle, Kilbury, Becker, Nelson (Dick), Gruger, Pruitt, Lux, Taller, Douthwaite, Chandler, Sherman, Grimm, Bond and Thompson:

Amend Rule 86 to read as follows:

"RULE 86. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the House of Representatives (unless such prohibition shall be waived by the chairperson of each committee)."

No smoking signs shall be posted in all committee rooms of the House of Representatives."

Mr. Charnley spoke in favor of the amendment.

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

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

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charnley and others to House Resolution No. 77-7, and the amendment was adopted by the following vote: Yeas, 60; nays, 36; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Fuller, Gaines, Greengo, Grier, Grimm, Gruger, Haley, Hawkins, Heck, Hughes, Kilbury, Kreidler, Lee, Lux, Martinis, Maxie, McKibbin, Monohon, Nelson D., Nelson G. A., Paris, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Sommers, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Charette, Clemente, Deccio, Enbody, Flanagan, Fortson, Gallagher, Gilleland, Hanna, Hansen, Hurley G. S., Hurley M., Keller, King, Knowles, Leckenby, Lysen, May, McCormick, Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Shipoch, Smith, Struthers, Tilly, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Knedlik, Moreau.

Mr. Polk moved adoption of the following amendment:

On line 4 of Rule 25 after "are" strike "committee bills" and insert "((committee bills)) , proposed by a standing committee or by a joint statutory legislative committee"

Mr. Polk spoke in favor of the amendment, and Mr. King spoke against it.

POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Ehlers.

Mr. Ehlers: "Before I was in the Legislature, as I remember, there was something called the Legislative Council, when you were in the majority. There was also the interim committee system. Could you let us know what the policy was during those days as far as the interim committees or the joint interim committees having to do with education or other subject matter areas? When they came out during the interim did they go directly to Rules?"

Mr. Polk: "No, they did not, Representative Ehlers. As a matter of fact, there are a number of other statutory committees right now that are not funded such as you pointed out—the Legislative Council, the Joint Committee on Education and Higher Education, the Joint Committee on Nuclear Energy, and a permanent property tax commission. These are not funded so we are not faced with a decision on those, but even at that time we did it exactly as is being done right now."

Mr. Ehlers spoke in opposition to the amendment, and Mr. Polk closed debate, speaking in favor of it.

The amendment was not adopted.

Mr. Owen moved adoption of the following amendment:

Insert a new rule as follows:

***RULE 87.** Within 14 days after receiving a standing committee report which recommends passage of any bill, memorial, or resolution, the Rules Committee shall take action either to schedule such bill, memorial, or resolution on the daily calendar for second reading, or to return it to a standing committee.

Each vote on a motion to take action pursuant to this rule shall be taken by yeas and nays; the names of the members voting for or against such motion shall be recorded; and a copy of such record shall be maintained, open for public inspection, by the Chief Clerk of the House of Representatives."

Representatives Owen and Douthwaite spoke in favor of the amendment, and Representatives Conner, Berentson, Thompson and Zimmerman spoke against it.

Mr. Owen spoke again in favor of the amendment.

The amendment was not adopted.

The Speaker stated the question before the House to be adoption of House Resolution No. 77-7 as amended.

Mr. King spoke in favor of the resolution, and Mr. Pardini spoke against it.

The resolution was adopted.

MOTION

On motion of Mr. King, the House adjourned until 1:30 p.m., Friday, February 4, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-SIXTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, February 4, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Blair, Douthwaite, Enbody, Grier and Martinis, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alice Grady and Calvin May. Prayer was offered by Reverend Frank Whitt of Salmon Creek Methodist Church, Vancouver, Washington.

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

MESSAGES FROM THE SENATE

February 2, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2080,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

February 3, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2021,
SENATE BILL NO. 2059,
SENATE BILL NO. 2065,
SENATE BILL NO. 2066,
ENGROSSED SENATE BILL NO. 2110,
ENGROSSED SENATE BILL NO. 2126,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 571, by Representatives Clemente, Berentson, Bauer, Pardini, Polk, Becker, King, Whiteside, Patterson, Burns, Clayton, Zimmerman, Dunlap, Douthwaite, Monohon, Fuller, Bender, Tilly, Blair, Chandler, Lux, Sherman, Amen, Gruger, Fortson, Greengo, Lee, Charnley, Hurlley (George), Nelson (Dick), Pruitt, Barnes, Hawkins, Valle, Enbody, Sommers, Wilson, Fischer, Kreidler, Pearsall and Taller:

AN ACT Relating to education; setting forth "The Citizens for Fair School Funding Basic Program of Education Act of 1977"; amending section 2, chapter 46, Laws of 1973 as last amended by section 1, chapter 211, Laws of 1975 1st ex. sess. and RCW 28A.41.130; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 102, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.052; amending section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145; amending section 28A.44.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.040; amending section 28A.45.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.040; amending section 2, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 56, Laws of 1974 ex. sess. and RCW 28A.47.801; amending section 3, chapter 244, Laws of 1969 ex. sess. as amended by section 2, chapter 56, Laws of 1974 ex. sess. and RCW 28A.47.802; amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010; amending section 28A.13.040, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.040; amending section 28A.13.050, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.050; amending section 9, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.070; amending section 28A.24.100, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 66, Laws of 1971 ex. sess. and RCW 28A.24.100; amending section 1, chapter

85, Laws of 1974 ex. sess. and RCW 28A.41.250; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; creating new sections; repealing section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140; repealing section 11, chapter 66, Laws of 1971 ex. sess. and RCW 28A.41.053; repealing section 28A.41.160, chapter 223, Laws of 1969 ex. sess., section 14, chapter 48, Laws of 1971, section 1, chapter 85, Laws of 1972 ex. sess., section 60, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.41.160; repealing section 28A.24.080, chapter 223, Laws of 1969 ex. sess., section 104, chapter 176, Laws of 1969 ex. sess., section 32, chapter 282, Laws of 1971 ex. sess., section 54, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.24.080; repealing section 28A.24.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.24.090; repealing section 28A.24.150, chapter 223, Laws of 1969 ex. sess., section 2, chapter 20, Laws of 1970 ex. sess., section 8, chapter 48, Laws of 1971, section 55, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.24.150; and making effective dates.

To Committee on Education

HOUSE BILL NO. 572, by Representative Douthwaite:

AN ACT Relating to life insurance policy loans; amending section .23.08, chapter 79, Laws of 1947 and RCW 48.23.080; and providing an effective date.

To Committee on Insurance

HOUSE BILL NO. 573, by Representatives Charette and Shipoch:

AN ACT Relating to the publication of the session laws of the state of Washington; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 574, by Representatives Bauer, Heck, Zimmerman, Thompson, Paris and Erickson:

AN ACT Relating to state memorials; providing for the erection of a statue of Mother Joseph of the Sisters of Providence in statutory hall at the national capitol; and creating new sections.

To Committee on State Government

HOUSE BILL NO. 575, by Representatives Charnley, Greengo and Pearsall:

AN ACT Relating to first class cities; amending section 1, chapter 56, Laws of 1975 1st ex. sess. and RCW 35.22.620; amending section 2, chapter 56, Laws of 1975 1st ex. sess. and RCW 35.22.630; and amending section 4, chapter 56, Laws of 1975 1st ex. sess. and RCW 35.22.650.

To Committee on Local Government

HOUSE BILL NO. 576, by Representatives Charette, North, Lee, Pardini and Gaines:

AN ACT Relating to legal publications; amending section 36.32.250, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1975 1st ex. sess. and RCW 36.32.250; adding new sections to chapter 36.72 RCW; adding new sections to chapter 65.16 RCW; repealing section 36.72.010, chapter 4, Laws of 1963 and RCW 36.72.010; repealing section 36.72.020, chapter 4, Laws of 1963 and RCW 36.72.020; repealing section 36.72.030, chapter 4, Laws of 1963 and RCW 36.72.030; repealing section 36.72.040, chapter 4, Laws of 1963 and RCW 36.72.040; repealing section 36.72.050, chapter 4, Laws of 1963, section 1, chapter 43, Laws of 1969 ex. sess., section 1, chapter 28, Laws of 1973 1st ex. sess. and RCW 36.72.050; repealing section 36.72.060, chapter 4, Laws of 1963 and RCW 36.72.060; repealing section 36.72.070, chapter 4, Laws of 1963 and RCW 36.72.070; and repealing section 4, chapter 99, Laws of 1921, section 1, chapter 140, Laws of 1947, section 1, chapter 186, Laws of 1955, section 1, chapter 57, Laws of 1967 ex. sess., section 2, chapter 28, Laws of 1973 1st ex. sess. and RCW 65.16.090.

To Committee on Local Government

HOUSE BILL NO. 577, by Representatives Hanna, Salatino, Adams, Erickson, Gallagher, Hawkins, Grimm, Walk, Pearsall, Ehlers, Haley and Winsley:

AN ACT Relating to superior courts; and amending section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.061.

To Committee on Judiciary

HOUSE BILL NO. 578, by Representative Charette:

AN ACT Relating to salary increases for certain state elected officials and members of the judiciary; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 113, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.010; amending section 1, chapter 144, Laws of 1953 as last amended by section 2, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 3, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.06.060; amending section 2, chapter 144, Laws of 1953 as last amended by section 4, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.08.090; amending section 100, chapter 299, Laws of

1961 as last amended by section 5, chapter 263, Laws of 1975 1st ex. sess. and RCW 3.58.010; making an appropriation; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 579, by Representatives Warnke, Greengo, Gaines, Newhouse, Bauer, Polk and Hansen:

AN ACT Relating to real estate brokers and salesmen; amending section 18, chapter 235, Laws of 1953 and RCW 18.85.085; amending section 10, chapter 222, Laws of 1951 as last amended by section 1, chapter 42, Laws of 1973 1st ex. sess. and RCW 18.85.120; amending section 12, chapter 222, Laws of 1951 as last amended by section 12, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.140; amending section 13, chapter 222, Laws of 1951 as last amended by section 13, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.150; and amending section 42, chapter 52, Laws of 1957 as amended by section 17, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.190.

To Committee on Commerce

HOUSE BILL NO. 580, by Representatives Knowles, Knedlik, Vrooman, Hughes and Smith:

AN ACT Relating to crimes; amending section 1, chapter 114, Laws of 1955 as last amended by section 2, chapter 160, Laws of 1974 ex. sess. and RCW 9.45.240; and providing penalties.

To Committee on Judiciary

HOUSE BILL NO. 581, by Representatives Becker, Hanna, Whiteside, Adams, Shinpooh, May, Pardini, Deccio, Charette, Warnke, Grimm, Thompson, Charnley, Hurley (Margaret), Pearsall, Bender, Eng, Hawkins, Chandler and Ehlers:

AN ACT Relating to prescription drugs; and adding a new chapter to Title 18 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 582, by Representatives Whiteside, Deccio, Newhouse, Clayton, Hansen and Flanagan:

AN ACT Relating to the Yakima River; and adding new sections to chapter 43.51 RCW.

To Committee on Parks and Recreation

HOUSE BILL NO. 583, by Representatives Whiteside, Deccio, Fortson and Wilson:

AN ACT Relating to school district fees; and amending section 1, chapter 284, Laws of 1975 1st ex. sess. and RCW 28A.58.113.

To Committee on Education

HOUSE BILL NO. 584, by Representatives Thompson, Grimm and Charnley:

AN ACT Relating to higher education; and amending section 28B.10.420, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.420.

To Committee on Higher Education

HOUSE BILL NO. 585, by Representatives Erickson, Burns and Chandler:

AN ACT Relating to the state colleges; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.40 RCW.

To Committee on Higher Education

HOUSE BILL NO. 586, by Representative Thompson:

AN ACT Relating to superior courts; and amending section 6, chapter 125, Laws of 1951 as last amended by section 1, chapter 192, Laws of 1974 ex. sess. and RCW 2.08.064.

To Committee on Judiciary

HOUSE BILL NO. 587, by Representatives Burns, Grimm, Enbody, Lux and Eng:

AN ACT Relating to the University of Washington; and amending section 28B.20.800, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.800.

To Committee on Higher Education

HOUSE BILL NO. 588, by Representative Hawkins:

AN ACT Relating to elections; and amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68-.070.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 589, by Representatives Fischer, Sanders and Hughes:

AN ACT Relating to small claims; and amending section 1, chapter 187, Laws of 1919 as last amended by section 1, chapter 128, Laws of 1973 and RCW 12.40.010.

To Committee on Judiciary

HOUSE BILL NO. 590, by Representatives Heck, Sommers, Knedlik, McKibbin, Nelson (Dick) and Smith:

AN ACT Relating to revenue and taxation; amending section 36.21.080, chapter 4, Laws of 1963 as last amended by section 1, chapter 120, Laws of 1975 1st ex. sess. and RCW 36.21.080; amending section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040; amending section 84.52.090, chapter 15, Laws of 1961 and RCW 84.52.090; adding a new section to chapter 36.21 RCW; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 591, by Representative Fischer:

AN ACT Relating to legal holidays; amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 1.16.050; amending section 36.16.100, chapter 4, Laws of 1963 and RCW 36.16.100; and amending section 35.21.175, chapter 7, Laws of 1965 and RCW 35.21.175.

To Committee on State Government

HOUSE BILL NO. 592, by Representative Hawkins:

AN ACT Relating to campaign contributions; and adding a new section to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 593, by Representatives Sommers, Pardini, Hawkins, Patterson, Fortson, Gruger, Heck, Nelson (Dick), Erickson, Gaines, Lux, Charnley, Berentson and Polk:

AN ACT Relating to state government; and creating a new chapter in Title 44 RCW.

To Committee on State Government

HOUSE BILL NO. 594, by Representatives Clemente, Berentson, Bauer, Pardini, Polk, Becker, King, Whiteside, Patterson, Burns, Clayton, Zimmerman, Dunlap, Douthwaite, Monohon, Fuller, Bender, Tilly, Blair, Chandler, Lux, Sherman, Amen, Gruger, Fortson, Greengo, Lee, Charnley, Hurley (George), Nelson (Dick), Pruitt, Barnes, Hawkins, Valle, Enbody, Sommers, Wilson, Fischer, Kreidler, Pearsall and Taller:

AN ACT Relating to education; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and providing penalties.

To Committee on Education

HOUSE BILL NO. 595, by Representatives Ehlers, Nelson (Gary) and Sommers:

AN ACT Relating to state government; amending section 11, chapter 117, Laws of 1951 as amended by section 1, chapter 85, Laws of 1971 ex. sess. and RCW 18.51.100; and amending section 4, chapter 208, Laws of 1973 1st ex. sess. as amended by section 43, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.73.040.

To Committee on State Government

HOUSE BILL NO. 596, by Representatives Charette, Eng, Williams, Charnley, Douthwaite, Bender, Thompson and Paris (by State Auditor request):

AN ACT Relating to public deposits; and amending section 1, chapter 193, Laws of 1969 ex. sess. as last amended by section 1, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.010.

To Committee on Financial Institutions

HOUSE BILL NO. 597, BY Representatives Salatino, Hanna, Becker, Deccio and Knedlik:

AN ACT Relating to state government; creating a department of rehabilitation; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; amending section 3, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A-030; amending section 6, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.060; amending section 43, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.320; amending section 44, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.505; amending section 45, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.510; amending section 28A.10.010, chapter 223, Laws of 1969 ex. sess. as amended by section 52, chapter 18, Laws of 1970 ex. sess. and RCW 28A.10.010; amending section 46, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.515; amending section 1, chapter 59, Laws of 1967 and RCW

74.16.181; adding a new chapter to Title 43 RCW; repealing section 40, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.300; repealing section 42, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.310; and repealing section 52, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.050.

To Committee on Institutions

HOUSE BILL NO. 598, by Representatives Hawkins, Sherman, Heck and Charnley:

AN ACT Relating to political parties; amending section 29.42.020, chapter 9, Laws of 1965 as amended by section 1, chapter 45, Laws of 1972 ex. sess. and RCW 29.42.020; and amending section 29.42.030, chapter 9, Laws of 1965 as last amended by section 1, chapter 85, Laws of 1973 and RCW 29.42.030.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 599, by Representatives Williams, Bender, Charnley, Gaines, Lysen, Nelson (Dick) and Lux:

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 600, by Representatives Gallagher, Gilleland, Berentson, Dunlap, Lysen, Douthwaite and Greengo:

AN ACT Relating to motor vehicles; amending section 46.37.420, chapter 12, Laws of 1961 as last amended by section 1, chapter 32, Laws of 1971 ex. sess. and RCW 46.37.420; and amending section 2, chapter 7, Laws of 1969 ex. sess. as amended by section 1, chapter 255, Laws of 1975 1st ex. sess. and RCW 47.36.250.

To Committee on Transportation

HOUSE BILL NO. 601, by Representatives Hanna, Warnke, Hawkins, Adams, Salatino, Grier, Hansen, Heck, Gallagher, McCormick and Gaines:

AN ACT Relating to gambling; and amending section 7, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.070.

To Committee on Commerce

HOUSE BILL NO. 602, by Representatives Polk, Shipoch, Amen, Thompson, Flanagan, Greengo and Sanders (by Legislative Budget Committee request to Implement Performance Audit Recommendations):

AN ACT Relating to public employment; providing salary surveys and merit incentive pay; providing for local administration and management by institutions of higher education and related boards; mandating the higher education personnel board to adopt rules for training programs and regular increment pay increases; amending section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter 75, Laws of 1973 1st ex. sess. and RCW 41.06.150; amending section 16, chapter 1, Laws of 1961 and RCW 41.06.160; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 1, chapter 122, Laws of 1975 1st ex. sess. and RCW 28B.16.100; amending section 11, chapter 36, Laws of 1969 ex. sess. as amended by section 2, chapter 122, Laws of 1975 1st ex. sess. and RCW 28B.16.110; adding new sections to chapter 41.06 RCW; adding new sections to chapter 36, Laws of 1969 ex. sess. and to chapter 28B.16 RCW; repealing section 9, chapter 1, Laws of 1961 and RCW 41.06.090; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 603, by Representatives Amen, Shipoch, Polk, Thompson, Flanagan, Greengo and Sanders (by Legislative Budget Committee request to Implement Performance Audit Recommendations):

AN ACT Relating to public employment; providing for merit system administration; providing for local administration and management by institutions of higher education and related boards; mandating the higher education personnel board to adopt rules for training programs and regular increment pay increases; amending section 1, chapter 12, Laws of 1970 ex. sess. and RCW 41.06.020; amending section 3, chapter 1, Laws of 1961 and RCW 41.06.030; amending section 1, chapter 11, Laws of 1972 ex. sess. as amended by section 1, chapter 133, Laws of 1973 1st ex. sess. and RCW 41.06.070; amending section 2, chapter ... (.B ...), Laws of 1977 and RCW 41.06.110; amending section 12, chapter 1, Laws of 1961 as amended by section 2, chapter 43, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.120; amending section 13, chapter 1, Laws of 1961 and RCW 41.06.130; amending section 14, chapter 1, Laws of 1961 and RCW 41.06.140; amending section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter 75, Laws of 1973 1st ex. sess. and RCW 41.06.150; amending section 16, chapter 1,

Laws of 1961 and RCW 41.06.160; amending section 17, chapter 1, Laws of 1961 as amended by section 3, chapter 43, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.170; amending section 22, chapter 1, Laws of 1961 and RCW 41.06.220; amending section 24, chapter 1, Laws of 1961 and RCW 41.06.240; amending section 26, chapter 1, Laws of 1961 and RCW 41.06.260; amending section 27, chapter 1, Laws of 1961 and RCW 41.06.270; amending section 28, chapter 1, Laws of 1961 as amended by section 1, chapter 215, Laws of 1963 and RCW 41.06.280; amending section 2, chapter 45, Laws of 1969 and RCW 41.06.310; amending section 1, chapter 152, Laws of 1969 ex. sess. and RCW 41.06.350; amending section 2, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.020; amending section 6, chapter 36, Laws of 1969 ex. sess. as amended by section 73, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.16.060; amending section 7, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.070; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 1, chapter 122, Laws of 1975 1st ex. sess. and RCW 28B.16.100; adding new sections to chapter 36, Laws of 1969 ex. sess. and to chapter 28B.16 RCW; adding new sections to chapter 41.06 RCW; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 604, by Representatives Lux, Pearsall, Fischer and Pruitt (by Department of Labor and Industries request):

AN ACT Relating to industrial insurance; amending section 51.04.040, chapter 23, Laws of 1961 and RCW 51.04.040; amending section 51.04.070, chapter 23, Laws of 1961 and RCW 51.04.070; amending section 15, chapter 289, Laws of 1971 ex. sess. and RCW 51.08.018; amending section 51.08.030, chapter 23, Laws of 1961 as last amended by section 37, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 51.08.030; amending section 88, chapter 289, Laws of 1971 ex. sess. as amended by section 5, chapter 43, Laws of 1972 ex. sess. and RCW 51.08.175; amending section 14, chapter 289, Laws of 1971 ex. sess. and RCW 51.08.178; amending section 51.12.110, chapter 23, Laws of 1961 as amended by section 85, chapter 289, Laws of 1971 ex. sess. and RCW 51.12.110; amending section 27, chapter 289, Laws of 1971 ex. sess. as amended by section 16, chapter 43, Laws of 1972 ex. sess. and RCW 51.14.020; amending section 28, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.030; amending section 51.16.110, chapter 23, Laws of 1961 as amended by section 4, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.110; amending section 51.16.120, chapter 23, Laws of 1961 as amended by section 13, chapter 43, Laws of 1972 ex. sess. and RCW 51.16.120; amending section 51.32.030, chapter 23, Laws of 1961 and RCW 51.32.030; amending section 1, chapter 19, Laws of 1975-'76 2nd ex. sess. and RCW 51.32.073; amending section 12, chapter 289, Laws of 1971 ex. sess. as amended by section 23, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.095; amending section 51.32.110, chapter 23, Laws of 1961 as amended by section 13, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.110; amending section 51.32.150, chapter 23, Laws of 1961 and RCW 51.32.150; amending section 3, chapter 286, Laws of 1975 1st ex. sess. and RCW 51.32.220; amending section 51.36.030, chapter 23, Laws of 1961 and RCW 51.36.030; amending section 51.44.040, chapter 23, Laws of 1961 as amended by section 27, chapter 43, Laws of 1972 ex. sess. and RCW 51.44.040; amending section 51.48.020, chapter 23, Laws of 1961 as amended by section 63, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.020; amending section 51.48.050, chapter 23, Laws of 1961 and RCW 51.48.050; amending section 51.48.070, chapter 23, Laws of 1961 and RCW 51.48.070; adding new sections to chapter 23, Laws of 1961 and to chapter 51.04 RCW; adding a new section to chapter 23, Laws of 1961 and to chapter 51.16 RCW; repealing section 51.40.010, chapter 23, Laws of 1961 and RCW 51.40.010; repealing section 51.40.020, chapter 23, Laws of 1961, section 1, chapter 36, Laws of 1965, section 2, chapter 80, Laws of 1965 ex. sess. and RCW 51.40.020; repealing section 51.40.030, chapter 23, Laws of 1961 and RCW 51.40.030; repealing section 51.40.040, chapter 23, Laws of 1961, section 29, chapter 106, Laws of 1973 and RCW 51.40.040; repealing section 51.40.050, chapter 23, Laws of 1961 and RCW 51.40.050; repealing section 51.40.060, chapter 23, Laws of 1961 and RCW 51.40.060; repealing section 51.40.070, chapter 23, Laws of 1961 and RCW 51.40.070; prescribing an effective date; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 605, by Representatives Conner, Patterson and Gilleland (by Department of Highways request):

AN ACT Relating to highway, road and street claims; amending section 1, chapter 136, Laws of 1961 as amended by section 2, chapter 159, Laws of 1963 and RCW 4.92.090; amending section 1, chapter 164, Laws of 1967 and RCW 4.96.010; adding a new section to chapter 4.96 RCW; creating a new section; repealing section 3, chapter 159, Laws of 1963, section 2, chapter 164, Laws of 1967 and RCW 4.92.100; repealing section 4, chapter 159, Laws of 1963 and RCW 4.92.110; repealing section 4, chapter 164, Laws of 1967 and RCW 4.96.020; repealing section 36.45.010, chapter 4, Laws of 1963, section 14, chapter 164, Laws of 1967 and RCW 36.45.010; and repealing section 36.45.020, chapter 4, Laws of 1963 and RCW 36.45.020.

To Committee on Transportation

HOUSE BILL NO. 606, by Representatives Hurley (Margaret), May and McCormick (by Department of Highways request):

AN ACT Relating to highways; extending state route number 290; and amending section 105, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.520.

To Committee on Transportation

HOUSE BILL NO. 607, by Representatives Conner, Hansen, Charnley, Wilson, Gilleland, Bender, Burns, Patterson, Gaines, Paris and Walk (by Department of Highways request):

AN ACT Relating to highway and ferry bonds; and adding a new section to chapter 66, Laws of 1975-'76 2nd ex. sess. and to chapter 47.10 RCW.

To Committee on Transportation

HOUSE BILL NO. 608, by Representatives Conner, Hansen and Charnley (by Department of Highways request):

AN ACT Relating to highways; amending section 36.75.090, chapter 4, Laws of 1963 and RCW 36.75.090; amending section 47.12.080, chapter 13, Laws of 1961 as amended by section 3, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.080; amending section 47.12.140, chapter 13, Laws of 1961 and RCW 47.12.140; 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; amending section 47.52.090, chapter 13, Laws of 1961 as amended by section 11, chapter 108, Laws of 1967 and RCW 47.52.090; adding new sections to chapter 47.12 RCW; adding a new section to chapter 47.52 RCW; repealing section 47.12.060, chapter 13, Laws of 1961, section 1, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.060; and repealing section 47.12.070, chapter 13, Laws of 1961, section 2, chapter 91, Laws of 1969, section 2, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.070.

To Committee on Transportation

HOUSE BILL NO. 609, by Representatives Conner, Charnley, Wilson, Gilleland and Gaines (by Department of Highways request):

AN ACT Relating to state government; adding a new chapter to Title 41 RCW; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 610, by Representatives Conner, Charnley, Wilson, Gilleland, Gaines, Bender, Walk and Burns (by Department of Highways request):

AN ACT Relating to ferries; authorizing the sale of general obligation bonds and the use of the proceeds for the acquisition of new ferry vessels; amending section 2, chapter 85, Laws of 1970 ex. sess. and RCW 47.60.505; adding new sections to chapter 47.60 RCW; making an appropriation; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 611, by Representatives Gallagher, May and Berentson (by Department of Labor and Industries request):

AN ACT Relating to the department of labor and industries; amending section 2, chapter 157, Laws of 1967 as amended by section 2, chapter 27, Laws of 1970 ex. sess. and RCW 43.22.350; adding new sections to chapter 43.22 RCW; creating a new section; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 612, by Representatives Hurley (Margaret), McCormick and Gilleland (by Department of Highways request):

AN ACT Relating to the environmental impact of highways; repealing section 1, chapter 24, Laws of 1971 ex. sess. and RCW 47.04.110; repealing section 2, chapter 24, Laws of 1971 ex. sess. and RCW 47.04.120; and repealing section 3, chapter 24, Laws of 1971 ex. sess. and RCW 47.04.130.

To Committee on Ecology

HOUSE BILL NO. 613, by Representatives Sommers and Nelson (Gary) - (by Department of Revenue request):

AN ACT Relating to revenue and taxation; repealing section 8, chapter 288, Laws of 1971 ex. sess., section 100, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.48.085; prescribing effective dates; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 614, by Representatives Hanna, Knowles, Smith, Deccio, Tilly, Fischer, Knedlik, Whiteside, Becker, Struthers, Greengo, Salatino and Grimm:

AN ACT Relating to corrections; amending section 1, chapter 114, Laws of 1935 and RCW 9.95.001; adding a new chapter to Title 9 RCW; creating new sections; repealing section 25, chapter 249, Laws of 1909, section 1, chapter 246, Laws of 1955 and RCW 9.92.050; repealing section 35, chapter 249, Laws of 1909 and RCW 9.92.100; repealing section 3, chapter 9, Laws of 1965 ex. sess. and RCW 72.08.101; prescribing penalties; and providing an effective date.

To Committee on Judiciary

HOUSE BILL NO. 615, by Representatives Enbody, Knowles and McKibbin:

AN ACT Relating to crimes and criminal procedures; amending section 9A.20.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.20.010; amending section 9A.20.020, chapter 260, Laws of 1975 1st ex. sess. as amended by section 2, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.20.020; amending section 9A.20.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.20.040; amending section 9A.28.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.28.010; amending section 9A.28.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.28.020; amending section 9A.28.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.28.040; amending section 9A.32.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.32.030; amending section 9A.32.050, chapter 260, Laws of 1975 1st ex. sess. as amended by section 4, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.32.050; amending section 9A.32.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.060; amending section 9A.32.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.070; amending section 9A.36.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.36.070; amending section 9A.48.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.070; amending section 9A.48.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.080; amending section 9A.52.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.020; amending section 9A.52.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 7, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.52.030; amending section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100; amending section 9A.56.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.050; amending section 9A.56.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.060; amending section 9A.56.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.080; amending section 9A.64.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.64.010; amending section 9A.64.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.64.020; amending section 9A.68.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.020; amending section 9A.68.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.030; amending section 9A.68.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.040; amending section 9A.68.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.68.050; amending section 9A.72.140, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.140; amending section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070; amending section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080; amending section 9A.76.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.090; amending section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110; amending section 9A.76.130, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.130; amending section 9A.76.170, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.170; amending section 9A.76.180, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.180; amending section 9A.84.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.84.010; amending section 9A.88.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.88.070; amending section 9A.88.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.88.080; adding new sections to chapter 260, Laws of 1975 1st ex. sess. and to chapter 9A.32 RCW; adding a new section to chapter 260, Laws of 1975 1st ex. sess. and to chapter 9A.56 RCW; adding new sections to chapter 260, Laws of 1975 1st ex. sess. and to Title 9A RCW; creating new sections; repealing section 1, chapter 175, Laws of 1969 ex. sess. and RCW 9.41.025; repealing section 1, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.140; repealing section 2, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.150; repealing section 3, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.160; repealing section 4, chapter 14, Laws of 1975 1st ex. sess., section 1, chapter 247, Laws of 1975 1st ex. sess. and RCW 9.79.170; repealing section 5, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.180; repealing section 6, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.190; repealing section 7, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.200; repealing section 8, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.210; repealing section 9, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.220; repealing section 13, chapter 249, Laws of 1909 and RCW 9.92.010; repealing section 15, chapter 249, Laws of 1909 and RCW 9.92.020; repealing section 785, Code of 1881, section 14, chapter 249, Laws of 1909 and RCW 9.92.030; repealing section 21, chapter 249, Laws of 1909 and RCW 9.92.040; repealing section 25, chapter 249, Laws of 1909, section 1, chapter 246, Laws of 1955 and RCW 9.92.050; repealing section 1, chapter 24, Laws of 1905, section 28, chapter 249, Laws of 1909, section 1, chapter 69, Laws of 1921, section 1, chapter 76, Laws of 1949, section 1, chapter 227, Laws of 1957, section 7, chapter 200, Laws of 1967 and RCW 9.92.060; repealing section 1, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.062; repealing section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064; repealing section 3, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.066; repealing section 1, chapter 15, Laws of 1923 and RCW 9.92.070; repealing section 33, chapter 249, Laws of 1909, section 2, chapter 109, Laws

of 1925 ex. sess., section 1, chapter 295, Laws of 1971 ex. sess. and RCW 9.92.080; repealing sections 1 and 2, chapter 86, Laws of 1903, section 34, chapter 249, Laws of 1909 and RCW 9.92.090; repealing section 35, chapter 249, Laws of 1909 and RCW 9.92.100; repealing section 36, chapter 249, Laws of 1909 and RCW 9.92.110; repealing section 37, chapter 249, Laws of 1909 and RCW 9.92.120; repealing section 2075, Code of 1881 and RCW 9.92.130; repealing section 1, page 10, Laws of 1858, section 24, page 56, Laws of 1867, section 2076, Code of 1881 and RCW 9.92.140; repealing section 1, chapter 99, Laws of 1937 and RCW 9.92.150; repealing section 1, chapter 114, Laws of 1935 and RCW 9.95.001; repealing section 9, chapter 340, Laws of 1955, section 1, chapter 32, Laws of 1959, section 9, chapter 98, Laws of 1969, section 8, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 9.95.003; repealing section 10, chapter 340, Laws of 1955, section 2, chapter 32, Laws of 1959 and RCW 9.95.005; repealing section 3, chapter 32, Laws of 1959, section 1, chapter 63, Laws of 1975-'76 2nd ex. sess. and RCW 9.95.007; repealing section 2, chapter 133, Laws of 1955 and RCW 9.95.010; repealing section 1, chapter 138, Laws of 1961 and RCW 9.95.015; repealing section 3, chapter 133, Laws of 1955 and RCW 9.95.020; repealing section 4, chapter 133, Laws of 1955 and RCW 9.95.030; repealing section 1, chapter 158, Laws of 1929 and RCW 9.95.031; repealing section 2, chapter 158, Laws of 1929 and RCW 9.95.032; repealing section 5, chapter 133, Laws of 1955, section 2, chapter 138, Laws of 1961, section 2, chapter 63, Laws of 1975-'76 2nd ex. sess. and RCW 9.95.040; repealing section 1, chapter 67, Laws of 1972 ex. sess. and RCW 9.95.052; repealing section 1, chapter 239, Laws of 1951 and RCW 9.95.055; repealing section 7, chapter 133, Laws of 1955, section 10, chapter 200, Laws of 1967, section 46, chapter 81, Laws of 1971 and RCW 9.95.060; repealing section 2, chapter 42, Laws of 1955, section 1, chapter 103, Laws of 1969, section 1, chapter 4, Laws of 1969 ex. sess. and RCW 9.95.062; repealing section 4, chapter 42, Laws of 1955, section 47, chapter 81, Laws of 1971, section 1, chapter 86, Laws of 1971 ex. sess. and RCW 9.95.063; repealing section 8, chapter 133, Laws of 1955 and RCW 9.95.070; repealing section 9, chapter 133, Laws of 1955, section 1, chapter 106, Laws of 1961, section 1, chapter 68, Laws of 1972 ex. sess. and RCW 9.95.080; repealing section 10, chapter 133, Laws of 1955 and RCW 9.95.090; repealing section 11, chapter 133, Laws of 1955 and RCW 9.95.100; repealing section 12, chapter 133, Laws of 1955 and RCW 9.95.110; repealing section 1, chapter 238, Laws of 1951 and RCW 9.95.115; repealing section 13, chapter 133, Laws of 1955, section 2, chapter 106, Laws of 1961, section 2, chapter 98, Laws of 1969 and RCW 9.95.120; repealing section 3, chapter 98, Laws of 1969 and RCW 9.95.121; repealing section 4, chapter 98, Laws of 1969 and RCW 9.95.122; repealing section 5, chapter 98, Laws of 1969 and RCW 9.95.123; repealing section 6, chapter 98, Laws of 1969 and RCW 9.95.124; repealing section 7, chapter 98, Laws of 1969 and RCW 9.95.125; repealing section 8, chapter 98, Laws of 1969 and RCW 9.95.126; repealing section 14, chapter 133, Laws of 1955 and RCW 9.95.130; repealing section 15, chapter 133, Laws of 1955 and RCW 9.95.140; repealing section 16, chapter 133, Laws of 1955 and RCW 9.95.150; repealing section 17, chapter 133, Laws of 1955 and RCW 9.95.160; repealing section 3, chapter 114, Laws of 1935, section 13, chapter 134, Laws of 1967 and RCW 9.95.170; repealing section 18, chapter 133, Laws of 1955 and RCW 9.95.190; repealing section 3, chapter 227, Laws of 1957, section 15, chapter 134, Laws of 1967 and RCW 9.95.200; repealing section 4, chapter 227, Laws of 1957, section 16, chapter 134, Laws of 1967, section 8, chapter 200, Laws of 1967, section 1, chapter 29, Laws of 1969 and RCW 9.95.210; repealing section 5, chapter 227, Laws of 1957 and RCW 9.95.220; repealing section 6, chapter 227, Laws of 1957 and RCW 9.95.230; repealing section 7, chapter 227, Laws of 1957 and RCW 9.95.240; repealing section 8, chapter 227, Laws of 1957, section 17, chapter 134, Laws of 1967 and RCW 9.95.250; repealing section 7, chapter 114, Laws of 1935, section 14, chapter 134, Laws of 1967 and RCW 9.95.260; repealing section 11, chapter 340, Laws of 1955 and RCW 9.95.265; repealing section 1, chapter 92, Laws of 1937 and RCW 9.95.270; repealing section 1, chapter 183, Laws of 1955 and RCW 9.95.280; repealing section 2, chapter 183, Laws of 1955 and RCW 9.95.290; repealing section 3, chapter 183, Laws of 1955 and RCW 9.95.300; repealing section 2, chapter 217, Laws of 1961, section 1, chapter 31, Laws of 1971 ex. sess. and RCW 9.95.310; repealing section 3, chapter 217, Laws of 1961, section 2, chapter 31, Laws of 1971 ex. sess. and RCW 9.95.320; repealing section 4, chapter 217, Laws of 1961, section 3, chapter 31, Laws of 1971 ex. sess. and RCW 9.95.330; repealing section 5, chapter 217, Laws of 1961, section 4, chapter 31, Laws of 1971 ex. sess. and RCW 9.95.340; repealing section 6, chapter 217, Laws of 1961, section 5, chapter 31, Laws of 1971 ex. sess. and RCW 9.95.350; repealing section 7, chapter 217, Laws of 1961, section 6, chapter 31, Laws of 1971 ex. sess. and RCW 9.95.360; repealing section 8, chapter 217, Laws of 1961, section 7, chapter 31, Laws of 1971 ex. sess. and RCW 9.95.370; repealing section 1, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.010; repealing section 2, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.020; repealing section 3, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.030; repealing section 4, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.040; repealing section 5, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.050; repealing section 6, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.060; repealing section 7, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.070; repealing section 8, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.080; repealing section 9, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.090; repealing section 11, chapter 123, Laws of 1973 1st ex. sess. and RCW 9.95A.900; repealing section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.040; prescribing penalties; providing an effective date; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 616, by Representatives Haley, May, McCormick, Sommers and Tilly:

AN ACT Relating to the financial responsibility of residential care for youths; adding a new chapter to Title 72 RCW; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 617, by Representatives Fischer and Eng:

AN ACT Relating to mutual savings banks; and amending section 32.04.060, chapter 13, Laws of 1955 and RCW 32.04.060.

To Committee on Financial Institutions

HOUSE BILL NO. 618, by Representatives Fischer and Eng:

AN ACT Relating to security regulations; amending section 31, chapter 282, Laws of 1959 as amended by section 16, chapter 84, Laws of 1975 1st ex. sess. and RCW 21.20.310; amending section 32, chapter 282, Laws of 1959 as last amended by section 17, chapter 84, Laws of 1975 1st ex. sess. and RCW 21.20.320; amending section 34, chapter 282, Laws of 1959 as last amended by section 20, chapter 84, Laws of 1975 1st ex. sess. and RCW 21.20.340; amending section 43, chapter 282, Laws of 1959 as last amended by section 24, chapter 84, Laws of 1975 1st ex. sess. and RCW 21.20.430; and repealing section 26, chapter 84, Laws of 1975 1st ex. sess. and RCW 21.20.335.

To Committee on Financial Institutions

HOUSE BILL NO. 619, by Representatives Sommers, Ehlers and Shinpoch (by State Treasurer and Chairman of State Finance Committee request):

AN ACT Relating to investments; amending section 2, chapter 17, Laws of 1975-'76 2nd ex. sess. and RCW 43.84.150; and adding a new section to chapter 43.33 RCW.

To Committee on State Government

HOUSE BILL NO. 620, by Representatives Sommers, Shinpoch and Ehlers (by State Treasurer and Chairman of Finance Committee request):

AN ACT Relating to investments; amending section 8, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 103, Laws of 1973 1st ex. sess. and RCW 2.10.080; amending section 6, chapter 209, Laws of 1969 ex. sess. as last amended by section 3, chapter 44, Laws of 1975-'76 2nd ex. sess. and RCW 41.26.060; amending section 7, chapter 209, Laws of 1969 ex. sess. as last amended by section 2, chapter 103, Laws of 1973 1st ex. sess. and RCW 41.26.070; amending section 15, chapter 103, Laws of 1973 1st ex. sess. and RCW 41.32.207; amending section 16, chapter 103, Laws of 1973 1st ex. sess. and RCW 41.40.072; amending section 2, chapter 91, Laws of 1959 and RCW 41.40.075; amending section 9, chapter 274, Laws of 1947 as last amended by section 4, chapter 128, Laws of 1969 and RCW 41.40.080; amending section 7, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.050; amending section 7, chapter 103, Laws of 1973 1st ex. sess. as amended by section 112, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.33.050; amending section 9, chapter 103, Laws of 1973 1st ex. sess. as amended by section 26, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 43.33.070; amending section 22, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 44.44.040; adding new sections to chapter 43.33 RCW; and repealing section 10, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.080.

To Committee on State Government

HOUSE BILL NO. 621, by Representatives Whiteside, Deccio, Pruitt, Paris, Newhouse and Clayton:

AN ACT Relating to transient accommodations; and amending section 2, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.210.

To Committee on Social and Health Services

HOUSE BILL NO. 622, by Representatives Blair, Erickson and McKibbin:

AN ACT Relating to retirement plans of certain institutions of higher education; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 212, Laws of 1975 1st ex. sess. and RCW 28B.10.400; amending section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.415; adding new sections to chapter 28B.10 RCW; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 623, by Representatives Bauer and Zimmerman:

AN ACT Relating to revenue and taxation; and amending section 82.16.050, chapter 15, Laws of 1961 as last amended by section 25, chapter 149, Laws of 1967 ex. sess. and RCW 82.16.050.

To Committee on Energy and Utilities

HOUSE BILL NO. 624, by Representatives Eng, Clemente, Heck, Becker, Fischer, Lysen, Knedlik, Lux, Charnley and Sherman:

AN ACT Relating to basic education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW.

To Committee on Education

HOUSE BILL NO. 625, by Representatives Becker, Polk, Bauer, Gaines, Lux, Hanna, Conner, Salatino, Eng, Maxie, Keller, Kreidler, McKibbin, Nelson (Gary) and Williams:

AN ACT Relating to central credit unions; creating new sections; and adding new sections to Title 31 RCW as a new chapter thereof.

To Committee on Financial Institutions

HOUSE BILL NO. 626, by Representatives Nelson (Gary), Clemente, Bender, Barnes, Ehlers, Charette and McKibbin:

AN ACT Relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education

HOUSE BILL NO. 627, by Representatives Schmitt, Hansen, Flanagan and Tallor:

AN ACT Relating to special districts; amending section 10, chapter 94, Laws of 1957 and RCW 87.03.720; amending section 11, chapter 94, Laws of 1957 and RCW 87.03.725; and adding a new section to Title 56 RCW.

To Committee on Local Government

HOUSE BILL NO. 628, by Representatives Haley, Barnes, Winsley, Enbody, Erickson and Struthers:

AN ACT Relating to the death penalty; and amending section 153, page 125, Laws of 1854 as last amended by section 1131, Code of 1881 and RCW 10.70.090.

To Committee on Judiciary

HOUSE BILL NO. 629, by Representatives Wilson, Hansen, Nelson (Gary), Fortson, Gallagher, Deccio, Amen, Patterson, Whiteside, Greengo and Bauer:

AN ACT Relating to shoreline management; adding a new chapter to Title 90 RCW; and declaring an emergency.

To Committee on Ecology

HOUSE BILL NO. 630, by Representatives Zimmerman and Bauer:

AN ACT Relating to sales tax; and amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 32, by Representatives Sommers, Pardini, Hawkins, Fortson, Gruger, Lysen, Heck, Nelson (Dick), Erickson, Lux and Charnley:

Amending the Constitution to provide for a redistricting commission.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 33, by Representative May:

Revising state tax structure.

To Committee on Revenue

ENGROSSED SENATE BILL NO. 2021, by Senators Odegaard and Talley:

Permitting free passage on the Puget Island ferry when SR 4 is closed.

To Committee on Transportation

SENATE BILL NO. 2059, by Senators Clarke, Newschwander, Odegaard and Woody (by Legislative Budget Committee request):

Repealing certain obsolete laws relating to agricultural conservation.

To Committee on Agriculture

SENATE BILL NO. 2065, by Senators Odegaard, Clarke, Newschwander, and Bausch (by Legislative Budget Committee request):

Deleting obsolete provisions for county homesite lands.

To Committee on Local Government

SENATE BILL NO. 2066, by Senators Odegaard, Newschwander, Donohue, Woody and Bausch (by Legislative Budget Committee request):

Deleting obsolete requirements for guideposts.

To Committee on Local Government

SENATE BILL NO. 2080, by Senators Wilson, Bottiger, Bluechel, Hayner and Odegaard:

Exempting local government public safety voluntary services from the state minimum wage laws.

To Committee on Labor

ENGROSSED SENATE BILL NO. 2110, by Senators Woody, Talley and Sellar:

Liberalizing investments available to county clerks.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2126, by Senators Gaspard, Ridder and Morrison:

Reducing the maximum daily hours of service of trainmen.

To Committee on Labor

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business, and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 3, 1977

HOUSE BILL NO. 12, Prime Sponsor: Representative Fischer, removing a limitation on use of school bus warning lights. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Dunlap, Gaines, Gallagher, Grier, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 23, Prime Sponsor: Representative Valle, establishing a dental disciplinary board. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 3, 1977

HOUSE BILL NO. 41, Prime Sponsor: Representative Hurley (Margaret), providing mounted rangers to two state parks. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 3, 1977

HOUSE BILL NO. 54, Prime Sponsor: Representative Ehlers, authorizing direct billing to the legislature for services provided by the department of general administration. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 89, Prime Sponsor: Representative Hansen, classifying certain speeding violations as the separate offense of energy waste. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Bender, Berentson, Burns, Clayton, Gaines, Gallagher, Grier, McCormick, Patterson, Sherman, Wilson.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 143, Prime Sponsor: Representative Shinpoch, deleting an obsolete restriction on employment of aliens. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 146, Prime Sponsor: Representative McKibbin, authorizing bus transit service by agreement with a public transportation agency of contiguous state. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Fancher, Gilleland, North, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 167, Prime Sponsor: Representative Eng, changing the time of filing and penalty of bank and trust company reports. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 194, Prime Sponsor: Representative Eng, extending the definition of the "funds" of a mutual savings bank. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 198, Prime Sponsor: Representative Deccio, creating a department of corrections. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on State Government.

February 3, 1977

HOUSE BILL NO. 213, Prime Sponsor: Representative Shinpoch, requiring the school directors' association to mark its vehicles in conformance with state law. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 245, Prime Sponsor: Representative Hanna, allowing counties to establish biweekly pay periods. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 9 strike "five" and insert "seven"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Fancher, Gilleland, North, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

February 4, 1977

HOUSE BILL NO. 279, Prime Sponsor: Representative Martinis, allowing the director of game to determine the time and place of the drawing in special hunting seasons. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Fuller, Gilleland, Greengo, Lysen, May, Schmitten, Shinoda, Smith.

To Committee on Rules for second reading.

February 4, 1977

HOUSE BILL NO. 280, Prime Sponsor: Representative Martinis, prohibiting an owner or harbinger of dogs to permit such dogs to pursue or injure deer or elk. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:
On line 7 strike "indirectly" and insert "negligently"

Signed by Representatives Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Connor, Fuller, Gilleland, Greengo, Lysen, May, Schmitten, Shinoda, Smith.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 69, by Representatives Nelson (Gary), Sommers, Leckenby, Boldt, Clayton, Deccio, Ehlers, Greengo, Knedlik, Lee, Polk and Taller:

Reporting cost data on boards and commissions.

The bill was read the third time and placed on final passage.

Representatives Nelson (Gary) and Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 69, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Blair, Douthwaite, Enbody, Grier, Leckenby, Martinis.

Engrossed 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. 95, by Representatives Sherman, Charnley and Lee:

Redefining "roadway" and permitting only certain stops therein.

The bill was read the third time and placed on final passage.

Representatives Sherman and Lee spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 95, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Blair, Douthwaite, Enbody, Grier, Leckenby, Martinis.

House Bill No. 95, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 277, by Committee on Natural Resources (Originally sponsored by Representatives Martinis, Wilson, Moreau, Hughes and Schmitt):

Penalizing the taking of bear and cougar during closed season.

The bill was read the third time and placed on final passage.

Representatives Moreau and Schmitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 277, and the bill passed the House by the following vote: Yeas, 80; nays, 7; not voting, 11.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charnley, Clemente, Craswell, Deccio, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Charette, Conner, Gilleland, Knedlik, Pearsall, Winsley.

Not voting: Representatives Amen, Blair, Clayton, Douthwaite, Enbody, Grier, Haley, Hurley M., Leckenby, Martinis, Tilly.

Substitute House Bill No. 277, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to be recorded a yes vote on Substitute House Bill No. 277.

EARL F. TILLY, 12th District.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 123, by Committee on Higher Education (Originally sponsored by Representatives Charnley, Owen, Moreau, Burns, Gruger, Knedlik, Lux, Salatino and Vrooman):

Making unlawful the commercial selling of term papers, theses or other work assignments utilized for postsecondary education purposes.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

MOTION

Mr. Newhouse moved that Engrossed Substitute House Bill No. 123 be rereferred to Committee on Judiciary.

Mr. Newhouse spoke in favor of the motion, and Mr. Charnley spoke against it.

ROLL CALL

The Clerk called the roll on the motion by Representative Newhouse to rerefer Engrossed Substitute House Bill No. 123 to Committee on Judiciary, and the motion was lost by the following vote: Yeas, 32; nays, 58; not voting, 8.

Voting yea: Representatives Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Knowles, Lee, Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Blair, Charette, Douthwaite, Dunlap, Enbody, Grier, Leckenby, Martinis.

The House resumed consideration of Engrossed Substitute House Bill No. 123 on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 123, and the bill passed the House by the following vote: Yeas, 63; nays, 28; not voting, 7.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Ehlers, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Wilson.

Voting nay: Representatives Amen, Berentson, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Gilleland, Haley, Maxie, Newhouse, Oliver, Pardini, Patterson, Polk, Shinoda, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Douthwaite, Enbody, Grier, Leckenby, Martinis, Vrooman.

Engrossed Substitute House Bill No. 123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 237, by Representatives Adams, Whiteside, Fortson, Pruitt, Newhouse, Paris, May, Pearsall, Kreidler, Lux, Charette, Charnley, Shipoch, Conner, Fischer, McCormick, Gallagher, North and Knowles:

Requiring the establishment of continuing education requirements for psychologists.

The bill was read the third time and placed on final passage.

Representatives Adams and Whiteside spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 237, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

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

Voting nay: Representative Pardini.

Not voting: Representatives Blair, Chandler, Deccio, Douthwaite, Enbody, Grier, Hurley G. S., Martinis.

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. 262, by Representatives Martinis, Wilson, Moreau and Vrooman:

Allowing a game commission determination of the quantity of wild animals that may be taken.

The bill was read the third time and placed on final passage.

Mr. Moreau spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 262, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Blair, Douthwaite, Enbody, Grier, Hurley G. S., Martinis.

House Bill No. 262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

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

On motion of Mr. King, the House moved to immediately consider the Senate bills on second reading.

Representatives Enbody and Grier appeared at the bar of the House.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2056, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegard and McDermott – by Superintendent of Public Instruction request):

Implementing constitutional amendment permitting school district levies for two year periods.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Twenty-fourth Day, February 2, 1977.)

On motion of Ms. Sommers, the committee amendments were adopted.

Mr. Bauer moved adoption of the following amendment by Representatives Bauer, Kilbury, Walk, Clemente, Sommers and Fortson:

On page 2, line 7 following "made" strike all the material down to and including "that period" on line 10.

Mr. Bauer spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Flanagan.

Mr. Flanagan: "In order to clarify this so that everybody understands it, the way I understood it in the committee, when you use this kind of language you not only allow the school board to add another levy in the second year to make up for some deficiencies, but you also allow them to have another two-year levy later on top of the first two-year levy in the second year which would then be for that year plus the following year. Is that right?"

Mr. Bauer: "Nothing here prohibits the school district from running another two-year levy after the expiration of the first year of the original two-year levy. This is going along with the rationale that it would not be politically advisable to do so if they are interested in passing any levies or maintaining credibility in their community, which they may need to do in order to pass levies."

Mr. Flanagan spoke against the amendment, and Mr. Polk spoke in favor of it.

POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Amen.

Mr. Amen: "I'm still not clear on this. Are you saying that if a school, after the two-year special levies, after the first year, then they can pass another two-year special levy and put that first year of that second two-year special levy on top of the other two-year special levy?"

Mr. Bauer: "There is nothing in the bill that prohibits the district from running a two-year levy and then on the second year of that two-year levy running another two-year levy for that year in addition to the third year. There is nothing to prohibit that. The option is left to the local school district."

Representatives Clemente, Kilbury and Pardini spoke in favor of the amendment, and Representatives Amen, Tilly and Charette spoke against it.

Mr. Charnley demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bauer and others to Engrossed Substitute Senate Bill No. 2056, and the amendment was adopted by the following vote: Yeas, 72; nays, 22; not voting, 4.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Berentson, Boldt, Bond, Charette, Craswell, Deccio, Flanagan, Gallagher, Hansen, Leckenby, Lysen, May, Monohon, Nelson G. A., Newhouse, Patterson, Schmitten, Struthers, Tilly, Whiteside, and Mr. Speaker.

Not voting: Representatives Blair, Douthwaite, Hurley G. S., Martinis.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2056 as amended by the House was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2056 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

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

Voting nay: Representatives Amen, Gallagher, May, Pardini, Patterson.

Not voting: Representatives Blair, Douthwaite, Hurley G. S., Martinis.

Engrossed Substitute Senate Bill No. 2056 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 CONCURRENT RESOLUTION NO. 105, by Senators Bailey, Rasmussen and Clarke:

Providing for review of the operations of the state actuary.

The resolution was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 105 was placed on final passage.

Ms. Sommers spoke in favor of adoption of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 105, and the resolution was adopted by the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Blair, Douthwaite, Hurley G. S., Martinis, Pardini.

Senate Concurrent Resolution No. 105, having received the constitutional majority, was declared adopted.

APPOINTMENT OF COMMITTEE

The Speaker appointed Representative Blair to replace former Representative James Kuehnlé on the State Actuary Committee.

ENGROSSED SENATE BILL NO. 2088, by Senators Henry, Peterson and Guess:

Making supplemental appropriations for highways.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, Nineteenth Day, January 28, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2088 as amended by the House was placed on final passage.

Representatives Conner and Gilleland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2088 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Blair, Bond, Douthwaite, Hurley G. S., Martinis.

Engrossed Senate Bill No. 2088 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. 57, by Representatives Valle, Hughes, Charnley, Hawkins, Douthwaite, Flanagan, Chandler, Zimmerman, Lux and Becker (by House Committee on Ecology of the 44th Legislature request):

Modifying the environmental coordination procedures act.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventeenth Day, January 26, 1977.)

On motion of Mrs. Valle, the committee amendments were adopted.

Mr. Zimmerman moved adoption of the following amendment:

On page 3, line 25 after "developments." insert "For the purpose of part (a) of this subsection, the submission of plans and specifications for a hydraulic project or other work to the departments of fisheries and game pursuant to RCW 75.20.100 shall be considered to be an application for a permit required by one state agency."

Representatives Zimmerman and Valle spoke in favor of the amendment, and it was adopted.

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

On page 5, line 1 after "shall" strike "submit" and insert "~~(submit)~~ send"

On page 5, line 3 after "applicant" insert "within five working days of the date specified by the department pursuant to subsection (2) of this section"

Mr. Pardini moved adoption of the following amendment:

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

"If the department fails to send such application forms within such five-day period, the department shall pay to the applicant the amount of ten dollars per day for each day beyond the fifth day. Such payment shall be made to the applicant within sixty days of sending the application."

Mr. Pardini spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mrs. Valle.

Mrs. Valle: "I'd like a clarification. What fund does this money come from and is this a civil liability or is this a giving of the public's money?"

Mr. Pardini: "I would submit, Representative Valle, somebody is going to have a fiscal impact and I really don't know what the fiscal impact is. I would hope the fiscal impact is not more than a thousand dollars. I would hope that after the department gets stung a few times they would get in gear and not get caught the fifteenth and the twentieth and the thirtieth time, that they would establish an orderly procedure to get those back. The question of where the money comes from—what do we do with other agencies? Let them take it out of their budget—eat it. The eat-it concept for some state agencies who overspend is pretty popular around here and at ten dollars a day I would suspect they could eat it."

Representatives Valle and Thompson spoke against the amendment, and Mr. Deccio spoke in favor of it.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Pardini, this may be an admirable amendment, but there doesn't seem to be any safety valve in this one. A hypothetical question: There is a fire in the department that has the applications. A major fire which destroys all the application forms, and so forth, that have been submitted. What's the control valve that you've built into this amendment which takes care of such a possible eventuality of a major catastrophe?"

Mr. Pardini: "There are two safety valves. One, I'm certain the Department of Ecology is well-run and open at the present time and that these applications that are pending, Representative Ehlers, are probably maintained in a very orderly neat filing system and it would be a very unprecedented type thing that they would be totally destroyed. The second safety valve is the same pressure that applies on the other side of the coin. What happens to the business who has a fire and can't get their B&O tax in or their property tax in on time? They are subject to the penalties too, you know. If we're going to invoke it in one place, we should invoke it in both places."

Representatives Warnke, Dunlap and Berentson spoke in favor of the amendment, and Mrs. Valle spoke again in opposition to it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to page 5, line 5 of House Bill No. 57, and the amendment was adopted by the following vote: Yeas, 53; nays, 40; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Bond, Conner, Craswell, Deccio, Dunlap, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Knowles, Leckenby, Lee, Lysen, Maxie, May, McCormick, Monohon, Moreau, Nelson G.

A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Salatino, Sanders, Schmitt, Shinoda, Smith, Struthers, Tally, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Adams, Barr, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Ehlers, Enbody, Erickson, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lux, McKibbin, Nelson D., O'Brien, Pearsall, Pruitt, Sherman, Shinpoch, Sommers, Thompson, Valle, Vrooman, Walk, Williams, Zimmerman.

Not voting: Representatives Blair, Clayton, Douthwaite, Hurley G. S., Martinis.

Mr. Newhouse moved adoption of the following amendment:

On page 9, line 14 after "affirm" strike "with or without condition" and insert "in whole or in part,"

Mr. Newhouse spoke in favor of the amendment, and Mr. Zimmerman spoke against it.

The amendment was not adopted.

Mr. Amen moved adoption of the following amendment:

On page 12, following section 9, add a new section as follows:

"NEW SECTION. Sec. 10. There is appropriated to the department of ecology from the general fund for distribution by the department to the counties, the sum of \$457,000, or so much thereof as may be necessary to carry out the purposes of this 1977 amendatory act: PROVIDED, That counties receiving funds pursuant to this section shall be authorized to utilize such funds to satisfy the requirements of chapter 43.21C RCW whenever those requirements result from the processing of a permit under chapter 90.62 RCW as now or hereafter amended."

Re-number the remaining section consecutively.

Mr. Amen spoke in favor of the amendment, and with the consent of the House withdrew it.

House Bill No. 57 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 274, by Representatives Martinis, Wilson, Moreau and Schmitt:

Requiring knowledge of trapping techniques for a trapping license in certain cases.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority do pass as amended. (For amendment, see Journal, Nineteenth Day, January 28, 1977.)

On motion of Mr. Moreau, the committee amendment was adopted.

Mr. Williams moved adoption of the following amendment:

On page 1, line 14 after "establish" strike "any necessary" and insert "a"

Representatives Williams and Moreau spoke in favor of the amendment, and it was adopted.

House Bill No. 274 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 111, by Representatives Conner, McCormick, Patterson and Fancher (by Department of Motor Vehicles request):

Eliminating automatic expiration of motor vehicle excise tax refund permits and necessity for keeping permanent records and permitting departmental discretion in collection of minor interest charges.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 106, by Representatives Conner, McCormick, Patterson, Fancher, Fuller and Struthers (by Department of Motor Vehicles request):

Deleting the requirement of farmer signature for vehicle farm license applications and permits the movement of parade floats with letters of authority.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 122, by Representatives Conner, Owen and Vrooman:

Increasing county participation in reviews of ferry tariffs and charges.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 227, by Representatives Hawkins, Nelson (Dick), Lysen, Burns, Fortson, Heck, Lux and Pruitt:

Establishing postcard voter registration.

The bill was read the second time.

On motion of Mr. Hawkins, Substitute House Bill No. 227 was substituted for House Bill No. 227, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 227 was read the second time.

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

On page 6, line 13 after "location" insert "; and (6) His or her daytime telephone number, if any"

On page 6, line 24 after "card" insert ", to be designated as an initiative signature card,"

On page 6, line 33 after "a" insert "class C"

On page 10, line 33 after "a" strike "felony" and insert "class C felony under RCW 9A.72.030"

Mr. Tilly moved adoption of the following amendment:

On page 8, section 14, line 9 after "primary" strike "or election, special or general" and insert ", special or general election"

Mr. Tilly spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Hawkins, I always get concerned when I see two pages of repealers—"

The Speaker: "Representative Patterson, is that a question on the amendment before us?"

Mr. Patterson: "Yes. I'm concerned—"

The Speaker: "You're asking a question in regard to repealers in the bill and we are discussing an amendment by Representative Tilly, which I don't believe has anything to do with the repealers. Would you wait until we get to that point, please?"

The amendment was adopted.

Mr. Newhouse moved adoption of the following amendment:

On page 10, line 15 after "forthwith" strike all material down to and including "therefor))" and insert "; but if it shall not so appear, it shall be the duty of the ((registrar)) county auditor receiving such authorization to notify the ((registrar)) county auditor of the county forwarding such authorization of the apparent fraud, and the ((registrar)) county auditor receiving such notification shall cancel the new registration, and note on the cards or ((forms)) record the reason for such cancellation, and shall notify the person so registered anew, by mail of such cancellation and the reason therefor"

Mr. Newhouse spoke in favor of the amendment, and Mr. Hawkins spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to Substitute House Bill No. 227, and the amendment was not adopted by the following vote: Yeas, 36; nays, 56; not voting, 6.

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

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

Not voting: Representatives Barr, Blair, Douthwaite, Hurley G. S., Martinis, Maxie.

Substitute House Bill No. 227 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, consideration of House Bill No. 47 was deferred, and the bill was ordered placed at the top of Monday's second reading calendar.

HOUSE BILL NO. 109, by Representatives Conner, McCormick, Patterson and Knedlik (by Department of Motor Vehicles request):

Repealing a provision of the Financial Responsibility Law declared unconstitutional by the U.S. Supreme Court.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 217, by Representatives Charnley, Newhouse, Knowles, Knedlik, Monohon and Grier:

Increasing the insurance coverage required for auto transportation companies to obtain certificate of operation.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 217 was substituted for House Bill No. 217, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 217 was read the second time and passed to Committee on Rules for third reading.

MOTION

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

MOTIONS

On motion of Mr. Bender, HOUSE BILL NO. 135 was rereferred from Committee on State Government to Committee on Agriculture.

On motion of Mr. Bender, HOUSE BILL NO. 391 was rereferred from Committee on Commerce to Committee on Social and Health Services.

On motion of Mr. Bender, HOUSE BILL NO. 533 and HOUSE CONCURRENT RESOLUTION NO. 13 were rereferred from Committee on Institutions to Committee on Judiciary.

On motion of Mr. Bender, HOUSE BILL NO. 557 was rereferred from Committee on Institutions to Committee on Local Government.

RESOLUTION

HOUSE RESOLUTION NO. 77-8, by Representatives Berentson, Polk, Newhouse, Wilson, Greengo, Lee and Paris:

WHEREAS, Article 9, Section 1 of the Washington State Constitution makes it the "...paramount duty of the state to make ample provisions for the education of all children residing within its borders..." without discrimination;

WHEREAS, Under remand of the Washington State Supreme Court, Thurston County Superior Court Judge Robert J. Doran held, following a lengthy trial, that the state is not meeting its constitutional mandate to amply provide for the education of all children of Washington State;

WHEREAS, Judge Doran further held that the Legislature has not (a) expressly defined basic education or determined the substantive contents of a basic program of education to which the children of this state are entitled in today's society or (b) provided a method for the fully sufficient funding of such education without reliance on special excess levies;

WHEREAS, Judge Doran ordered that the Legislature define basic education or determine the substantive contents of a basic program of education and provide a method for fully sufficient funding of such education without reliance on special excess levies and have such legislation enacted and effective no later than July 1, 1979;

WHEREAS, If the decision is upheld by the Washington State Supreme Court, said deadline cannot be reasonably achieved without timely action of the Legislature;

WHEREAS, There is no other issue before the 45th Legislature of greater importance to all citizens of Washington State;

WHEREAS, There is no other issue so deserving of attention by the entire House of Representatives, on behalf of the citizens of Washington State;

WHEREAS, It is impossible to determine methods for fully funding basic education without first defining what it is that the state must amply provide;

WHEREAS, Determining a method for funding said definition will require additional time and effort by the Legislature once a definition is achieved;

NOW, THEREFORE BE IT RESOLVED, By the House of Representatives that on Monday, February 2, 1977, after roll is called, a quorum being present, the House of Representatives resolve itself into a Committee of the Whole for the purpose of conducting hearings on and determining thereafter a definition of basic education or determine the substantive contents of a basic program of education and that the House of Representatives continue to meet as a Committee of the Whole for at least 90 minutes on each succeeding session day until such definition is achieved.

BE IT FURTHER RESOLVED, That the news media be encouraged to assist in making citizens of the state aware of these hearings so that testimony can be taken from a broad cross-section of the state's society and so that the results will reflect the concerns of educators, administrators, school boards, parents and other interested citizens of Washington State and will fulfill the basic educational needs of the children of our state.

Mr. Berentson moved adoption of the resolution and spoke in favor of it.

MOTION

Mr. King moved that House Resolution No. 77-8 be referred to Committee on Education.

Mr. King spoke in favor of the motion.

Mr. Newhouse moved that the King motion be amended and the resolution be referred to Committee on Rules.

Mr. Newhouse spoke in favor of the motion.

POINT OF ORDER

Mr. King: "I believe it is against the rules of this body to refer to the other House in debate."

SPEAKER'S RULING

The Speaker: "Your point is well taken. Representative Newhouse, continue your remarks on your motion."

Mr. Newhouse continued to speak in favor of his motion.

The motion by Representative Newhouse was lost.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Is the motion before us now Representative King's motion to refer the resolution to the Education Committee?"

The Speaker: "That is correct."

Representatives Pardini and Berentson spoke against the motion.

The motion by Representative King to refer House Resolution No. 77-8 to Committee on Education was carried.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, February 7, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 7, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Hurley (Margaret), Shinoda, Smith and Thompson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jennifer Jacobsen and Dan Whitney. Prayer was offered by Reverend Glen D. Cole of the Evergreen Christian Center of Olympia.

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

MESSAGE FROM THE SENATE

February 4, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2062,
ENGROSSED SENATE BILL NO. 2075,
SENATE BILL NO. 2079,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 631, by Representatives Smith, Knedlik, Kilbury, Winsley, Erickson, Paris, Conner, North and Clayton:

AN ACT Relating to revenue and taxation; amending section 2, chapter 292, Laws of 1961 and RCW 83.04.010; amending section 3, chapter 292, Laws of 1961 and RCW 83.04.013; amending section 83.04.030, chapter 15, Laws of 1961 as amended by section 9, chapter 292, Laws of 1961 and RCW 83.04.030; amending section 83.04.050, chapter 15, Laws of 1961 and RCW 83.04.050; amending section 83.16.020, chapter 15, Laws of 1961 as amended by section 108, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.16.020; amending section 83.16.080, chapter 15, Laws of 1961 as amended by section 11, chapter 292, Laws of 1961 and RCW 83.16.080; amending section 11.08.210, chapter 145, Laws of 1965 as amended by section 5, chapter 278, Laws of 1975 1st ex. sess. and RCW 11.08.210; amending section 83.05.050, chapter 15, Laws of 1961 as amended by section 101, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.05.050; amending section 83.05.070, chapter 15, Laws of 1961 and RCW 83.05.070; amending section 83.44.080, chapter 15, Laws of 1961 as amended by section 1, chapter 73, Laws of 1969 and RCW 83.44.080; amending section 83.44.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 132, Laws of 1971 ex. sess. and RCW 83.44.010; adding a new section to chapter 11.08 RCW; adding new sections to chapter 83.08 RCW; adding a new section to chapter 83.20 RCW; repealing section 83.08.020, chapter 15, Laws of 1961 and RCW 83.08.020; repealing section 83.08.030, chapter 15, Laws of 1961 and RCW 83.08.030; repealing section 83.08.040, chapter 15, Laws of 1961 and RCW 83.08.040; repealing section 83.44.020, chapter 15, Laws of 1961 and RCW 83.44.020; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 632, by Representatives Thompson and Whiteside (by Secretary of State request):

AN ACT Relating to state government; amending section 87, page 85, Laws of 1854 as last amended by section 344, chapter 249, Laws of 1909 and RCW 9.16.030; amending section 345, chapter 249, Laws of 1909 and RCW 9.16.040; amending section 347, chapter 249, Laws of 1909 and RCW 9.16.060; amending section 4, chapter 218, Laws of 1937 as amended by section 1, chapter 40, Laws of 1967 and RCW 19.24.040; amending section 8, chapter 218, Laws of 1937 as amended by section 1, chapter 108, Laws of 1973 and RCW 19.24.100; amending section 9, chapter 218, Laws of 1937 and RCW 19.24.140; amending section 1, chapter 38, Laws of 1897 and RCW 19.76.100; amending section 1, chapter 211, Laws of 1955 and RCW 19.77.010; amending section 3, chapter 211, Laws of 1955 and RCW

19.77.030; amending section 4, chapter 211, Laws of 1955 and RCW 19.77.040; amending section 5, chapter 211, Laws of 1955 and RCW 19.77.050; amending section 6, chapter 211, Laws of 1955 and RCW 19.77.060; amending section 7, chapter 211, Laws of 1955 and RCW 19.77.070; amending section 8, chapter 211, Laws of 1955 and RCW 19.77.080; amending section 9, chapter 211, Laws of 1955 and RCW 19.77.090; amending section 10, chapter 211, Laws of 1955 as amended by section 65, chapter 81, Laws of 1971 and RCW 19.77.100; amending section 13, chapter 211, Laws of 1955 and RCW 19.77.130; amending section 43.07.120, chapter 8, Laws of 1965 as amended by section 107, chapter 81, Laws of 1971 and RCW 43.07.120; amending section 9-302, chapter 157, Laws of 1965 ex. sess. as amended by section 4, chapter 114, Laws of 1967 and RCW 62A.9-302; amending section 9-401, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-401; amending section 9-403, chapter 157, Laws of 1965 ex. sess. as amended by section 5, chapter 114, Laws of 1967 and RCW 62A.9-403; amending section 9-404, chapter 157, Laws of 1965 ex. sess. as amended by section 6, chapter 114, Laws of 1967 and RCW 62A.9-404; amending section 9-405, chapter 157, Laws of 1965 ex. sess. as amended by section 7, chapter 114, Laws of 1967 and RCW 62A.9-405; amending section 9-406, chapter 157, Laws of 1965 ex. sess. as amended by section 9, chapter 114, Laws of 1967 and RCW 62A.9-406; amending section 12, chapter 114, Laws of 1967 and RCW 62A.9-409; adding new sections to chapter 43.07 RCW; declaring an emergency; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 633, by Representatives Thompson and Whiteside (by Secretary of State request):

AN ACT Relating to business corporations; amending section 13, chapter 53, Laws of 1965 as amended by section 1, chapter 190, Laws of 1967 and RCW 23A.08.100; amending section 16, chapter 53, Laws of 1965 as amended by section 5, chapter 264, Laws of 1975 1st ex. sess. and RCW 23A.08.130; amending section 51, chapter 53, Laws of 1965 as last amended by section 1, chapter 71, Laws of 1973 and RCW 23A.08.480; amending section 56, chapter 53, Laws of 1965 and RCW 23A.12.030; amending section 63, chapter 53, Laws of 1965 and RCW 23A.16.040; amending section 64, chapter 53, Laws of 1965 as amended by section 4, chapter 190, Laws of 1967 and RCW 23A.16.050; amending section 66, chapter 53, Laws of 1965 as amended by section 5, chapter 190, Laws of 1967 and RCW 23A.16.070; amending section 67, chapter 53, Laws of 1965 and RCW 23A.16.080; amending section 69, chapter 53, Laws of 1965 and RCW 23A.16.100; amending section 70, chapter 53, Laws of 1965 and RCW 23A.16.110; amending section 71, chapter 53, Laws of 1965 and RCW 23A.16.120; amending section 76, chapter 53, Laws of 1965 and RCW 23A.20.040; amending section 77, chapter 53, Laws of 1965 as amended by section 4, chapter 38, Laws of 1971 ex. sess. and RCW 23A.20.050; amending section 84, chapter 53, Laws of 1965 and RCW 23A.28.010; amending section 85, chapter 53, Laws of 1965 and RCW 23A.28.020; amending section 86, chapter 53, Laws of 1965 and RCW 23A.28.030; amending section 87, chapter 53, Laws of 1965 and RCW 23A.28.040; amending section 90, chapter 53, Laws of 1965 and RCW 23A.28.070; amending section 91, chapter 53, Laws of 1965 and RCW 23A.28.080; amending section 92, chapter 53, Laws of 1965 and RCW 23A.28.090; amending section 94, chapter 53, Laws of 1965 and RCW 23A.28.110; amending section 95, chapter 53, Laws of 1965 and RCW 23A.28.120; amending section 137, chapter 53, Laws of 1965 and RCW 23A.40.040; amending section 4, chapter 92, Laws of 1969 ex. sess. as last amended by section 1, chapter 36, Laws of 1975 1st ex. sess. and RCW 23A.40.075; adding a new section to chapter 23A.40 RCW; and prescribing an effective date.

To Committee on Local Government

HOUSE BILL NO. 634, by Representatives Thompson and Whiteside (by Secretary of State request):

AN ACT Relating to corporations; amending section 136, chapter 53, Laws of 1965 as amended by section 4, chapter 133, Laws of 1971 ex. sess. and RCW 23A.40.030; amending section 83, chapter 235, Laws of 1967 as amended by section 6, chapter 163, Laws of 1969 ex. sess. and RCW 24.03.410; amending section 91, chapter 120, Laws of 1969 ex. sess. as amended by section 3, chapter 70, Laws of 1973 and RCW 24.06.455; and adding a new section to Title 23A RCW.

To Committee on State Government

HOUSE BILL NO. 635, by Representatives Enbody, Knowles, Monohon, Knedlik, Grier, McCormick and Hughes:

AN ACT Relating to liability for dog bites; and amending section 2, chapter 77, Laws of 1941 and RCW 16.08.050.

To Committee on Judiciary

HOUSE BILL NO. 636, by Representatives Hansen, Clayton and Flanagan:

AN ACT Relating to counties; providing for an excise tax for operation of county solid waste systems; and adding a new chapter to Title 36 RCW.

To Committee on Local Government

HOUSE BILL NO. 637, by Representatives O'Brien, King, Berentson, Maxie, Clemente, Newhouse, Knowles, Lysen, Hurley (Margaret), Pardini, Bauer, Becker, Kilbury, Adams, Flanagan, Gallagher, McCormick, Fischer, Conner, Gaines, Erickson, May, Grier, Hughes, Greengo, Taller and Burns:

AN ACT Relating to education; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education

HOUSE BILL NO. 638, by Representatives Fortson, Blair, Bender, Fischer, Clemente, Lux, May, Salatino and Schmitt:

AN ACT Relating to the teachers' retirement system; and amending section 26, chapter 80, Laws of 1947 as last amended by section 2, chapter 199, Laws of 1974 ex. sess. and RCW 41.32.260.

To Committee on Appropriations

HOUSE BILL NO. 639, by Representatives Kilbury and Fischer:

AN ACT Relating to holidays; and amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 1.16.050.

To Committee on State Government

HOUSE BILL NO. 640, by Representatives Charette, Flanagan and Kreidler:

AN ACT Relating to revenue and taxation; and amending section 84.56.230, chapter 15, Laws of 1961 as amended by section 1, chapter 43, Laws of 1973 1st ex. sess. and RCW 84.56.230.

To Committee on Revenue

HOUSE BILL NO. 641, by Representatives Conner, Deccio, Gallagher, Adams, Nelson (Gary), Pardini, Patterson, Salatino, Erickson, Berentson, Hurley (Margaret) and Pearsall:

AN ACT Relating to beer and/or wine wholesale distributor franchises; and adding a new chapter to Title 19 RCW.

To Committee on Commerce

HOUSE BILL NO. 642, by Representatives Winsley, Monohon, Kreidler and Keller:

AN ACT Relating to revenue and taxation; and amending section 4, chapter 196, Laws of 1974 ex. sess. as amended by section 3, chapter 120, Laws of 1975 1st ex. sess. and RCW 84.70.020.

To Committee on Revenue

HOUSE BILL NO. 643, by Representatives Deccio, Knowles, Whiteside and Chandler:

AN ACT Relating to visitation rights; and adding a new chapter to Title 26 RCW.

To Committee on Judiciary

HOUSE BILL NO. 644, by Representatives Keller, Kreidler, Winsley and Monohon:

AN ACT Relating to revenue and taxation; and amending section 12, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.108.

To Committee on Revenue

HOUSE BILL NO. 645, by Representative Valle:

AN ACT Relating to public health; adding a new section to chapter 70.54 RCW; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 646, by Representatives King, Fischer and Lux:

AN ACT Relating to public employees' collective bargaining; and amending section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 15, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56-.030.

To Committee on Labor

HOUSE BILL NO. 647, by Representatives Warnke and Heck:

AN ACT Relating to education; adding new sections to chapter 223, Laws of 1969 ex. sess. as a new chapter to Title 28A RCW; making an appropriation; and prescribing an effective date.

To Committee on Education

HOUSE BILL NO. 648, by Representatives Conner, Newhouse, Douthwaite, Pruitt, McKibbin, Lee, Owen, Taller, Leckenby and Monohon:

AN ACT Relating to local government; amending section 1, chapter 164, Laws of 1967 and RCW 4.96.010; amending section 1, chapter 16, Laws of 1975 and RCW 36.16.138; adding new sections to chapter 4.96 RCW; and creating a new section.

To Committee on Local Government

HOUSE BILL NO. 649, by Representatives McCormick, Warnke, Whiteside, Pearsall, Hughes, Tilly, Knowles, Adams, Erickson and Gaines:

AN ACT Relating to cosmetology; and amending section 11, chapter 52, Laws of 1957 as last amended by section 29, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.18.260.

To Committee on Commerce

HOUSE BILL NO. 650, by Representatives Pruitt, Paris, Gruger, Lysen and Zimmerman:

AN ACT Relating to revenue and taxation; amending section 84.36.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.020; and amending section 10, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 1, chapter 127, Laws of 1975-'76 2nd ex. sess. and RCW 84.36.820.

To Committee on Revenue

HOUSE BILL NO. 651, by Representatives Monohon, Hughes, Kilbury, Owen, Hanna, Knowles, Keller, Knedlik, Grimm, Walk and Greengo:

AN ACT Relating to juvenile court; and adding a new section to chapter 13.04 RCW.

To Committee on Judiciary

HOUSE BILL NO. 652, by Representatives Kilbury and Vrooman:

AN ACT Relating to milk pooling; amending section 6, chapter 230, Laws of 1971 ex. sess. and RCW 15.35.060; amending section 10, chapter 230, Laws of 1971 ex. sess. and RCW 15.35.100; amending section 18, chapter 230, Laws of 1971 ex. sess. and RCW 15.35.180; adding new sections to chapter 230, Laws of 1971 ex. sess. and to chapter 15.35 RCW; and repealing section 31, chapter 230, Laws of 1971 ex. sess. and RCW 15.35.310.

To Committee on Agriculture

HOUSE BILL NO. 653, by Representatives Warnke, Greengo and Charnley (by Department of Motor Vehicles request):

AN ACT Relating to the Land Development Act; and adding a new section to chapter 12, Laws of 1973 1st ex. sess. and to chapter 58.19 RCW.

To Committee on Commerce

HOUSE BILL NO. 654, by Representatives Charnley and Zimmerman (by Department of Motor Vehicles request):

AN ACT Relating to the Land Development Act; and amending section 3, chapter 12, Laws of 1973 1st ex. sess. and RCW 58.19.030.

To Committee on Commerce

HOUSE BILL NO. 655, by Representatives Thompson, Grimm, Pardini, Patterson and Charette:

AN ACT Relating to the public employees' retirement system; amending section 1, chapter 274, Laws of 1947 as last amended by section 2, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.010; amending section 13, chapter 274, Laws of 1947 as last amended by section 6, chapter 33, Laws of 1975 and RCW 41.40.120; amending section 19, chapter 274, Laws of 1947 as last amended by section 7, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.180; amending section 5, chapter 151, Laws of 1972 ex. sess. as amended by section 8, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.185; amending section 7, chapter 151, Laws of 1972 ex. sess. as amended by section 10, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.193; amending section 1, chapter 68, Laws of 1970 ex. sess. as last amended by section 1, chapter 14, Laws of 1973 2nd ex. sess. and RCW 41.40.195; amending section 21, chapter 274, Laws of 1947 as last amended by section 5, chapter 277, Laws of 1955 and RCW

41.40.200; amending section 24, chapter 274, Laws of 1947 as last amended by section 9, chapter 128, Laws of 1969 and RCW 41.40.230; amending section 28, chapter 274, Laws of 1947 as last amended by section 12, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.270; adding new sections to chapter 41.40 RCW; repealing section 31, chapter 274, Laws of 1947, section 21, chapter 240, Laws of 1949 and RCW 41.40.300; prescribing an effective date; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 656, by Representatives O'Brien, King, Maxie, Newhouse, Lysen, Clemente, Berentson, Knowles, Hurlay (Margaret), Pardini, Bauer, Becker, Kilbury, Adams, Flanagan, Gallagher, McCormick, Fischer, Conner, Gaines, Erickson, May, Grier, Hughes, Greengo and Taller:

AN ACT Relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW.

To Committee on Education

HOUSE BILL NO. 657, by Representatives Ehlers, Nelson (Gary) and Sommers (by State Auditor request):

AN ACT Relating to the Washington public employees retirement system; and amending section 3, chapter 274, Laws of 1947 as last amended by section 1, chapter 195, Laws of 1974 ex. sess. and RCW 41.40-.030.

To Committee on State Government

HOUSE BILL NO. 658, by Representatives Lux, Warnke and Pearsall (by Department of Employment Security request):

AN ACT Relating to unemployment compensation; amending section 7, chapter 3, Laws of 1971 and RCW 50.04.116; amending section 16, chapter 35, Laws of 1945 as last amended by section 1, chapter 264, Laws of 1957 and RCW 50.04.150; amending section 17, chapter 35, Laws of 1945 as amended by section 4, chapter 215, Laws of 1947 and RCW 50.04.160; amending section 28, chapter 35, Laws of 1945 and RCW 50.04.270; amending section 31, chapter 35, Laws of 1945 as amended by section 10, chapter 3, Laws of 1971 and RCW 50.04.300; amending section 2, chapter 1, Laws of 1971 as amended by section 7, chapter 73, Laws of 1973 and RCW 50.22.010; amending section 104, chapter 35, Laws of 1945 as last amended by section 1, chapter 35, Laws of 1972 ex. sess. and RCW 50.24.160; amending section 11, chapter 2, Laws of 1970 ex. sess. as amended by section 6, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.29.020; amending section 19, chapter 3, Laws of 1971 and RCW 50.44.020; amending section 20, chapter 3, Laws of 1971 as amended by section 2, chapter 35, Laws of 1972 ex. sess. and RCW 50.44.030; amending section 21, chapter 3, Laws of 1971 as last amended by section 1, chapter 67, Laws of 1975 1st ex. sess. and RCW 50.44.040; amending section 22, chapter 3, Laws of 1971 as last amended by section 17, chapter 288, Laws of 1975 1st ex. sess. and RCW 50.44.050; amending section 23, chapter 3, Laws of 1971 and RCW 50.44.060; adding new sections to chapter 35, Laws of 1945 and to chapter 50.04 RCW; adding a new section to chapter 3, Laws of 1971 and to chapter 50.44 RCW; adding new sections to chapter 35, Laws of 1945 and to chapter 50.98 RCW; repealing section 21, chapter 35, Laws of 1945, section 7, chapter 265, Laws of 1951, section 1, chapter 276, Laws of 1953, section 1, chapter 8, Laws of 1953 ex. sess., section 9, chapter 3, Laws of 1971 and RCW 50.04-.200; repealing section 26, chapter 35, Laws of 1945 and RCW 50.04.250; repealing section 27, chapter 35, Laws of 1945, section 1, chapter 265, Laws of 1951 and RCW 50.04.260; and providing an effective date.

To Committee on Labor

HOUSE JOINT MEMORIAL NO. 8, by Representatives Pruitt, Eng, Charnley, Fischer, Ehlers, Grimm, King, Grier, Kilbury, Bender, Burns, Lysen, Lux, Salatino, Moreau, Gruger, Nelson (Dick), Fortson and Douthwaite:

Petitioning for a full employment program.

To Committee on Labor

HOUSE CONCURRENT RESOLUTION NO. 15, by Representatives Haley, Lysen, Dunlap, Schmitten, Winsley, Deccio, Greengo, Gilleland, Sherman, Barr, Charnley, Taller, Paris, Hawkins, Bond, Sanders, Chandler, Douthwaite and Burns:

Calling for conservation measures to reduce the nonessential use of energy.

To Committee on Energy and Utilities

ENGROSSED SENATE BILL NO. 2062, by Senators Day and Jones:

Revising qualifications for health officers.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2075, by Senators Day, von Reichbauer, Beck, Van Hollebeke, Buffington, Herr, Keefe and Talley:

Excluding convents from nursing home regulation.

To Committee on Social and Health Services

SENATE BILL NO. 2079, by Senators Day, Wanamaker and Jones:

Placing funeral directors under unfair practices act.

To Committee on Social and Health Services

MOTIONS

Mr. King moved that all bills, memorials and resolutions listed on today's agenda be considered first reading under the fourth order of business and be referred to the committees designated.

Mr. Pardini moved that Mr. King's motion be amended to delete House Concurrent Resolution No. 15, and that House Concurrent Resolution No. 15 be considered separately.

Representatives Pardini, Haley and Zimmerman spoke in favor of the motion to amend the King motion, and Representatives King and Lysen spoke against it.

With the consent of the House, Mr. Pardini withdrew the motion.

The motion by Mr. King was carried.

REPORTS OF STANDING COMMITTEES

February 4, 1977

HOUSE BILL NO. 162, Prime Sponsor: Representative Valle, directing enforcement of no smoking rules and providing penalties for their violation. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Chandler, Grier, Gruger, Hughes, Hurley (George), Leckenby, Oliver, Tilly.

To Committee on Rules for second reading.

February 4, 1977

HOUSE BILL NO. 229, Prime Sponsor: Representative Hurley (Margaret), permitting longer concessions and leases in state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Owen, Paris.

To Committee on Rules for second reading.

February 4, 1977

HOUSE BILL NO. 230, Prime Sponsor: Representative North, revising the penalty for a winter recreational parking violation. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Owen, Paris.

To Committee on Rules for second reading.

February 4, 1977

HOUSE BILL NO. 285, Prime Sponsor: Representative O'Brien, renaming Sun Lakes State Park to Victor Aloysius Meyers State Park. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 5 strike "Victor Aloysius Meyers State Park" and insert "Vic Meyers Sun Lakes State Park"

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

To Committee on Rules for second reading.

February 5, 1977

HOUSE BILL NO. 409, Prime Sponsor: Representative Knowles, eliminating exemptions from jury service. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:
On page 2, line 2 after "sex," insert "marital status"

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Monohon, Shinpoch, Smith, Winsley.

To Committee on Rules for second reading.

February 5, 1977

HOUSE BILL NO. 414, Prime Sponsor: Representative Tilly, modifying the collecting of jury costs. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:
On page 2, line 8 after "with" strike "justices of the peace" and insert "~~((justices of the peace))~~ district courts"

On page 2, line 12 strike "justices of the peace" and insert "~~((justices of the peace))~~ district courts"

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Monohon, Shinpoch, Smith, Winsley.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 57, by Representatives Valle, Hughes, Charnley, Hawkins, Douthwaite, Flanagan, Chandler, Zimmerman, Lux and Becker (by House Committee on Ecology of the 44th Legislature request):

Modifying the environmental coordination procedures act.

The bill was read the third time and placed on final passage.

Representatives Valle and Barr spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 57, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Adams, Hurley M., Shinoda, Smith, Thompson.

Engrossed House Bill No. 57, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 111, by Representatives Conner, McCormick, Patterson and Fancher (by Department of Motor Vehicles request):

Eliminating automatic expiration of motor vehicle excise tax refund permits and necessity for keeping permanent records and permitting departmental discretion in collection of minor interest charges.

The bill was read the third time and placed on final passage.

Representatives Conner and Gilleland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 111, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Adams, Hurley M., Shinoda, Smith, Thompson.

House Bill No. 111, having received the 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. 109, by Representatives Conner, McCormick, Patterson and Knedlik (by Department of Motor Vehicles request):

Repealing a provision of the Financial Responsibility Law declared unconstitutional by the U.S. Supreme Court.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 109, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Adams, Gruger, Hurley M., Shinoda, Smith, Thompson.

House Bill No. 109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, action on Engrossed Substitute House Bill No. 209 was deferred, and the bill was ordered placed at the top of Wednesday's third reading calendar.

HOUSE BILL NO. 106, by Representatives Conner, McCormick, Patterson, Fancher, Fuller and Struthers (by Department of Motor Vehicles request):

Deleting the requirement of farmer signature for vehicle farm license applications and permits the movement of parade floats with letters of authority.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 106, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Adams, Dunlap, Hurley M., Pardini, Shinoda, Smith, Thompson.

House Bill No. 106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 217, by Committee on Insurance (Originally sponsored by Representatives Charnley, Newhouse, Knowles, Knedlik, Monohon and Grier):

Increasing insurance coverage required for auto transportation companies to obtain certificate of operation.

The bill was read the third time and placed on final passage.

Representatives Charnley and Deccio spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 217, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Adams, Fortson, Hurley M., Kreidler, Pardini, Shinoda, Smith, Thompson.

Substitute House Bill No. 217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

HOUSE BILL NO. 47, by Representatives Heck, King, Hawkins, Burns and Nelson (Dick):

Allowing persons to register and vote by absentee ballot during the thirty days immediately preceding an election.

The bill was read the second time.

The Clerk read the following amendment by Representative Newhouse:

On page 2, line 15 after "primary," strike all material down to and including "act."

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

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

On page 3, line 7 after "amended," strike "and before" and insert "immediately preceding"

House Bill No. 47 was ordered engrossed, and passed to Committee on Rules for third reading.

HOUSE CONCURRENT RESOLUTION NO. 4, by Representatives Sherman and North:

Directing that the next state ferry be named the "Issaquah."

The resolution was read the second time.

Mr. Lux moved adoption of the following amendment:

On page 1, line 4 after "name" strike "Issaquah" and insert "Tukwila"

POINT OF ORDER

Mr. Charette: "I have an amendment on the desk and it's for the same page and the same line. My amendment has been up there for three or four days and it should be considered first."

POINT OF ORDER

Mr. Lux: "Mr. Speaker, my amendment has also been up there for three or four days and due to the fact that I have better qualifications for the term of Tukwila, I think my amendment should be first."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Reed's Rules allow the friends of the paragraph to have an opportunity to submit his or her amendment before an amendment is offered by another person striking the whole amendment. We have the right to perfect a section before an amendment would be considered to strike the whole paragraph. So, Representative Charette, your amendment strikes the whole paragraph and that's the reason why we are allowing the other amendment to go through first, because it just strikes part of it and inserts a new name."

Mr. Charette: "Speaking to the point of order, if you read the amendment that has been offered by Representatives Lux, Lysen and Valle, you will find out that if their amendment is adopted the matter before the body wouldn't have too much meaning because it gives great compliment to the Issaquahs and then names the ferry the Tukwila. I think they would have to strike that section complimenting the Issaquahs before they name it the Tukwila. Now the one concerning the Humptulips is properly drafted."

The Speaker (Mr. O'Brien presiding): "That determination on the validity of the name change would be up to the body to determine."

POINT OF ORDER

Mr. Newhouse: "I was going to suggest, Mr. Speaker, that the whole bill is moot; we're not going to build a ferry anyway."

The Speaker (Mr. O'Brien presiding): "I suppose it is based on a contingency."

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

The Clerk read the following amendment by Representatives Charette and Monohon:

On page 1, line 4 strike the second paragraph and on line 13 after "the" strike "Issaquah" and insert "Humptulips"

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

House Concurrent Resolution No. 4 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, action on House Bill No. 44 was deferred, and the bill was ordered placed at the top of Wednesday's second reading calendar.

HOUSE BILL NO. 136, by Representatives Amen, Flanagan, Shinpoch, Polk, Knedlik, Clayton, Fuller and Oliver (by Legislative Budget Committee request):

Repealing certain obsolete laws relating to agricultural conservation.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, action on House Bill No. 181 was deferred, and the bill was ordered placed on Wednesday's second reading calendar immediately following House Bill No. 44.

HOUSE BILL NO. 32, by Representatives Warnke, Valle and Conner:

Redefining the term "regular property taxes" for port districts.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 616 was rereferred from Committee on Social and Health Services to Committee on Revenue.

MOTION

On motion of Mr. King, the House adjourned until 1:30 p.m., Wednesday, February 9, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-FIRST DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, February 9, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nona Crocker and Eric Johnson. Prayer was offered by Reverend Glen D. Cole of the Evergreen Christian Center of Olympia.

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

MESSAGES FROM THE SENATE

February 7, 1977

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 105,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 7, 1977

Mr. Speaker:

The Senate has passed:

**SENATE BILL NO. 2048,
SENATE BILL NO. 2123,
SENATE BILL NO. 2158,**

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 8, 1977

Mr. Speaker:

The Senate has passed:

**SENATE BILL NO. 2060,
SENATE BILL NO. 2068,
ENGROSSED SENATE BILL NO. 2083,
SENATE BILL NO. 2091,**

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 7, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to **ENGROSSED SENATE BILL NO. 2088**, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

February 8, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2088,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 9, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2056, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Charnley, the House refused to recede from the amendments to Engrossed Substitute Senate Bill No. 2056, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Sommers, Bauer and Eng as conferees on Engrossed Substitute Senate Bill No. 2056.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 659, by Representatives Warnke, Heck and Gaines:

AN ACT Relating to school district employees; amending section 3, chapter 10, Laws of 1972 ex. sess. as amended by section 108, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.100; and declaring an emergency.

To Committee on Education

HOUSE BILL NO. 660, by Representatives Thompson and Polk:

AN ACT Relating to the legislature; establishing the legislative evaluation and accountability program committee; and adding a new chapter to Title 44 RCW.

To Committee on Appropriations

HOUSE BILL NO. 661, by Representative Douthwaite:

AN ACT Relating to disability insurance; and amending section 26, chapter 150, Laws of 1967 and RCW 48.20.013.

To Committee on Insurance

HOUSE BILL NO. 662, by Representatives Erickson, Grimm, Chandler, Knowles, Oliver, Owen, Grier, Salatino, Bender, Gilleland, Haley, Fuller, Taller, Bond, Hawkins, Bauer, Charette, Enbody, Tilly, Sanders, Clayton, Winsley, Paris and Monohon:

AN ACT Relating to institutions of higher education; amending section 28B.10.650, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.650; amending section 7, chapter 283, Laws of 1969 ex. sess. as last amended by section 148, chapter 275, Laws of 1975 1st ex. sess. and RCW 28B.50.551; and creating a new section.

To Committee on Higher Education

HOUSE BILL NO. 663, by Representatives Erickson and Haley:

AN ACT Relating to community college districts; amending section 28B.50.040, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.50.040; creating new sections; and making an effective date.

To Committee on Higher Education

HOUSE BILL NO. 664, by Representatives Keller, Knowles, North and Enbody:

AN ACT Relating to municipal courts; and amending section 55, chapter 299, Laws of 1961 and RCW 3.50.060.

To Committee on Judiciary

HOUSE BILL NO. 665, by Representatives Charette and Monohon:

AN ACT Relating to electrical installers; and adding a new section to chapter 19.28 RCW.

To Committee on Commerce

HOUSE BILL NO. 666, by Representatives Williams, King, Bender, Bauer, Fischer, Lysen, Lux, Moreau, Clemente, Eng, Hawkins, Burns, Nelson (Dick) and Douthwaite:

AN ACT Relating to insurance; and creating a new chapter in Title 48 RCW.

To Committee on Insurance

HOUSE BILL NO. 667, by Representatives May, Kilbury, Gallagher and Fischer:

AN ACT Relating to nursing homes; and amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 1, chapter 213, Laws of 1975 1st ex. sess. and RCW 74.09.120.

To Committee on Social and Health Services

HOUSE BILL NO. 668, by Representatives Warnke, Pardini and Newhouse:

AN ACT Relating to the labeling and sale of soap; adding a new chapter in Title 69 RCW; prescribing penalties; and providing an effective date.

To Committee on Commerce

HOUSE BILL NO. 669, by Representatives Sommers, Fortson, Whiteside, Dunlap, Bauer, Clemente, Douthwaite and McKibbin:

AN ACT Relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW.

To Committee on Education

HOUSE BILL NO. 670, by Representatives Pardini, Eng, Knowles, Fuller, Lee and Paris:

AN ACT Relating to residential reserve requirement restrictions; and adding a new section to chapter 64.04 RCW.

To Committee on Financial Institutions

HOUSE BILL NO. 671, by Representatives Smith, Fortson, Chandler, Charnley, Monohon, Conner, Knedlik and Douthwaite:

AN ACT Relating to navigation and harbors; and adding a new section to chapter 88.16 RCW.

To Committee on Transportation

HOUSE BILL NO. 672, by Representatives Smith, Fortson, Chandler, Charnley, Monohon, Berentson, Conner, Wilson, Salatino, Knedlik and Douthwaite:

AN ACT Relating to ships' pilots; and amending section 8, chapter 18, Laws of 1935 as amended by section 5, chapter 15, Laws of 1967 and RCW 88.16.090.

To Committee on Transportation

HOUSE BILL NO. 673, by Representatives Smith, Fortson, Chandler, Charnley, Monohon, Berentson, Wilson and Salatino:

AN ACT Relating to navigation and harbors; and adding a new section to chapter 88.16 RCW.

To Committee on Transportation

HOUSE BILL NO. 674, by Representatives Kilbury and Clayton:

AN ACT Relating to agricultural products; amending section 1, chapter 139, Laws of 1959 as last amended by section 2, chapter 102, Laws of 1974 ex. sess. and RCW 20.01.010; amending section 3, chapter 139, Laws of 1959 as last amended by section 18, chapter 7, Laws of 1975 1st ex. sess. and RCW 20.01.030; amending section 6, chapter 139, Laws of 1959 as last amended by section 4, chapter 102, Laws of 1974 ex. sess. and RCW 20.01.060; amending section 8, chapter 139, Laws of 1959 as amended by section 5, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.080; amending section 8, chapter 102, Laws of 1974 ex. sess. and RCW 20.01.086; amending section 5, chapter 232, Laws of 1963 as last amended by section 5, chapter 102, Laws of 1974 ex. sess. and RCW 20.01.210; amending section 6, chapter 232, Laws of 1963 as amended by section 9, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.212; amending section 33, chapter 139, Laws of 1959 as amended by section 11, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.330; amending section 37, chapter 139, Laws of 1959 as last amended by section 6, chapter 102, Laws of 1974 ex. sess. and RCW 20.01.370; amending section 42, chapter 240, Laws of 1967 as amended by section 7, chapter 102, Laws of 1974 ex. sess. and RCW 20.01.385; amending section 43, chapter 139, Laws of 1959 as amended by section 9, chapter 102, Laws of 1974 ex. sess. and RCW 20.01.430; amending section 10, chapter 102, Laws of 1974 ex. sess. and RCW 20.01.445; amending section 14, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.480; amending section 15, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.500; amending section 20, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.550; and adding new sections to chapter 20.01 RCW.

To Committee on Agriculture

HOUSE BILL NO. 675, by Representatives Fischer, Adams, Sherman, Erickson, North, Clemente, Hughes, Salatino, Nelson (Dick), Vrooman, Burns, Keller, Pearsall, Grier, Owen, Hanna, Gruger, Gallagher, Bauer, Bender, Charnley, Knowles, Williams, Gaines, McCormick, Maxie, Grimm, Hurley (George), Douthwaite, Lux, Martinis, Sommers and Walk:

AN ACT Relating to the public health, safety, and welfare; adding new sections to chapter 70.54 RCW; defining crimes; and prescribing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 676, by Representatives Bender, McKibbin, Boldt, Martinis, Gruger, Bauer, Heck, Clemente, Hansen, Owen, Knowles, Kilbury, Conner, May, Gallagher, Adams, Fischer, Hughes, Hurley (George), McCormick and Gaines:

AN ACT Relating to state government; amending section 43.10.030, chapter 8, Laws of 1965 as last amended by section 5, chapter 40, Laws of 1975 and RCW 43.10.030; amending section 43.10.040, chapter 8, Laws of 1965 and RCW 43.10.040; amending section 43.10.050, chapter 8, Laws of 1965 and RCW 43.10.050; amending section 43.10.065, chapter 8, Laws of 1965 and RCW 43.10.065; amending section 43.10.070, chapter 8, Laws of 1965 and RCW 43.10.070; adding a new section to chapter 43.10 RCW; creating a new section; and repealing section 43.10.067, chapter 8, Laws of 1965 and RCW 43.10.067.

To Committee on State Government

HOUSE BILL NO. 677, by Representatives Clayton, Whiteside, Hansen, Pardini, Fuller, Schmitt, Tallar, Fancher, Oliver, Newhouse, Patterson, Struthers, Boldt, Tilly, Greengo, Berentson, Walk, Lee, Kilbury, Conner, Dunlap, Grier, Hanna, Bond, Nelson (Gary), Owen, Douthwaite, Hurley (George), Lux, Wilson, Barr, Shipoch, Gilleland, Hughes and Pearsall:

AN ACT Relating to motor vehicles; amending section 1, chapter ... (HB 175), Laws of 1977 and RCW 46.16.210; adding a new section to chapter 46.20 RCW; creating a new section; defining crimes; prescribing penalties; and declaring an emergency.

To Committee on Insurance

HOUSE BILL NO. 678, by Representatives Kilbury, Amen, Vrooman, Hansen and Barr:

AN ACT Relating to theft and robbery; amending section 9A.56.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.080; and prescribing penalties.

To Committee on Agriculture

HOUSE BILL NO. 679, by Representatives Grier, Kreidler, McCormick, Vrooman, Heck, Monohon, Pearsall, Erickson, North, Burns, Gallagher, Becker, Knedlik, Bender, Charnley, Charette, Boldt, Sommers, Valle, Fischer, Nelson (Dick), Barr, Hughes, Pruitt, Hanna, Lux, Oliver, Barnes, Martinis, Nelson (Gary), Pardini, Fancher, Clayton, Tallar, Schmitt, Hurley (George), Hansen, Douthwaite, Bauer, Bond, Hawkins, Owen, Moreau, Lee, McKibbin and Enbody:

AN ACT Relating to wine labeling; and amending section 45, chapter 62, Laws of 1933 ex. sess. as amended by section 4, chapter 172, Laws of 1939 and RCW 66.28.110.

To Committee on Commerce

HOUSE BILL NO. 680, by Representatives Polk, Shipoch, Tallar, Gilleland and Sanders:

AN ACT Relating to motor vehicle accident reports; amending section 1, chapter 18, Laws of 1975-'76 2nd ex. sess. and RCW 46.52.020; amending section 46.52.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 40, Laws of 1969 ex. sess. and RCW 46.52.030; amending section 46.52.080, chapter 12, Laws of 1961 as last amended by section 15, chapter 62, Laws of 1975 and RCW 46.52.080; and amending section 46.52.090, chapter 12, Laws of 1961 as amended by section 59, chapter 32, Laws of 1967 and RCW 46.52.090.

To Committee on State Government

HOUSE BILL NO. 681, by Representatives Clemente, Barnes, Heck, Bauer, Whiteside, Bender and Warnke:

AN ACT Relating to educational service districts; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.21 RCW; and providing an effective date.

To Committee on Education

HOUSE BILL NO. 682, by Representatives Lysen, Nelson (Dick), Sommers, Becker, Charnley, Williams, Burns, Blair and Douthwaite:

AN ACT Relating to revenue and taxation and establishing the land sales excise tax; adding a new chapter to chapter 15, Laws of 1961 and to Title 82 RCW; providing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 683, by Representatives Douthwaite, Haley and Grier:

AN ACT Relating to insurance of fraternal benefit societies; amending section .32.05, chapter 79, Laws of 1947 and RCW 48.36.050; amending section .32.09, chapter 79, Laws of 1947 and RCW 48.36.090; amending section .32.12, chapter 79, Laws of 1947 and RCW 48.36.120; and amending section .32.23, chapter 79, Laws of 1947 as amended by section 1, chapter 79, Laws of 1973 and RCW 48.36.230.

To Committee on Insurance

HOUSE JOINT MEMORIAL NO. 9, by Representatives Kilbury, Hansen, Amen, Flanagan, Boldt, Bauer and Barr:

Requesting Congress to relieve economic pressure on cattle industry.

To Committee on Agriculture

HOUSE JOINT RESOLUTION NO. 34, by Representatives Charette, Clemente, Boldt, Flanagan, Oliver, Hansen, Hurley (Margaret), May, Tilly, Fancher, Clayton, Paris, Craswell, Schmitt, Barr, Bond, Wilson, Polk, Patterson, Grier and Berentson:

Proposing constitutional amendment defining "ample provision" for the purposes of Article IX, section 1, of the state Constitution, herein amended relating to basic education.

To Committee on Education

SENATE BILL NO. 2048, by Senators Day, von Reichbauer, Wanamaker and Talley:

Adding a public member to the cemetery board.

To Committee on State Government

SENATE BILL NO. 2060, by Senators Odegaard, Clarke, Newschwander and Woody (by Legislative Budget Committee request):

Repealing certain obsolete laws relating to reclamation.

To Committee on Agriculture

SENATE BILL NO. 2068, by Senators Odegaard, Clarke, Newschwander, Woody and Bausch (by Legislative Budget Committee request):

Deleting obsolete powers of town supervisors.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2083, by Senators North and McDermott:

Authorizing autopsies.

To Committee on Social and Health Services

SENATE BILL NO. 2091, by Senator Day:

Providing staggered terms of office for hospital commissioners.

To Committee on Social and Health Services

SENATE BILL NO. 2123, by Senators Talley, North and Sellar:

Providing for the filling of vacancies in fire commissioner positions.

To Committee on Local Government

SENATE BILL NO. 2158, by Senators Francis, Clarke, Woody and McDermott:

Requiring promises of health care cures to be in writing to be valid.

To Committee on Judiciary

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

February 7, 1977

INITIATIVE MEASURE NO. 59, Family farm water act. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Douthwaite, Grier, Gruger, Hughes, Hurley (George), Kreidler.

MOTION

Mr. Pardini moved that Initiative Measure No. 59 be rereferred to Committee on Agriculture.

Mr. Pardini spoke in favor of the motion, and Representatives King and Kilbury spoke against it.

POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Kilbury, you mentioned that you don't particularly want this hot potato in your committee, and are not favorable to it. You also mentioned that Initiative 59 might die in your committee. I'm sure it could come out without action in your committee because it has to go to the Secretary of State if we don't act favorably on it. My question is, do you have a vehicle—a title—to which you can attach some alternative measure to go on the ballot with Initiative 59?"

Mr. Kilbury: "Yes, we have House Bill No. 281, which is a title only."

Mrs. Valle spoke in opposition to the motion.

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

ROLL CALL

The Clerk called the roll on the motion by Representative Pardini to rerefer Initiative Measure No. 59 to Committee on Agriculture, and the motion was lost by the following vote: Yeas, 32; nays, 62; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Charette, Clayton, Deccio, Lunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Leckenby, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Schmitten, Shinoda, Struthers, Taller, Tilly, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Not voting: Representatives McKibbin, Sanders, Whiteside, Williams.

Initiative Measure No. 59 was passed to Committee on Rules for second reading.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2088,
SENATE CONCURRENT RESOLUTION NO. 105.

REPORTS OF STANDING COMMITTEES

February 8, 1977

HOUSE BILL NO. 35, Prime Sponsor: Representative Heck, making the election of PUD commissioners conform more closely to regular nonpartisan election laws. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:
On page 1, line 6 insert the following:

*Section 1. Section 3, chapter 1, Laws of 1931 and RCW 54.08.010 are each amended to read as follows:

At any general election held in an even-numbered year the ((board of)) county ((commissioners)) legislative authority of any county in this state may, or on petition of ten percent of the qualified electors of such county, based on the total vote cast in the last general county election, shall, by resolution, submit to the voters of such county the proposition of creating a public utility district which shall be coextensive with the limits of such county as now or hereafter established. Such petition shall be filed with the county auditor, who shall within fifteen days examine the signatures thereof and certify to the sufficiency or insufficiency thereof, and for such purpose the county auditor shall have access to all registration books in the possession of election officers within such county. If such petition be found to be insufficient, it shall be returned to the persons filing the same, who may amend or add names thereto for ten days, when the same shall be returned to the county auditor, who shall have an additional fifteen days to examine the same and attach his certificate thereto. No person having signed such petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor. Whenever such petition shall be certified to as sufficient, the county auditor shall forthwith transmit the same, together with his certificate of sufficiency attached thereto, to the ((board of)) county ((commissioners, who)) legislative authority, which shall thereupon immediately transmit such proposition to the election board of such county, and it shall be the duty of such county election board to submit such proposition to the voters at the next general election. The notice of the election shall state the boundaries of the proposed public utility district and the object of such election, and shall in other respects conform to the requirements of the general laws of the state of Washington, governing the time and manner of holding elections. In submitting the said question to the voters for their approval or rejection, the proposition shall be expressed on said ballot substantially in the following terms:

Public Utility District No. YES
Public Utility District No. NO

Any petition for the formation of a public utility district may describe a less area than the entire county in which the petition is filed, the boundaries of which shall follow the then existing precinct boundaries and not divide any voting precinct; and in the event that such a petition is filed the ((board of)) county ((commissioners)) legislative authority shall fix a date for a hearing on such petition, and shall publish the petition, without the signatures thereto appended, for two weeks prior to the date of the hearing, together with a notice stating the time of the meeting when such petition will be heard. Such publication, and all other publications required by this act, shall be in a newspaper published in the proposed or established public utility district, or, if there be no such newspaper, then in a newspaper published in the county in which such district is situated, and of general circulation in such county. The hearing on such petition may be adjourned from time to time, not exceeding four weeks in all. If upon the final hearing the ((board of)) county ((commissioners)) legislative authority shall find that any lands have been unjustly or improperly included within the proposed public utility district and will not be benefited by inclusion therein, ((the said board)) it shall change and fix the boundary lines in such manner as it shall deem reasonable and just and conducive to the public welfare and convenience, and make and enter an order establishing and defining the boundary lines of the proposed public utility district: PROVIDED, That no lands shall be included within the boundaries so fixed lying outside the boundaries described in the petition, except upon the written request of the owners of such lands. Thereafter the same procedure shall be followed as prescribed in this ((act)) chapter for the formation of a public utility district including an entire county, except that the petition and election shall be confined solely to the lesser public utility district.*

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

On page 3, line 10 after "be" insert "filed"

On line 1 of the title after "elections;" insert "amending section 3, chapter 1, Laws of 1931 and RCW 54.08.010;"

Signed by Representatives Hawkins, Chairman; Nelson, Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 45, Prime Sponsor: Representative Flanagan, extending the filing date of liens on crops. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Monohon, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 46, Prime Sponsor: Representative Clemente, authorizing adjustments of workmen's compensation payments. Reported by Committee on Labor.

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

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 73, Prime Sponsor: Representative Ehlers, implementing law relating to state agency housing. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 28 after "thereof." insert "Nothing in this section shall preclude the director from purchasing, leasing, or renting any improved or unimproved real estate which the director deems suitable for state use."

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sanders, Sherman, Sommers.

To Committee on Rules for second reading.

February 7, 1977

HOUSE BILL NO. 100, Prime Sponsor: Representative North, requiring under certain conditions, reimbursement for cost of a loaner vehicle when owner's is destroyed. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Erickson, Keller, Knedlik, Maxie, Monohon, Sanders, Taller.

To Committee on Rules for second reading.

February 7, 1977

HOUSE BILL NO. 101, Prime Sponsor: Representative Warnke, establishing a gambling area within the state to be known as the Washington Bazaar. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Gallagher, Hansen, Hawkins, Owen.

MINORITY recommendation: The substitute bill do not pass. Signed by Representatives Greengo, Ranking Minority Member; Paris, Struthers.

To Committee on Rules for second reading.

February 9, 1977

HOUSE BILL NO. 135, Prime Sponsor: Representative Amen, repealing certain obsolete laws relating to reclamation. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Clayton, Fancher, Flanagan.

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 162, Prime Sponsor: Representative Valle, directing enforcement of no smoking rules and providing penalties for their violation. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Judiciary.

February 8, 1977

HOUSE BILL NO. 186, Prime Sponsor: Representative Keller, permitting public employees to participate in nonpartisan political campaigns as well as partisan campaigns. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Blair, Grimm, Heck, Hughes, Hurley (Margaret).

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 199, Prime Sponsor: Representative Sommers, allowing the state fire marshal access to criminal offender record information. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Monohon, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

February 4, 1977

HOUSE BILL NO. 200, Prime Sponsor: Representative Sommers, increasing the petty cash account limit. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 208, Prime Sponsor: Representative Smith, providing attorneys fees for the prevailing party in contract and lease dispute. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Monohon, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 252, Prime Sponsor: Representative Adams, enacting the "Natural Death Act." Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 255, Prime Sponsor: Representative Newhouse, granting irrigation and port districts the power to designate their own treasurers. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Fancher, Gilleland, North, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

February 7, 1977

HOUSE BILL NO. 266, Prime Sponsor: Representative Clemente, authorizing state funds for community education programs when necessary as matching funds for receipt of federal funds. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Bender, Boldt, Fortson, McKibbin, Valle, Warnke.

MOTION

On motion of Mr. Bender, House Bill No. 266 was rereferred to Committee on Appropriations.

February 4, 1977

HOUSE BILL NO. 288, Prime Sponsor: Representative Hanna, changing certain terms and provisions of the civil commitment law. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Monohon, Newhouse, Shinpoeh, Smith, Winsley.

To Committee on Rules for second reading.

February 7, 1977

HOUSE BILL NO. 323, Prime Sponsor: Representative Sommers, regulating lending practices of financial institutions. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Kreidler, Lux, Pardini.

To Committee on Rules for second reading.

February 3, 1977

HOUSE BILL NO. 338, Prime Sponsor: Representative Eng, providing for the removal of bank officers and bank cease and desist orders by the supervisor. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 7, 1977

HOUSE BILL NO. 384, Prime Sponsor: Representative Eng, providing for the confidentiality of examination reports of financial institutions. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 407, Prime Sponsor: Representative Enbody, modifying the fee for a writ of garnishment. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Monohon, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 413, Prime Sponsor: Representative Knedlik, increasing witness fees. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Monohon, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 209, by Committee on Elections and Governmental Ethics (Originally sponsored by Representatives Nelson (Dick), Hawkins, Hughes and Lux):

Giving information on delegate selection in the voter's pamphlet.

The bill was read the third time and placed on final passage.

Representatives Nelson (Dick), Fuller and Hawkins spoke in favor of passage of the bill, and Mr. Taller spoke against it.

POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Taller, did you understand that in 1979, if there were no other statewide issues on the ballot, that it would be mandatory to mail this pamphlet, if nothing else was out there, at a cost of \$450,000?"

Mr. Taller: "That's my understanding, that the way the bill is written, if there are no other issues it would have to bear the entire cost of the mailing. It is not permissive language; it does require that it be mailed out."

Mr. Nelson (Dick) spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 209, and the bill passed the House by the following vote: Yeas, 64; nays, 32; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Gilleland, Greengo, Haley, Hurley M., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Schmitt, Shinoda, Struthers, Taller, Thompson, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Conner, Williams.

Engrossed Substitute House Bill No. 209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 32, by Representatives Warnke, Valle and Conner:

Redefining the term "regular property taxes" for port districts.

The bill was read the third time and placed on final passage.

Representatives Warnke, Conner, Charette and O'Brien spoke in favor of passage of the bill, and Representatives Flanagan and Nelson (Gary) spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 32, and the bill passed the House by the following vote: Yeas, 70; nays, 25; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Enbody, Fischer, Fuller, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Bond, Chandler, Craswell, Dunlap, Ehlers, Eng, Erickson, Fancher, Flanagan, Fortson, Greengo, Hansen, Hurley M., Leckenby, Lux, Lysen, Nelson G. A., North, Pardini, Polk, Sanders, Smith, Tilly, Wilson.

Not voting: Representatives Gilleland, Lee, Martinis.

House Bill No. 32, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED HOUSE BILL NO. 274, by Representatives Martinis, Wilson, Moreau and Schmitt:

Requiring knowledge of trapping techniques for a trapping license in certain cases.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 274, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver,

Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barr, Gilleland, Pardini.

Engrossed House Bill No. 274, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 47, by Representatives Heck, King, Hawkins, Burns and Nelson (Dick):

Allowing persons to register and vote by absentee ballot during the thirty days immediately preceding an election.

The bill was read the third time and placed on final passage.

Mr. Heck spoke in favor of passage of the bill, and Mr. Tilly spoke against it.

POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Heck, I'm looking at section 3 and my primary concern is whether or not the bill would give that individual an opportunity to change his registration place one day before an election. Let me cite you an example and maybe you can respond to it. We have thousands of students, for example, who are going to the institutions of higher learning around this state. In September most of them are enrolling at that time and many of them currently are registered in their hometowns; that would be their place of residence. They are going into these institutions with the intent of staying there nine months. In other words, they are taking up a new residence. I'm just wondering whether or not this bill would authorize those people at that point in time, right before an election, to change their residence and vote in a new district?"

Mr. Heck: "Only if they've met the constitutional requirement of having resided in that precinct for thirty days prior to the election. This doesn't change that."

Mr. Patterson: "Does the Auditor have any way of checking on that point?"

Mr. Heck: "No more so than he has now."

Representatives Patterson, Tilly, Bond and Deccio spoke in opposition to passage of the bill, and Representatives Hurley (George) and Hawkins spoke in favor of 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, 62; nays, 36; not voting, 0.

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

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

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.

HOUSE BILL NO. 122, by Representatives Conner, Owen and Vrooman:

Increasing county participation in reviews of ferry tariffs and charges.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 122, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Charette.

Not voting: Representative Oliver.

House Bill No. 122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 136, by Representatives Amen, Flanagan, Shipoch, Polk, Knedlik, Clayton, Fuller and Oliver (by Legislative Budget Committee request):

Repealing certain obsolete laws relating to agricultural conservation.

The bill was read the third time and placed on final passage.

Mrs. Fancher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 136, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

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

Voting nay: Representatives Clemente, Grier, Pearsall.

Not voting: Representative Bauer.

House Bill No. 136, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 4, by Representatives Sherman and North:

Directing the next state ferry be named the "Issaquah."

The resolution was read the third time and placed on final passage.

Representatives Sherman and Charette spoke in favor of adoption of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 4, and the resolution was adopted by the House by the following vote: Yeas, 87; nays, 6; not voting, 5.

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

Voting nay: Representatives Berentson, Greengo, Nelson G. A., Newhouse, Shinoda, Wilson.

Not voting: Representatives Gruger, Lysen, Paris, Vrooman, and Mr. Speaker.

House Concurrent Resolution No. 4, having received the constitutional majority, was declared adopted.

MOTION

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

SECOND READING

HOUSE BILL NO. 44, by Representatives Hurley (Margaret), North, Paris and Lee:

Establishing moorage fees in marine state parks.

The bill was read the second time.

On motion of Representative Hurley (Margaret), Substitute House Bill No. 44 was substituted for House Bill No. 44, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 44 was read the second time.

Representative Hurley (Margaret) moved adoption of the following amendment:
On page 2, line 31 after "facilities" insert ", except buoys,"

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

POINT OF INQUIRY

Representative Hurley (Margaret) yielded to question by Mr. Martinis.

Mr. Martinis: "As I'm reading this amendment—and the amendment is by Representative Margaret Hurley and not a committee amendment—I'm reading that you want to exempt buoys from this moorage fee, but I'm confused by your statements. Are you trying to exempt them or are you trying to charge fees for moorage to buoys?"

Representative Hurley (Margaret): "No, we are trying to exempt them. Actually, it was an action taken by the committee. We did discuss this. The word 'buoys' was in the bill on line 30 after the word 'wharfs' and our committee decided that it would be practically impossible and costly and take more people to collect moorage fees at buoys and that's why we deleted it there, but we felt it should be clarified in the next sentence."

Representatives Martinis and Charnley spoke against the amendment.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 44 was deferred, and the bill was ordered placed at the top of Friday's second reading calendar.

HOUSE BILL NO. 181, by Representatives King, Haley and Lux:

Providing for physician's trained intravenous therapy technicians and airway management technicians.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 181 was substituted for House Bill No. 181, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 181 was read the second time.

Mr. King moved adoption of the following amendment by Representatives King and Smith:

On page 4, line 5 strike all of section 4 and insert the following:

"Sec. 4. Section 3, chapter 305, Laws of 1971 ex. sess. and RCW 18.71.210 are each amended to read as follows:

No act or omission of any physician's trained mobile intensive care paramedic, intravenous therapy technician, or airway management technician, as defined in RCW 18.71.200 as now or hereafter amended, done or omitted in good faith while rendering emergency ((lifesaving)) medical service under the responsible supervision and control of a licensed physician to a person who is in ((immediate)) imminent danger of loss of life or has suffered grievous bodily injury shall impose any liability upon:

- (1) The trained mobile intensive care paramedic, intravenous therapy technician, or airway management technician;
- (2) The supervising physician((,));
- (3) Any hospital, the officers, members of the staff, nurses, or other employees of a hospital ((or upon));
- (4) Any training agency or training physician;
- (5) Any licensed ambulance service; or
- (6) A federal, state, county, city or other local governmental unit or ((upon other)) employees of such a governmental unit((-PROVIDED, That)).

This section shall only apply to an act or omission committed or omitted in the performance of the actual emergency medical procedures and not in the commission or omission of an act which is not within the field of medical expertise of the physician's trained mobile intensive care paramedic, intravenous therapy technician, or airway management technician, as the case may be.

This section shall not relieve a physician or a hospital of any duty otherwise imposed by law upon such physician or hospital for the designation or training of a physician's trained mobile intensive care paramedic, intravenous therapy technician, or airway management technician (or), nor shall this section relieve any individual or other entity listed in this section of any duty otherwise imposed by law for the provision or maintenance of equipment to be used by the physician's trained mobile intensive care paramedics, intravenous therapy technicians, or airway management technicians.

This section shall not apply to any act or omission which constitutes either gross negligence or wilful or wanton conduct."

Mr. King spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Newhouse.

Mr. Newhouse: "I'm looking at this language and I hope you have, for it appears to me that we are now amending what has been the Good Samaritan Act, that is, someone who performs a service not for pay. It would appear to me that the amendment by Mr. King would interject into the Good Samaritan Act an ambulance service, which I would understand is doing something for pay and wants to be freed of any liability. Am I correct?"

Mr. Charette: "I don't believe you are."

The amendment was adopted.

Substitute House Bill No. 181 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 98, by Representatives Bauer, Charnley, Douthwaite, Kilbury, Lee, Lysen, Nelson (Gary) and Smith:

Establishing thermal performance standards for new dwellings.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, Twenty-fourth Day, February 2, 1977.)

On motion of Mr. Lysen, the committee amendment on page 2, line 6 was adopted.

MOTION

On motion of Mr. King, further consideration of House Bill No. 98 was deferred, and the bill, along with the balance of the other bills on second reading calendar, was ordered held for Friday's second reading calendar.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 188 was rereferred from Committee on State Government to Committee on Judiciary.

On motion of Mr. Bender, HOUSE BILL NO. 593 and HOUSE JOINT RESOLUTION NO. 32 were rereferred from Committee on State Government to Committee on Elections and Governmental Ethics.

Mr. King moved that the rules be suspended, and HOUSE BILL NO. 89 be rereferred from the second reading calendar to Committee on Insurance.

Representatives King and Hansen spoke in favor of the motion and it was carried.

MOTION

On motion of Mr. King, the House adjourned until 1:30 p.m., Friday, February 11, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, February 11, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Adams, Barnes, Gilleland, Hanna, Nelson (Gary), Newhouse, Oliver, Struthers and Whiteside, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Linda Gruger and Rob Taylor. Prayer was offered by Reverend Glen D. Cole of The Evergreen Christian Center of Olympia.

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

MESSAGES FROM THE SENATE

February 9, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2005,
ENGROSSED SENATE BILL NO. 2078,
SENATE BILL NO. 2116,
REENGROSSED SENATE BILL NO. 2119,
SUBSTITUTE SENATE BILL NO. 2130,
ENGROSSED SENATE BILL NO. 2157,
REENGROSSED SENATE BILL NO. 2171,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 10, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2071,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2113,
ENGROSSED SENATE BILL NO. 2124,
ENGROSSED SENATE BILL NO. 2164,
SENATE BILL NO. 2225,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 10, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 2056, and the President has appointed as conferees thereon: Senators McDermott, Odegaard and Gould.

Sidney R. Snyder, Secretary.

February 11, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was about to sign:

HOUSE CONCURRENT RESOLUTION NO. 2.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 684, by Representative Fischer:

AN ACT Relating to pharmacists; and amending section 11, chapter 121, Laws of 1899 as last amended by section 6, chapter 201, Laws of 1971 ex. sess. and RCW 18.64.140.

To Committee on Social and Health Services

HOUSE BILL NO. 685, by Representatives Fischer, Eng, Knowles, Polk, Winsley, Newhouse and McCormick:

AN ACT Relating to electronic funds transfer; and adding a new chapter to Title 30 RCW.

To Committee on Financial Institutions

HOUSE BILL NO. 686, by Representatives Warnke, Bender, Knowles and Enbody:

AN ACT Relating to criminal law; amending section 9A.56.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.060; defining crimes; prescribing penalties; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 687, by Representatives Pruitt, Maxie, Adams, Becker, Kreidler, Hurley (George), King, Pardini, Nelson (Gary) and Lux:

AN ACT Relating to public assistance; and amending section 74.08.040, chapter 26, Laws of 1959 and RCW 74.08.040.

To Committee on Social and Health Services

HOUSE BILL NO. 688, by Representatives Gruger, Becker, Shipoch, Kreidler, Hawkins, Nelson (Dick), Pruitt, Hurley (George), Lux, King, Adams and Maxie:

AN ACT Relating to public assistance; and adding new sections to chapter 26, Laws of 1959 and to chapter 74.08 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 689, by Representatives Haley, Shipoch, Lux, Hawkins, Blair, Chandler, Burns, Douthwaite, Charnley, Salatino and Nelson (Dick):

AN ACT Relating to the public health and welfare; amending section 7, chapter 119, Laws of 1975-'76 2nd ex. sess. and RCW 48.30.300; amending section 1, chapter 183, Laws of 1949 as last amended by section 1, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.010; amending section 12, chapter 183, Laws of 1949 as last amended by section 2, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.020; amending section 2, chapter 183, Laws of 1949 as last amended by section 1, chapter 32, Laws of 1974 ex. sess. and RCW 49.60.030; amending section 3, chapter 183, Laws of 1949 as last amended by section 4, chapter 141, Laws of 1973 and RCW 49.60.040; amending section 8, chapter 270, Laws of 1955 as last amended by section 4, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.120; amending section 9, chapter 270, Laws of 1955 as last amended by section 146, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 49.60.130; amending section 1, chapter 68, Laws of 1959 as amended by section 9, chapter 141, Laws of 1973 and RCW 49.60.175; amending section 5, chapter 141, Laws of 1973 and RCW 49.60.176; amending section 6, chapter 141, Laws of 1973 as amended by section 2, chapter 32, Laws of 1974 ex. sess. and RCW 49.60.178; amending section 9, chapter 37, Laws of 1957 as last amended by section 6, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 as last amended by section 8, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.190; amending section 11, chapter 37, Laws of 1957 as last amended by section 9, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.200; amending section 4, chapter 167, Laws of 1969 ex. sess. as last amended by section 1, chapter 145, Laws of 1975 1st ex. sess. and RCW 49.60.222; amending section 5, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.223; amending section 6, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.224; amending section 7, chapter 167, Laws of 1969 ex. sess. as amended by section 14, chapter 141, Laws of 1973 and RCW 49.60.225; adding a new section to chapter 49.60 RCW; and creating a new section.

To Committee on Judiciary

HOUSE BILL NO. 690, by Representatives Thompson, Chandler, Bauer and Gallagher:

AN ACT Relating to the Washington national guard; and adding new sections to chapter 38.40 RCW.

To Committee on State Government

HOUSE BILL NO. 691, by Representatives Fischer, Pardini and Kreidler (by State Treasurer and Chairman Public Deposit Protection Commission request):

AN ACT Relating to public depositaries; and amending section 1, chapter 193, Laws of 1969 ex. sess. as last amended by section 1, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.010.

To Committee on Financial Institutions

HOUSE BILL NO. 692, by Representative Smith:

AN ACT Relating to gift taxes; adding a new chapter to Title 83 RCW; repealing section 83.56.005, chapter 15, Laws of 1961 and RCW 83.56.005; repealing section 83.56.010, chapter 15, Laws of 1961 and RCW 83.56.010; repealing section 83.56.020, chapter 15, Laws of 1961 and RCW 83.56.020; repealing section 83.56.030, chapter 15, Laws of 1961, section 2, chapter 274, Laws of 1969 ex. sess. and RCW 83.56.030; repealing section 83.56.040, chapter 15, Laws of 1961 and RCW 83.56.040; repealing section 83.56.050, chapter 15, Laws of 1961, section 1, chapter 67, Laws of 1965 ex. sess., section 69, chapter 292, Laws of 1971 ex. sess., section 1, chapter 146, Laws of 1973 1st ex. sess. and RCW 83.56.050; repealing section 83.56.060, chapter 15, Laws of 1961 and RCW 83.56.060; repealing section 83.56.070, chapter 15, Laws of 1961 and RCW 83.56.070; repealing section 83.56.080, chapter 15, Laws of 1961, section 125, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.080; repealing section 83.56.090, chapter 15, Laws of 1961, section 126, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.090; repealing section 83.56.100, chapter 15, Laws of 1961, section 127, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.100; repealing section 83.56.110, chapter 15, Laws of 1961, section 128, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.110; repealing section 83.56.120, chapter 15, Laws of 1961 and RCW 83.56.120; repealing section 83.56.130, chapter 15, Laws of 1961, section 129, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.130; repealing section 83.56.140, chapter 15, Laws of 1961, section 130, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.140; repealing section 83.56.150, chapter 15, Laws of 1961, section 131, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.150; repealing section 83.56.160, chapter 15, Laws of 1961, section 151, chapter 81, Laws of 1971 and RCW 83.56.160; repealing section 83.56.170, chapter 15, Laws of 1961, section 132, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.170; repealing section 83.56.180, chapter 15, Laws of 1961, section 133, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.180; repealing section 83.56.190, chapter 15, Laws of 1961 and RCW 83.56.190; repealing section 83.56.200, chapter 15, Laws of 1961, section 134, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.200; repealing section 83.56.210, chapter 15, Laws of 1961, section 135, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.210; repealing section 83.56.220, chapter 15, Laws of 1961, section 136, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.220; repealing section 83.56.230, chapter 15, Laws of 1961 and RCW 83.56.230; repealing section 83.56.240, chapter 15, Laws of 1961, section 137, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.240; repealing section 83.56.250, chapter 15, Laws of 1961, section 138, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.250; repealing section 83.56.270, chapter 15, Laws of 1961, section 139, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.270; repealing section 83.56.280, chapter 15, Laws of 1961, section 140, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.280; repealing section 83.56.290, chapter 15, Laws of 1961 and RCW 83.56.290; repealing section 83.56.300, chapter 15, Laws of 1961 and RCW 83.56.300; repealing section 83.56.310, chapter 15, Laws of 1961, section 141, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.310; repealing section 83.56.320, chapter 15, Laws of 1961, section 142, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.56.320; repealing section 83.56.900, chapter 15, Laws of 1961 and RCW 83.56.900; prescribing an effective date; and providing penalties.

To Committee on Revenue

HOUSE BILL NO. 693, by Representative Conner:

AN ACT Relating to food fish and shellfish; adding a new section to chapter 75.12 RCW; and defining crimes.

To Committee on Natural Resources

HOUSE BILL NO. 694, by Representatives Boldt and Kilbury:

AN ACT Relating to state property; and creating new sections.

To Committee on Transportation

HOUSE BILL NO. 695, by Representatives Conner, Leckenby, Hansen, Greengo, Hurley (Margaret) and McCormick:

AN ACT Relating to warehousemen; amending section 81.92.010, chapter 14, Laws of 1961 and RCW 81.92.010; amending section 81.92.020, chapter 14, Laws of 1961 and RCW 81.92.020; amending section 81.92.030, chapter 14, Laws of 1961 and RCW 81.92.030; amending section 81.92.050, chapter 14, Laws of 1961 and RCW 81.92.050; amending section 81.92.060, chapter 14, Laws of 1961 and RCW 81.92.060; amending section 81.92.070, chapter 14, Laws of 1961 and RCW 81.92.070; amending section 81.92.080, chapter 14, Laws of 1961 and RCW 81.92.080; amending section 81.92.090, chapter 14, Laws of 1961 and RCW 81.92.090; amending section 81.92.100, chapter 14, Laws of 1961 and RCW

81.92.100; amending section 81.92.130, chapter 14, Laws of 1961 and RCW 81.92.130; amending section 81.92.140, chapter 14, Laws of 1961 and RCW 81.92.140; and amending section 81.92.150, chapter 14, Laws of 1961 as amended by section 39, chapter 199, Laws of 1969 ex. sess. and RCW 81.92.150.

To Committee on Transportation

HOUSE BILL NO. 696, by Representatives Warnke, McCormick, Salatino and Gaines:

AN ACT Relating to alcoholic beverages; and adding a new section to chapter 66.24 RCW.

To Committee on Commerce

HOUSE BILL NO. 697, by Representatives Dunlap, Clemente, Fortson, Whiteside, Bauer, Barnes, Greengo, Paris and Taller:

AN ACT Relating to education; and amending section 1, chapter 90, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.090.

To Committee on Education

HOUSE BILL NO. 698, by Representatives Lysen, Charnley, Sherman and Lux:

AN ACT Relating to building standards; and adding a new chapter to Title 19 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 699, by Representative Sherman:

AN ACT Relating to electrical inspections; and creating new sections.

To Committee on Commerce

HOUSE BILL NO. 700, by Representatives Sommers, Nelson (Gary), Ehlers and Wilson:

AN ACT Relating to state government; and creating a new chapter in Title 18 RCW.

To Committee on State Government

HOUSE BILL NO. 701, by Representatives Conner and Smith:

AN ACT Relating to ferries and bridges; and amending section 47.64.010, chapter 13, Laws of 1961 as amended by section 33, chapter 296, Laws of 1975 1st ex. sess. and RCW 47.64.010.

To Committee on Transportation

HOUSE BILL NO. 702, by Representatives Haley, Newhouse, Whiteside, Barr, Hurley (Margaret), Amen, Tilly, Pardini and Clayton:

AN ACT Relating to public assistance; and adding new sections to chapter 26, Laws of 1959 and to chapter 74.08 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 703, by Representatives Conner, Gallagher and Berentson (by Department of Motor Vehicles request):

AN ACT Relating to motor vehicle wreckers; amending section 46.80.010, chapter 12, Laws of 1961 and RCW 46.80.010; amending section 46.80.020, chapter 12, Laws of 1961 as last amended by section 1, chapter 7, Laws of 1971 ex. sess. and RCW 46.80.020; amending section 46.80.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 7, Laws of 1971 ex. sess. and RCW 46.80.030; amending section 46.80.070, chapter 12, Laws of 1961 as last amended by section 5, chapter 7, Laws of 1971 ex. sess. and RCW 46.80.070; amending section 46.80.080, chapter 12, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1971 ex. sess. and RCW 46.80.080; amending section 46.80.090, chapter 12, Laws of 1961 as last amended by section 7, chapter 7, Laws of 1971 ex. sess. and RCW 46.80.090; amending section 46.80.100, chapter 12, Laws of 1961 as amended by section 101, chapter 32, Laws of 1967 and RCW 46.80.100; amending section 46.80.110, chapter 12, Laws of 1961 as last amended by section 8, chapter 7, Laws of 1971 ex. sess. and RCW 46.80.110; amending section 46.80.150, chapter 12, Laws of 1961 as last amended by section 10, chapter 7, Laws of 1971 ex. sess. and RCW 46.80.150; adding new sections to chapter 46.80 RCW; repealing section 46.80.120, chapter 12, Laws of 1961 and RCW 46.80.120; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 704, by Representatives Warnke, Owen, Taller, Haley, Erickson, King and Adams:

AN ACT Relating to professional service corporations; and amending section 5, chapter 122, Laws of 1969 and RCW 18.100.050.

To Committee on Commerce

HOUSE BILL NO. 705, by Representatives O'Brien, Kilbury, Nelson (Gary), Douthwaite, Winsley and Gaines (by Executive request of Governor Ray):

AN ACT Relating to state government; amending section 4, chapter 34, Laws of 1971 ex. sess. and RCW 43.115.040; amending section 5, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.050; creating a new chapter in Title 43 RCW; and repealing section 6, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.060.

To Committee on State Government

HOUSE BILL NO. 706, by Representatives Polk and Winsley:

AN ACT Relating to the department of motor vehicles; amending section 2, chapter 156, Laws of 1965 and RCW 46.01.020; amending section 12, chapter 156, Laws of 1965 and RCW 46.01.120; amending section 17, chapter 156, Laws of 1965 and RCW 46.01.170; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; and repealing section 1, chapter 156, Laws of 1965 and RCW 46.01.010.

To Committee on State Government

HOUSE BILL NO. 707, by Representatives Warnke, McCormick, Salatino, Gaines and Fischer:

AN ACT Relating to professional licensure; repealing section 19, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.180; and repealing section 20, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.190.

To Committee on Commerce

HOUSE BILL NO. 708, by Representatives Charnley, Hansen, Gilleland, Chandler, Burns, Douthwaite, Conner, Paris, Pruitt, Nelson (Dick) and Lux:

AN ACT Relating to bicycles; amending section 4, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.040; adding a new section to chapter 43.59 RCW; and making an appropriation.

To Committee on Transportation

HOUSE BILL NO. 709, by Representatives Sanders, Knowles, Tilly, Enbody, Gilleland, Leckenby, Conner, Polk, Newhouse and Clayton:

AN ACT Relating to motor vehicles; amending section 46.48.050, chapter 12, Laws of 1961 and RCW 46.61.530; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 710, by Representatives Hansen, Flanagan and Tilly:

AN ACT Relating to public utility districts; and amending section 2, chapter 124, Laws of 1955 as amended by section 4, chapter 220, Laws of 1971 ex. sess. and RCW 54.04.070.

To Committee on Local Government

HOUSE BILL NO. 711, by Representatives Gaines, Gallagher, Sherman and McCormick:

AN ACT Relating to gambling; amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020; amending section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.030; amending section 7, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.070; amending section 8, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 7, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.080; amending section 10, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.100; amending section 1, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.115; amending section 14, chapter 218, Laws of 1973 1st ex. sess. as amended by section 8, chapter 166, Laws of 1975 1st ex. sess. and RCW 9.46.140; amending section 18, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.180; amending section 19, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.190; amending section 21, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 166, Laws of 1975 1st ex. sess. and RCW 9.46.210; amending section 23, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.230; adding

new sections to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW; prescribing penalties; and declaring an emergency.

To Committee on Commerce

HOUSE BILL NO. 712, by Representatives Conner, Leckenby, Hansen, Greengo, Hurley (Margaret) and McCormick:

AN ACT Relating to wharfingers and warehousemen; amending section 81.24.030, chapter 14, Laws of 1961 and RCW 81.24.030; repealing section 81.94.010, chapter 14, Laws of 1961 and RCW 81.94.010; repealing section 81.94.020, chapter 14, Laws of 1961 and RCW 81.94.020; repealing section 81.94.030, chapter 14, Laws of 1961 and RCW 81.94.030; repealing section 81.94.040, chapter 14, Laws of 1961 and RCW 81.94.040; repealing section 81.94.050, chapter 14, Laws of 1961 and RCW 81.94.050; repealing section 81.94.060, chapter 14, Laws of 1961, section 118, chapter 154, Laws of 1973 1st ex. sess. and RCW 81.94.060; repealing section 81.94.070, chapter 14, Laws of 1961 and RCW 81.94.070; repealing section 81.94.080, chapter 14, Laws of 1961 and RCW 81.94.080; repealing section 81.94.090, chapter 14, Laws of 1961 and RCW 81.94.090; repealing section 81.94.100, chapter 14, Laws of 1961 and RCW 81.94.100; repealing section 81.94.110, chapter 14, Laws of 1961 and RCW 81.94.110; and repealing section 81.94.130, chapter 14, Laws of 1961 and RCW 81.94.130.

To Committee on Transportation

HOUSE BILL NO. 713, by Representatives Hansen, Conner, Dunlap, Patterson, Gaines and Flanagan:

AN ACT Relating to motor vehicle fund expenditures; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1974 ex. sess. and RCW 46.68.130; declaring an emergency; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 714, by Representatives Sommers, Nelson (Gary), Ehlers and Taller:

AN ACT Relating to state government; amending section 3, chapter 157, Laws of 1951 as amended by section 1, chapter 21, Laws of 1969 and RCW 1.08.005; amending section 7, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.070; amending section 1, chapter 185, Laws of 1943 as amended by section 1, chapter 42, Laws of 1971 and RCW 2.32.160; amending section 6, chapter 94, Laws of 1933 and RCW 2.48.040; amending section 5, chapter 218, Laws of 1973 1st ex. sess. as amended by section 7, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.050; amending section 3, chapter 165, Laws of 1947 as last amended by section 9, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 14.04.030; amending section 15.24.050, chapter 11, Laws of 1961 as last amended by section 12, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.24.050; amending section 10, chapter 129, Laws of 1969 as amended by section 13, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.26.100; amending section 15.28.090, chapter 11, Laws of 1961 as last amended by section 14, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.28.090; amending section 15.44.038, chapter 11, Laws of 1961 as last amended by section 15, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.44.038; amending section 27, chapter 256, Laws of 1961 as amended by section 19, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.65.270; amending section 15.66.130, chapter 11, Laws of 1961 as last amended by section 20, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.66.130; amending section 8, chapter 61, Laws of 1961 as last amended by section 21, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.76.170; amending section 6, chapter 133, Laws of 1969 as amended by section 22, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 16.67.070; amending section 7, chapter 226, Laws of 1949 as amended by section 25, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.04.080; amending section 22, chapter 226, Laws of 1949 as amended by section 26, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.04.230; amending section 3, chapter 323, Laws of 1959 as amended by section 27, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.08.120; amending section 11, chapter 101, Laws of 1957 as last amended by section 28, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.055; amending section 5, chapter 101, Laws of 1957 as last amended by section 29, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.15.140; amending section 2, chapter 168, Laws of 1953 as last amended by section 30, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.18.104; amending section 14, chapter 3, Laws of 1965 ex. sess. as amended by section 31, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.18.251; amending section 2, chapter 53, Laws of 1959 as last amended by section 32, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.25.017; amending section 7, chapter 171, Laws of 1967 as last amended by section 33, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.26.070; amending section 3, chapter 93, Laws of 1953 as last amended by section 34, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.32.050; amending section 3, chapter 283, Laws of 1947 as amended by section 37, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.43.030; amending section 8, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.210; amending section 6, chapter 57, Laws of 1970 ex. sess. as amended by section 38, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.52.060; amending section 13, chapter 25, Laws of 1963 as last amended by section 39, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.54.130; amending section 2, chapter 98, Laws of 1935 as last amended by section 40, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.64.003; amending section 2, chapter 284, Laws of 1961 as last amended by section 41, chapter 34, Laws of 1975-'76 2nd

ex. sess. and RCW 18.71.015; amending section 10, chapter 202, Laws of 1955 as amended by section 42, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.72.100; amending section 2, chapter 239, Laws of 1949 as amended by section 44, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.74.020; amending section 4, chapter 222, Laws of 1949 as last amended by section 45, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.78.040; amending section 21, chapter 70, Laws of 1965 as last amended by section 48, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.83.051; amending section 14, chapter 252, Laws of 1941 as last amended by section 49, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.85.080; amending section 8, chapter 202, Laws of 1949 as last amended by section 50, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.88.080; amending section 2, chapter 200, Laws of 1959 as last amended by section 52, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.90.020; amending section 13, chapter 124, Laws of 1907 as last amended by section 53, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.92.040; amending section 5, chapter 158, Laws of 1969 ex. sess. as amended by section 54, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.96.050; amending section 9, chapter 212, Laws of 1971 ex. sess. as amended by section 55, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.104.090; amending section 2, chapter 280, Laws of 1975 1st ex. sess. as amended by section 57, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.108.020; amending section 22, chapter 253, Laws of 1971 ex. sess. as amended by section 58, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.16.310; amending section 7, chapter 96, Laws of 1974 ex. sess. as amended by section 59, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.070; amending section 5, chapter 207, Laws of 1963 as last amended by section 60, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.065; amending section 2, chapter 188, Laws of 1974 ex. sess. as last amended by section 62, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.123; amending section 20, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.200; amending section 59, chapter 282, Laws of 1959 as amended by section 65, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 21.20.590; amending section 1, chapter 5, Laws of 1941 as last amended by section 66, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 27.04.020; amending section 11, chapter 119, Laws of 1935 as amended by section 12, chapter 106, Laws of 1973 and RCW 27.08.010; amending section 28A.04.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 67, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.04.110; amending section 28A.92.050, chapter 223, Laws of 1969 ex. sess. as amended by section 71, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.92.050; amending section 28B.10.525, chapter 223, Laws of 1969 ex. sess. as amended by section 72, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.10.525; amending section 6, chapter 36, Laws of 1969 ex. sess. as amended by section 73, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.16.060; amending section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 74, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.50.050; amending section 8, chapter 174, Laws of 1975 1st ex. sess. as amended by section 79, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.070; amending section 52, chapter 283, Laws of 1969 ex. sess. as amended by section 76, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.300; amending section 1, chapter ... (HB 173), Laws of 1977 and RCW 41.05.020; amending section 2, chapter ... (HB 173), Laws of 1977 and RCW 41.06.110; amending section 4, chapter 263, Laws of 1955 as last amended by section 87, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.24.270; amending section 6, chapter 80, Laws of 1947 as amended by section 89, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.32.060; amending section 6, chapter 209, Laws of 1969 ex. sess. as last amended to section 3, chapter 44, Laws of 1975-'76 2nd ex. sess. and RCW 41.26.060; amending section 5, chapter 274, Laws of 1947 as amended by section 90, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.40.050; amending section 2, chapter 5, Laws of 1975 2nd ex. sess. as amended by section 91, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.015; amending section 5, chapter 288, Laws of 1975 1st ex. sess. as amended by section 92, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.59.040; amending section 35, chapter 1, Laws of 1973 as last amended by section 8, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.350; amending section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030; amending section 18, chapter 62, Laws of 1970 ex. sess. as amended by section 100, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.21A.180; amending section 6, chapter 44, Laws of 1970 ex. sess. as last amended by section 104, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.22.475; amending section 43.24.060, chapter 8, Laws of 1965 as last amended by section 105, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.24.060; amending section 43.24.110, chapter 8, Laws of 1965 as last amended by section 106, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.24.110; amending section 2, chapter 117, Laws of 1972 ex. sess. as amended by section 111, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.31A.020; amending section 7, chapter 103, Laws of 1973 1st ex. sess. as amended by section 112, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.33.050; amending section 43.46.040, chapter 8, Laws of 1965 and RCW 43.46.040; amending section 43.51.020, chapter 8, Laws of 1965 as last amended by section 116, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.020; amending section 43.57.020, chapter 8, Laws of 1965 as last amended by section 119, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.57.020; amending section 43.74.015, chapter 8, Laws of 1965 as last amended by section 123, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.74.015; amending section 2, chapter 243, Laws of 1967 and RCW 43.94.020; amending section 43.97.020, chapter 8, Laws of 1965 as amended by section 1, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.020; amending section 5, chapter 48, Laws of 1975 1st ex. sess. as amended by section 124, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.97.060; amending section 11, chapter 5, Laws of 1965 as last amended by section 125, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.99.110; amending section 5, chapter 219, Laws of 1973 1st ex. sess.

as amended by section 128, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.105.032; amending section 4, chapter 140, Laws of 1974 ex. sess. as amended by section 131, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.117.040; amending section 1, chapter 76, Laws of 1972 ex. sess. as amended by section 132, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.125.010; amending section 5, chapter 150, Laws of 1967 ex. sess. as amended by section 135, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 44.60.050; amending section 46.82.140, chapter 12, Laws of 1961 as last amended by section 136, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 46.82.140; amending section 47.01-.040, chapter 13, Laws of 1961 as last amended by section 138, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 47.01.040; amending section 4, chapter 278, Laws of 1961 as last amended by section 141, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 47.56.023; amending section 1, chapter 231, Laws of 1941 as last amended by section 143, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 49.04.010; amending section 4, chapter 270, Laws of 1955 as amended by section 145, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 49.60.070; amending section 1, chapter ... (HB 176), Laws of 1977 and RCW 67.08.003; amending section 2, chapter 233, Laws of 1969 ex. sess. as amended by section 155, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 67.16.017; amending section 33, chapter 290, Laws of 1953 as amended by section 156, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 68.05.060; amending section 3, chapter 147, Laws of 1974 ex. sess. as amended by section 157, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.37.030; amending section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050; amending section 2, chapter 32, Laws of 1951 as amended by section 159, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.79.020; amending section 7, chapter 139, Laws of 1973 as amended by section 161, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.95B.070; amending section 13, chapter 49, Laws of 1974 ex. sess. as amended by section 163, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.106.130; amending section 72.60.060, chapter 28, Laws of 1959 as amended by section 169, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 72.60-.060; amending section 3, chapter 137, Laws of 1974 ex. sess. as last amended by section 173, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 76.09.030; amending section 22, chapter 137, Laws of 1974 ex. sess. as last amended by section 174, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 76.09.220; amending section 77.04.060, chapter 36, Laws of 1955 as last amended by section 175, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 77.04.060; amending section 2, chapter 18, Laws of 1935 as last amended by section 178, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 88.16-.020; amending section 4, chapter 304, Laws of 1955 as last amended by section 179, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 89.08.040; amending section 17, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.170; adding new sections to chapter 42.04 RCW; creating new sections; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 715, by Representatives King, Lux, Clemente, Warnke, Pruitt, Nelson (Dick), Fischer and Pearsall:

AN ACT Relating to public employees' collective bargaining; and adding a new section to chapter 41.56 RCW.

To Committee on Labor

HOUSE BILL NO. 716, by Representatives Shinpoch and Hanna:

AN ACT Relating to state government; providing for construction and equipping of a state visitor's parking garage; providing for the financing thereof by the issuance of bonds; creating new sections; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 717, by Representatives Fischer and North:

AN ACT Relating to incorporation proceedings of cities and towns; and amending section 35.02.010, chapter 7, Laws of 1965 as amended by section 1, chapter 48, Laws of 1969 and RCW 35.02.010.

To Committee on Local Government

HOUSE BILL NO. 718, by Representatives Charnley, Berentson, Conner, Patterson, Hansen, Gilleland, Burns, Gallagher, Chandler, Gaines, Sherman, Bender, Clemente, Thompson, Leckenby, Blair, Nelson (Dick), Martinis and Wilson:

AN ACT Relating to state government; creating a department of transportation and prescribing its general structure, personnel, powers, duties, and functions; transferring to the jurisdiction of the department of transportation and/or the secretary of transportation certain powers, duties, and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the planning and community affairs agency, and the canal commission; transferring to the jurisdiction of the secretary of transportation certain powers, duties, and functions of certain state officials, boards, and commissions; providing the procedure for the aforesaid transfers; saving certain rights; abolishing certain state agencies and offices; renaming Title 47 RCW and adding certain code chapters thereto; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; amending section 47.01.070, chapter 13, Laws

of 1961 and RCW 47.01.070; amending section 8, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.070; amending section 7, chapter 74, Laws of 1967 and RCW 43.63A.070; amending section 46.44.080, chapter 12, Laws of 1961 as amended by section 1, chapter 15, Laws of 1973 2nd ex. sess. and RCW 46.44.080; amending section 46.44.090, chapter 12, Laws of 1961 as amended by section 13, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.090; amending section 46.44.091, chapter 12, Laws of 1961 as last amended by section 14, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.091; amending section 46.44.092, chapter 12, Laws of 1961 as last amended by section 15, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.092; amending section 46.44.095, chapter 12, Laws of 1961 as last amended by section 17, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.095; amending section 2, chapter 16, Laws of 1963 as last amended by section 1, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.405; amending section 3, chapter 16, Laws of 1963 as last amended by section 2, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.410; amending section 4, chapter 16, Laws of 1963 as amended by section 3, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.415; amending section 6, chapter 16, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1969 and RCW 46.61.425; amending section 46.48.041, chapter 12, Laws of 1961 as amended by section 4, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.430; amending section 46.48.080, chapter 12, Laws of 1961 and RCW 46.61.450; amending section 66, chapter 155, Laws of 1965 ex. sess. as amended by section 35, chapter 62, Laws of 1975 and RCW 46.61.570; amending section 67, chapter 155, Laws of 1965 ex. sess. as amended by section 36, chapter 62, Laws of 1975 and RCW 46.61.575; amending section 46.68.120, chapter 12, Laws of 1961 as last amended by section 2, chapter 100, Laws of 1975 1st ex. sess. and RCW 46.68.120; amending section 2, chapter 173, Laws of 1963 as amended by section 2, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.020; amending section 3, chapter 173, Laws of 1963 as last amended by section 1, chapter 143, Laws of 1975 1st ex. sess. and RCW 47.05.030; amending section 7, chapter 173, Laws of 1963 as amended by section 7, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.070; amending section 47.12.010, chapter 13, Laws of 1961 as amended by section 4, chapter 108, Laws of 1967 and RCW 47.12.010; amending section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060; amending section 47.12.070, chapter 13, Laws of 1961 as last amended by section 2, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.070; amending section 47.12.080, chapter 13, Laws of 1961 as amended by section 3, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.080; amending section 47.12.120, chapter 13, Laws of 1961 as amended by section 1, chapter 91, Laws of 1969 and RCW 47.12.120; amending section 47.12.130, chapter 13, Laws of 1961 as amended by section 4, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.130; amending section 47.12.140, chapter 13, Laws of 1961 and RCW 47.12.140; amending section 47.12.150, chapter 13, Laws of 1961 as amended by section 5, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.150; amending section 2, chapter 281, Laws of 1961 and RCW 47.12.190; amending section 3, chapter 281, Laws of 1961 as amended by section 2, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.200; amending section 5, chapter 281, Laws of 1961 as amended by section 4, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.220; amending section 47.24.010, chapter 13, Laws of 1961 as amended by section 3, chapter 95, Laws of 1973 and RCW 47.24.010; amending section 20, chapter 83, Laws of 1967 ex. sess. as last amended by section 140, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 47.26.140; amending section 47.28.010, chapter 13, Laws of 1961 and RCW 47.28.010; amending section 47.36.020, chapter 13, Laws of 1961 and RCW 47.36.020; amending section 47.36.030, chapter 13, Laws of 1961 and RCW 47.36.030; amending section 47.52.027, chapter 13, Laws of 1961 and RCW 47.52.027; amending section 5, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.139; amending section 47.52.150, chapter 13, Laws of 1961 as amended by section 3, chapter 103, Laws of 1963 and RCW 47.52.150; amending section 47.52.180, chapter 13, Laws of 1961 and RCW 47.52.180; 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 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250; amending section 3, chapter 257, Laws of 1961 as amended by section 3, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.56.254; amending section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; adding a new section to chapter 1.08 RCW; adding a new section to chapter 14.04 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.01 RCW; adding new sections to Title 47 RCW; creating new sections; repealing section 3, chapter 165, Laws of 1947, section 1, chapter 68, Laws of 1967, section 9, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 14.04.030; repealing section 4, chapter 165, Laws of 1947, section 1, chapter 289, Laws of 1961, section 2, chapter 68, Laws of 1967, section 10, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 14.04.040; repealing section 5, chapter 165, Laws of 1947 and RCW 14.04.050; 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 47.01.020, chapter 13, Laws of 1961 and RCW 47.01.020; repealing section 47.01.030, chapter 13, Laws of 1961, section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; repealing section 47.01.040, chapter 13, Laws of 1961, section 31, chapter 170, Laws of 1965 ex. sess., section 138, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 47.01.040; repealing section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; repealing section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; repealing section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080; repealing section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090;

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, section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 1, chapter 29, Laws of 1974 ex. sess. and RCW 47.01.160; repealing section 10, chapter 278, Laws of 1961, section 30, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.034; 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., section 1, chapter 36, Laws of 1967, section 181, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 91.12.030; repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; declaring an emergency; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 719, by Representatives Berentson, Vrooman and Gilleland:

AN ACT Relating to liquor licenses; and amending section 2, chapter 13, Laws of 1970 ex. sess. as last amended by section 1, chapter 245, Laws of 1975 1st ex. sess. and RCW 66.24.420.

To Committee on Commerce

HOUSE BILL NO. 720, by Representatives Gaines and Gallagher:

AN ACT Relating to gambling; amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020; and amending section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.030.

To Committee on Commerce

HOUSE BILL NO. 721, by Representative Martinis:

AN ACT Relating to motor vehicles; amending section 7, chapter 47, Laws of 1971 ex. sess. as amended by section 3, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.020; amending section 8, chapter 47, Laws of 1971 ex. sess. as amended by section 4, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.030; amending section 9, chapter 47, Laws of 1971 ex. sess. as amended by section 5, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.040; amending section 10, chapter 47, Laws of 1971 ex. sess. as amended by section 6, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.050; amending section 11, chapter 47, Laws of 1971 ex. sess. as amended by section 7, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.060; amending section 12, chapter 47, Laws of 1971 ex. sess. as amended by section 8, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.070; amending section 13, chapter 47, Laws of 1971 ex. sess. as amended by section 9, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.080; amending section 14, chapter 47, Laws of 1971 ex. sess. as amended by section 10, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.090; amending section 16, chapter 47, Laws of 1971 ex. sess. as amended by section 11, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.110; amending section 17, chapter 47, Laws of 1971 ex. sess. as amended by section 12, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.120; amending section 18, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.130; amending section 19, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.140; amending section 20, chapter 47, Laws of 1971 ex. sess. as last amended by section 1, chapter 144, Laws of 1974 ex. sess. and RCW 46.09.150; amending section 22, chapter 47, Laws of 1971 ex. sess. as last amended by section 1, chapter 34, Laws of 1975 1st ex. sess. and RCW 46.09.170; amending section 23, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.180; amending section 24, chapter 47, Laws of 1971 ex. sess. as amended by section 16, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.190; amending section 8, chapter 76, Laws of 1970 ex. sess. as last amended by section 1, chapter 153, Laws of 1972 ex. sess. and RCW 67.32.080; adding new sections to chapter 47, Laws of 1971 ex. sess. and to chapter 46.09 RCW; creating a new section; repealing section 2, chapter 34, Laws of 1975 1st ex. sess. and RCW 46.09.175; repealing section 28, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.210; repealing section 18, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.220; prescribing penalties; and making an appropriation.

To Committee on Transportation

HOUSE BILL NO. 722, by Representative Hawkins:

AN ACT Relating to nonpartisan primaries; and amending section 1, chapter 10, Laws of 1970 ex. sess. as amended by section 5, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.150.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 723, by Representatives Whiteside, Heck and Clemente:

AN ACT Relating to educational service districts; amending section 6, chapter 176, Laws of 1969 ex. sess. as last amended by section 68, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.21.060; amending section 14, chapter 282, Laws of 1971 ex. sess. as amended by section 19, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.092; and creating a new section.

To Committee on Education

HOUSE BILL NO. 724, by Representatives Leckenby, Clemente and Barnes:
AN ACT Relating to basic education; and adding a new section to chapter 28A.41 RCW.

To Committee on Education

HOUSE CONCURRENT RESOLUTION NO. 16, by Representatives Maxie, Burns, Lux and Grimm:

Directing a review by the Judiciary Committees of the state bar exam.

To Committee on Judiciary

HOUSE CONCURRENT RESOLUTION NO. 17, by Representative King:

Calling three joint sessions of the legislature.

SENATE BILL NO. 2005, by Senator Rasmussen:

Authorizing up to fifty dollars per day for payment of members of county equalization boards.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2071, by Senators Day, von Reichbauer and Jones:

Granting civil immunity to podiatrists charging others with incompetency.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2078, by Senators Wilson, North and Goltz:

Relating to cremation.

To Committee on Social and Health Services

ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, by Committee on Higher Education (Originally sponsored by Senator Washington):

Authorizing resident tuition and fee rates at institutions of higher education to certain nonimmigrant alien families.

To Committee on Higher Education

SENATE BILL NO. 2116, by Senators Henry, Talley, Washington and Sellar:

Permitting certain PUD's to have sewage districts without reference to a water system.

To Committee on Energy and Utilities

REENGROSSED SENATE BILL NO. 2119, by Senators Odegaard, Donohue, Bailey, Wilson, Walgren, Guess, Scott, Rasmussen, Sandison and Goltz:

Establishing a procedure for review of administrative rules by an appropriate legislative committee.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2124, by Senators Guess and Henry:

Permitting postponement of a call for highway project bids after two weeks.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2130, by Committee on State Government (Originally sponsored by Senators Walgren, Claeke, Rasmussen and Wilson):

Requiring amendments to WAC rules to be in bill drafting style.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2157, by Senators Day, Woody, Buffington, McDermott, Francis, Sellar, North and Hayner:

Adding a public member to the medical disciplinary board.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2164, by Senators Donohue, Sandison and Gaspard (by Department of Natural Resources request):

Governing disposition of crops from state owned share crop lands and modifying livestock trespass.

To Committee on Agriculture

REENGROSSED SENATE BILL NO. 2171, by Senators Beck, Wanamaker and Bluechel:

Authorizing the utilities and transportation commission to adopt rules to clearly enumerate the types of vehicles which must stop at railroad crossings.

To Committee on Transportation

SENATE BILL NO. 2225, by Senator Donohue:

Providing for Washington State University Tree Fruit Center funding.

To Committee on Higher Education

MOTIONS

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business, and were passed to the committees designated, with the exception of HOUSE BILL NO. 690 and HOUSE CONCURRENT RESOLUTION NO. 17.

On motion of Mr. King, HOUSE BILL NO. 690 was referred to the Committee on Higher Education.

On motion of Mr. King, the rules were suspended, and HOUSE CONCURRENT RESOLUTION NO. 17 was placed on second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 17 was placed on final passage.

Representatives King and Berentson spoke in favor of the resolution, and it was adopted.

REPORTS OF STANDING COMMITTEES

February 10, 1977

HOUSE BILL NO. 67, Prime Sponsor: Representative Sommers, transferring authority for nuclear energy development from the department of commerce and economic development to the state energy office. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sanders, Sherman, Sommers, Struthers.

MOTIONS

Mr. Bender moved that House Bill No. 67 be rereferred to Committee on Energy and Utilities.

Mr. Pardini moved that House Bill No. 67 be placed at the top of the second reading calendar.

With the consent of the House, Mr. Pardini withdrew his motion.

The motion by Mr. Bender was carried.

February 9, 1977

HOUSE BILL NO. 71, Prime Sponsor: Representative Sommers, authorizing property tax exemption for improvements to historic sites or structures. Reported by Committee on Revenue.

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

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 79, Prime Sponsor: Representative Erickson, permitting large counties to have five county commissioners. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Bender, Fancher, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 102, Prime Sponsor: Representative McKibbin, providing for highway permits and property taxes on mobile homes. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Nelson (Gary), Ranking Minority Member; Bond, Craswell, Erickson, Flanagan, Hurley (George), Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 108, Prime Sponsor: Representative Conner, revising the special fuel tax laws. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 28 after "equivalent to" strike "~~((twice))~~ three times his" and insert "twice ~~((his))~~ the"

On page 1, line 29 after "monthly" strike "license" and insert "~~((license))~~ fuel"

On page 2, beginning on line 2 after "fifty thousand dollars" and before the period insert ": PROVIDED FURTHER, That special fuel dealers or special fuel users whose license is suspended or revoked for cause, shall be required to furnish bond coverage equivalent to three times the estimated monthly fuel tax"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Dunlap, Gaines, Gallagher, Lysen, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 110, Prime Sponsor: Representative McCormick, correcting the distribution provision for driver's license fees. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 14 after "in the" strike "driver" and insert "~~((driver))~~ traffic safety"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Dunlap, Gaines, Gallagher, Lysen, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 148, Prime Sponsor: Representative Enbody, providing for the operation and maintenance of the Puget Island ferry. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Dunlap, Gaines, Gallagher, Lysen, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 170, Prime Sponsor: Representative King, establishing procedures and a schedule for a constitutional convention. Reported by Committee on Constitution.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 225, Prime Sponsor: Representative Burns, granting resident status to immigrant refugees for college tuition. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Haley, Moreau, Patterson, Thompson.

To Committee on Rules for second reading.

February 9, 1977

HOUSE BILL NO. 251, Prime Sponsor: Representative Fortson, making changes in the senior citizens services act. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Haley, Hanna, Lux, May, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

February 11, 1977

HOUSE BILL NO. 252, Prime Sponsor: Representative Adams, enacting the "Natural Death Act." Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Judiciary.

February 9, 1977

HOUSE BILL NO. 294, Prime Sponsor: Representative Zimmerman, authorizing historical buildings to be an exception to antipollution laws. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Chandler, Douthwaite, Grier, Gruger, Hughes, Hurley (George), Kreidler, Leckenby, Oliver.

To Committee on Rules for second reading.

February 9, 1977

HOUSE BILL NO. 321, Prime Sponsor: Representative Adams, authorizing venereal disease case investigators to perform venipuncture under certain conditions. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority member; Fortson, Gruger, Haley, Hanna, Lux, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

February 7, 1977

HOUSE BILL NO. 385, Prime Sponsor: Representative Douthwaite, permitting life insurance purchaser to cancel without charge within ten days. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Erickson, Keller, Knedlik, Monohon, Sanders, Taller.

To Committee on Rules for second reading.

February 8, 1977

HOUSE BILL NO. 396, Prime Sponsor: Representative Tilly, pertaining to selection of jurors. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Monohon, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 427, Prime Sponsor: Representative Berentson, funding county operated ferries. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Dunlap, Gaines, Gallagher, Lysen, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

February 10, 1977

HOUSE JOINT RESOLUTION NO. 6, Prime Sponsor: Representative King, placing a proposition for a constitutional convention before the voters. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

February 10, 1977

HOUSE JOINT RESOLUTION NO. 7, Prime Sponsor: Representative King, permitting constitutional amendments to contain several sections on one subject. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

February 10, 1977

HOUSE JOINT RESOLUTION NO. 11, Prime Sponsor: Representative Nelson (Gary), modifying voting requirements for calling a constitutional convention. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 13 after "on such question" strike all material down to and including "such" on line 15 and insert "(at said election shall have voted for a convention, the legislature shall at the next session, provide by law for calling the same; and such)) vote for the convention, then the convention shall be called pursuant to a law enacted either before the election on such question or during the next legislative session. The"

Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 181, by Committee on Social and Health Services (Originally sponsored by Representatives King, Haley and Lux):

Providing for physician's trained intravenous therapy technicians and airway management technicians.

The bill was read the third time and placed on final passage.

Representatives King and Haley 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. 181, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon,

Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Charnley, Gilleland, Hanna, Nelson G. A., Newhouse, Struthers, Whiteside.

Engrossed Substitute House Bill No. 181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 227, by Committee on Elections and Governmental Ethics (Originally sponsored by Representatives Hawkins, Nelson (Dick), Lysen, Burns, Fortson, Heck, Lux and Pruitt):

Establishing postcard voter registration.

The bill was read the third time and placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill, and Mr. Tilly spoke against it.

Mr. Hawkins spoke again in favor of the bill, and Representatives Berentson, Hurley (Margaret) and Fancher spoke against it.

Mr. King spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Greengo.

Mr. Greengo: "Representative King, aren't fire stations open twenty-four hours a day?"

Mr. King: "I presume some of them are, yes."

Mr. Greengo: "I think you'll find that a majority of them are, and I believe it's a common practice for all residents to be able to register there."

Mr. King: "A very large number of the fire stations are in the rural areas. I know they aren't open twenty-four hours a day. Many of the complaints that we've had about access are in rural areas. I would think that in order to help citizens, especially in rural areas, you would want to vote for this bill."

Mr. Pruitt spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 227, and the bill passed the House by the following vote: Yeas, 58; nays, 31; not voting, 9.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Blair, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Duniap, Fancher, Flanagan, Greengo, Grier, Haley, Hansen, Hurley M., Leckenby, Lee, May, Pardini, Patterson, Polk, Schmitt, Shinoda, Taller, Tilly, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Barnes, Gilleland, Hanna, Nelson G. A., Newhouse, Oliver, Struthers, Whiteside.

Engrossed Substitute House Bill No. 227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 44, by Committee on Parks and Recreation (Originally sponsored by Representatives Hurley (Margaret), North, Paris and Lee):

Establishing moorage fees in marine state parks.

The House resumed consideration of the bill on second reading. (For previous action, see Wednesday's Journal, February 9, 1977)

The Speaker stated the question before the House to be the following amendment by Representative Hurley (Margaret):

On page 2, line 31 after "facilities" insert ", except buoys,"

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

Representative Hurley (Margaret) spoke again in favor of the amendment, and Mr. Martinis spoke again in opposition to it.

Mr. Charnley spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) to Substitute House Bill No. 44, and the amendment was not adopted by the following vote: Yeas, 25; nays, 62; not voting, 11.

Voting yea: Representatives Barr, Berentson, Blair, Bond, Dunlap, Fuller, Gaines, Greengo, Haley, Hansen, Hurley M., Knowles, Lee, Maxie, May, North, O'Brien, Pardini, Patterson, Polk, Sanders, Schmitt, Tilly, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Gallagher, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lux, Lysen, Martinis, McCormick, McKibbin, Monohon, Moreau, Nelson D., Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Deccio, Gilleland, Hanna, Nelson G. A., Newhouse, Oliver, Struthers, Whiteside, Wilson.

Mr. Owen moved adoption of the following amendment:

On page 2, line 29 after "commission" strike "shall" and insert "may"

Representatives Owen and Charette spoke in favor of the amendment.

POINT OF ORDER

Representative Hurley (Margaret): "I'm afraid my friendly fellow representative is straying far afield."

SPEAKER'S RULING

The Speaker: "Your point is well taken. Will you confine your remarks to the amendment, Representative Charette."

Mr. Charette: "Mr. Speaker, by that ruling I'm not allowed, am I, to discuss the past practices of the State Parks and Recreation Commission that has come under the criticism of a number of people of the state, including—"

The Speaker: "You are allowed to discuss the amendment before us, Representative Charette."

Mr. Charette continued his remarks in favor of the amendment, and it was adopted.

On motion of Mr. Martinis, the following amendment by Representatives Martinis and Charnley was adopted:

On page 2, line 30 after "wharfs," and before "or" insert "buoys"

Substitute House Bill No. 44 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

Mr. Pardini moved that the Committee on Energy and Utilities be relieved of HOUSE CONCURRENT RESOLUTION NO. 15, and that it be placed on the calendar for immediate consideration.

Representatives Pardini, Haley, Dunlap and Berentson spoke in favor of the motion, and Representatives Lysen, O'Brien and King spoke against it.

Mr. Hurley (George) demanded the previous question, and the demand was not sustained.

Mr. Pardini closed debate, speaking again in favor of the motion.

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

ROLL CALL

The Clerk called the roll on the motion to relieve the Committee on Energy and Utilities of House Concurrent Resolution No. 15 and place it on the second reading calendar for immediate consideration, and the motion was lost by the following vote: Yeas, 31; nays, 57; not voting, 10.

Voting yea: Representatives Amen, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Greer, Hale, Haley, Hughes, Leckenby, Lee, McCormick, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Sledge, Tally, Tilly, Wilson, Winsley, Zimmerman.

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

Not voting: Representatives Adams, Barnes, Charnley, Gilleland, Hanna, Nelson G. A., Newhouse, Oliver, Struthers, Whiteside.

HOUSE BILL NO. 98, by Representatives Bauer, Charnley, Douthwaite, Kilbury, Lee, Lysen, Nelson (Gary) and Smith:

Establishing thermal performance standards for new dwellings.

The House resumed consideration of the bill on second reading. (For previous action, see Wednesday's Journal, February 9, 1977)

The Speaker stated the question before the House to be consideration of the second committee amendment.

Mr. Lysen moved adoption of the committee amendment to page 2, line 10.

Mr. Berentson moved adoption of the following amendment to the committee amendment: On page 2, line 10 after "houses" strike "over three stories in height"

Representatives Berentson and Polk spoke in favor of the amendment to the committee amendment, and Mr. Lysen spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Lysen spoke in favor of the committee amendment, and it was adopted.

On motion of Mr. Bauer, the following amendments by Representatives Bauer and Lysen were adopted:

On page 1, line 11 following "which" insert "building"

On page 1, line 13 strike "sections 2 through 10 of"

On page 1, line 15 strike "Sections 2 through 10 of this" and insert "This"

On page 1, line 19 strike "That sections 2 through 10 of this" and insert "This"

On page 1, line 27 and 28, strike "sections 2 through 10 of"

On page 2, line 3 strike "sections 2 through 10 of"

On page 3, line 17 strike "sections 2 through 10 of"

Mr. Polk moved adoption of the following amendment by Representatives Polk and Williams:

On page 3, line 18 after "the" strike "indicated component parts" and insert "total heat loss from the building"

Representatives Polk and Bauer spoke in favor of the amendment, and it was adopted.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Williams:

On page 3, line 18 after "the" insert "total"

On motion of Mr. Lysen, the following amendment to the Polk/Williams amendment was adopted:

On page 3, line 18 after "total" insert "heat loss resulting from compliance with the"

The amended amendment was adopted.

On motion of Mr. Polk, the following amendment by Representatives Polk and Williams was adopted:

On page 3, line 19 after "values" insert "for the component parts as"

Mr. Polk moved adoption of the following amendment by Representatives Polk and Williams:

On page 3, line 35 strike all material starting with "(3)" down to and including "values." on page 4, line 19

Representatives Polk and Williams spoke in favor of the amendment, and Representatives Bauer and Dunlap spoke against it.

Mr. Polk spoke again in favor of the amendment, and Mr. Lysen spoke against it.

Mr. Nelson (Gary) appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Polk and Williams to page 3, line 35 of House Bill No. 98, and the amendment was adopted by the following vote: Yeas, 46; nays, 40; not voting, 12.

Voting yea: Representatives Berentson, Blair, Bond, Burns, Chandler, Charette, Clayton, Craswell, Deccio, Ehlers, Enbody, Erickson, Flanagan, Fuller, Gaines, Gallagher, Greengo, Haley, Hansen, Hawkins, Hurley M., Knowles, Kreidler, Martinis, May, McCormick, Nelson D., Nelson G. A., North, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Sherman, Shinoda, Smith, Tallier, Thompson, Tilly, Vrooman, Warnke, Williams, Wilson, Winsley.

Voting nay: Representatives Barr, Bauer, Becker, Bender, Boldt, Clemente, Conner, Douthwaite, Dunlap, Eng, Fancher, Fischer, Fortson, Grier, Grimm, Gruger, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Lux, Lysen, Maxie, McKibbin, Monohon, Moreau, O'Brien, Owen, Pearsall, Pruitt, Salatino, Shipoch, Sommers, Valle, Walk, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Charnley, Gilleland, Hanna, Leckenby, Lee, Newhouse, Oliver, Struthers, Whiteside.

Mr. Berentson moved adoption of the following amendment by Representatives Berentson and Williams:

On page 5, line 25 after "area" insert "of buildings constructed east of the Cascade Mountain Ridge and when more than 35% of the exterior wall area of buildings constructed west of the Cascade Mountain Ridge"

Representatives Williams, Berentson and Polk spoke in favor of the amendment, and Representatives Lysen and Dunlap spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Berentson and Williams to House Bill No. 98, and the amendment was adopted by the following vote: Yeas, 50; nays, 38; not voting, 10.

Voting yea: Representatives Amen, Barr, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Ehlers, Enbody, Erickson, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grimm, Haley, Hansen, Keller, Knedlik, Knowles, Kreidler, Lux, Martinis, McCormick, Monohon, Nelson D., North, Owen, Paris, Patterson, Polk, Pruitt, Shinoda, Smith, Tallier, Thompson, Tilly, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Burns, Charnley, Clemente, Conner, Douthwaite, Dunlap, Eng, Fancher, Fischer, Grier, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Lee, Lysen, Maxie, May, McKibbin, Moreau, Nelson G. A., O'Brien, Pardini, Pearsall, Salatino, Sanders, Schmitt, Shipoch, Sommers, Valle, Zimmerman.

Not voting: Representatives Adams, Barnes, Gilleland, Hanna, Leckenby, Newhouse, Oliver, Sherman, Struthers, Whiteside.

NOTICE OF MOTION FOR RECONSIDERATION

Mr. Fuller, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 227 passed the House.

The House resumed consideration of House Bill No. 98 on second reading.

Mr. Bond moved adoption of the following amendment:

On page 6, line 12 after "Spaces" insert "in buildings east of the Cascade Mountain Ridge"

Representatives Bond and Polk spoke in favor of the amendment, and Representatives Lysen and Bauer spoke against it.

Mr. Bond spoke again in favor of the amendment, and Mr. Lysen spoke again in opposition to it.

The amendment was not adopted.

The Clerk read the following amendment by Representative Bond:

On page 6, line 13 after "floor" insert "of buildings east of the Cascade Mountain Ridge"

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

Mr. Bond moved adoption of the following amendment:

On page 1, line 25 strike sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 and insert "NEW SECTION. Sec. 2. Compliance card. Upon completion of the installation of insulation, a card certifying an estimate of the cost of heating the building to 20 degrees centigrade for one year shall be posted in a conspicuous place and provided the occupant."

Representatives Bond and Polk spoke in favor of the amendment, and Representatives Lysen and Douthwaite spoke against it.

Mr. Bond spoke again in favor of the amendment.

The amendment was not adopted.

House Bill No. 98 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 98 be placed on final passage.

POINT OF ORDER

Mr. Berentson: "The bill was passed to Rules Committee."

MOTION

On motion of Mr. King, the Rules Committee was relieved of Engrossed House Bill No. 98, and the bill was placed on the calendar for second reading.

POINT OF ORDER

Mr. Polk: "That would require a suspension of the rules because there is twenty-four hours required between second and third reading."

SPEAKER'S RULING

The Speaker: "The motion was to put the bill back on the second reading calendar."

POINT OF ORDER

Mr. Pardini: "That bill has passed the second reading calendar."

SPEAKER'S RULING

The Speaker: "It has been placed back on the second reading calendar."

POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "It has been traditional in my opinion that this early in the session we have never bumped a bill without agreement of the minority party, and I find it rather unusual that since the question was asked of us if we would bump the bill and we didn't feel that was necessary in this case, so I find this action rather unusual."

The Speaker: "How does that relate to a parliamentary inquiry?"

Mr. Berentson: "Consider it a point of order."

SPEAKER'S RULING

The Speaker: "It was the desire of the sponsors to attempt to bump the bill. It has not been bumped yet, but they intend to make the motion."

MOTION

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 98 be placed on final passage.

POINT OF ORDER

Mr. Pardini: "My point of order, Mr. Speaker, is Rule 26, bills on second reading. That says that when no further amendment shall be offered, the Speaker shall declare that the bill has passed its second reading. Now if you want to declare that you are putting it back on second reading, then I'll take you to the front section of Rule 26 and it says, 'Upon second reading, the bill number and short title. . . it must be distributed to each member no later than 8:00

p.m. on the second day preceding such consideration. . . ' So I think that if you've gone to rules and you're coming back out on second reading again, then our twenty-four hour notice is valid. I think it is very important to establish this procedure during this session."

SPEAKER'S RULING

The Speaker: "Under Rule 43, 'A bill in the Rules Committee may be placed on the calendar by the affirmative vote of a constitutional majority of all members of the House.' That has been done and now there is a motion before us to suspend the rules and place it on third reading."

POINT OF ORDER

Mr. Polk: "Also reading Rule 26: 'All amendments adopted on second reading shall be pasted securely to the original bill.' Representative Zimmerman had a question during second reading about the language that we finally adopted. I went up to the Chief Clerk with Representative Zimmerman and talked with the Chief Clerk about the actual language that had been adopted. He stated to us that he does not know until he has been able to study the language carefully exactly what this House has done and would not read that language until he has had a chance to engross the bill and put it out for third reading. So in light of that, I think this House has the right to abide by Rule 26 and see these amendments firmly pasted to the bill before it is brought out for second reading."

SPEAKER'S RULING

The Speaker: "The motion before us is to suspend the rules. Therefore that would suspend that rule."

Mr. Lysen spoke in favor of the motion.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, would you advise the body as to the status of Senate Bill No. 2561?"

The Speaker: "It has passed the Senate as amended."

The Speaker stated the question before the House to be the motion by Ms. Becker to suspend the rules and place Engrossed House Bill No. 98 on final passage.

Mr. Pardini spoke in opposition to the motion.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed House Bill No. 98 on third reading and final passage, and the motion received the two-thirds majority by the following vote: Yeas, 58; nays, 28; not voting, 12.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Greengo, Haley, Hurley G. S., Lee, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinoda, Taller, Tilly, Wilson, Winsley.

Not voting: Representatives Adams, Barnes, Charnley, Gilleland, Hanna, Leckenby, Newhouse, Oliver, Struthers, Whiteside, Williams, Zimmerman.

The Speaker declared the question before the House to be Engrossed House Bill No. 98 on final passage.

Representatives Bauer and Polk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 98, and the bill passed the House by the following vote: Yeas, 86; nays, 1; not voting, 11.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D.,

Nelson G. A., North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Shinoda.

Not voting: Representatives Adams, Barnes, Charnley, Gilleland, Hanna, Hurley M., Leckenby, Newhouse, Oliver, Struthers, Whiteside.

Engrossed House Bill No. 98, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

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

Mr. Pardini moved that the Chief Clerk be directed to read the Message from the Senate regarding Engrossed Senate Bill No. 2561.

The Speaker: "The House has not received that message as yet."

RESOLUTIONS

HOUSE RESOLUTION NO. 77-9, by Representative Winsley:

WHEREAS, Jill Sawyer is a 14-year-old student at Hudtloff Junior High School in Lakewood; and

WHEREAS, Jill is an accomplished figure skater, having placed in a number of local and regional competitions; and

WHEREAS, On February 5, 1977 Jill captured the novice ladies division of the United States Figure Skating Championships in Hartford, Connecticut; and

WHEREAS, Jill won firsts from six of the seven judges at the event, scoring a total of 117.53 points; and

WHEREAS, She was judged to have skated brilliantly despite the fact that she was suffering the effects of a tendon injury; and

WHEREAS, Her winning of the championship gold medal and the national novice title reflect her hard work, dedication and technical skill; and

WHEREAS, Her accomplishments have brought credit to her trainer, Kathy Casey of Lakewood, her parents, her community and to the youth of the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Jill Sawyer be commended and congratulated for her past and most recent accomplishments in the field of figure skating and accept the best wishes of the members of this House as she continues to pursue her athletic activities.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send a suitable inscribed copy of this resolution to Miss Jill Sawyer.

Mrs. Winsley moved adoption of the resolution.

Representatives Winsley and Haley spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 77-10, by Representatives Hurley (George) and Pardini:

WHEREAS, Saturday, February 12, 1977, will be the 169th anniversary of the birth of Abraham Lincoln; and

WHEREAS, As the sixteenth President of the United States, Abraham Lincoln served through the most trying and difficult days in the history of our Republic and under his inspired leadership the Union was preserved and the slaves set free; and

WHEREAS, Lincoln believed that the individual has a God-given dignity and that government exists to be the servant of the individual and not his master; and

WHEREAS, Lincoln held to the following basic principles and beliefs, which are the foundation of our American form of government:

(1) That the individual has the right and capacity to govern himself, to set his own goals, and to make his way to them without the restraints of dictatorship or paternalism;

(2) That the basic function of government is to maintain an environment in which the individual can freely develop powers of mind, heart, and body with which his Creator endowed him;

(3) That the system of the separation of powers and of checks and balances is necessary to prevent a monopoly of power in any branch of government;

(4) That there should be special privilege to none and equal opportunity to all citizens;

(5) That the government must understand the difference between words and deeds, as the future will be built by those who work for it—not by those who only promise it; and

WHEREAS, Lincoln believed in responsible men and responsible government and opposed those whose concern with selfish political interests would hamper and distort those ends; and

WHEREAS, The life and character of Lincoln have provided a supreme guide and inspiration for all men of good will, devoted to the principles of freedom and self-government; and

WHEREAS, All men of whatever political persuasion should reflect upon the character and leadership provided by Lincoln and fervently pray that in the present day and in the years to come we might once again be blessed with leadership of the type given by Abraham Lincoln;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the Forty-fifth Legislature of the State of Washington commemorate, observe, and reflect upon the life and contributions of Abraham Lincoln and always remember that Lincoln's foresight and courage will always illustrate to the American people that his type of leadership is a treasure that we should always cherish.

Mr. Hurley (George) moved adoption of the resolution.

Representatives Hurley (George) and Pardini spoke in favor of the resolution, and it was adopted.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Blair.

Mr. Blair: "I've had a number of inquiries from people who don't really understand what being on the request list means and I have a question in my own mind. As I understand the provisions of our Constitution, a member of the legislature can introduce a bill anytime up to the cut-off date. If we choose to sit in our own offices and write a bill, is it not true that we could come in and drop that bill in the hopper on Thursday afternoon without ever going to the Code Reviser beforehand?"

Mr. King: "I don't really know that I can properly answer that. I think to get an answer to that question you would have to do it and then seek a ruling at that time. It is not before us at the present."

MOTION

On motion of Mr. King, the House adjourned until 2:15 p.m., Monday, February 14, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-SIXTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, February 14, 1977.

The House was called to order at 2:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond, Fischer and Leckenby, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Donell Cooke and Mike Gibbons. Prayer was offered by Reverend George Mitchell of the First Christian Church of Olympia.

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

MESSAGE FROM THE SENATE

February 11, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2561,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 725, by Representatives Haley, Hurley (Margaret), Nelson (Gary) and Flanagan:

AN ACT Relating to state government; and adding new sections to chapter 49.60 RCW.

To Committee on State Government

HOUSE BILL NO. 726, by Representatives Fischer, Knowles, Pardini, Polk and Eng:

AN ACT Relating to savings and loan associations; amending section 10, chapter 107, Laws of 1969 and RCW 33.20.190; amending section 74, chapter 235, Laws of 1945 as last amended by section 6, chapter 280, Laws of 1959 and RCW 33.24.170; amending section 7, chapter 49, Laws of 1967 as amended by section 24, chapter 130, Laws of 1973 and RCW 33.24.230; amending section 8, chapter 49, Laws of 1967 and RCW 33.24.240; amending section 27, chapter 130, Laws of 1973 and RCW 33.24.295; adding new sections to chapter 235, Laws of 1945 and to chapter 33.12 RCW; adding a new section to chapter 33.48 RCW; and repealing section 30, chapter 235, Laws of 1945 and RCW 33.12.020.

To Committee on Financial Institutions

HOUSE BILL NO. 727, by Representatives Conner, Gallagher, Gilleland and Vrooman:

AN ACT Relating to motor vehicle accidents; amending section 6, chapter 169, Laws of 1963 as amended by section 2, chapter 22, Laws of 1971 ex. sess. and RCW 46.29.060; and amending section 46.52.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 40, Laws of 1969 ex. sess. and RCW 46.52.030.

To Committee on Transportation

HOUSE BILL NO. 728, by Representatives Winsley, Erickson, Conner and Craswell:

AN ACT Relating to revenue and taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020; amending section 84.64.050, chapter 15, Laws of 1961 as amended by section 2, chapter 84, Laws of 1972 ex. sess. and RCW 84.64.050; and amending section 84.64.270, chapter 15, Laws of 1961 as amended by section 5, chapter 23, Laws of 1965 ex. sess. and RCW 84.64.270.

To Committee on Revenue

HOUSE BILL NO. 729, by Representatives Hughes and Pardini:

AN ACT Relating to state colleges; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.40 RCW.

To Committee on Higher Education

HOUSE BILL NO. 730, by Representatives Knowles, McCormick, Smith, Newhouse, Zimmerman, Pearsall, North, Enbody, Maxie and Knedlik:

AN ACT Relating to the privacy of financial affairs; adding a new section to Title 9A RCW; adding a new chapter to Title 19 RCW; and prescribing penalties.

To Committee on Financial Institutions

HOUSE BILL NO. 731, by Representatives Hughes and Pardini:

AN ACT Relating to state colleges; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.40 RCW.

To Committee on Higher Education

HOUSE BILL NO. 732, by Representatives Fischer and Pardini:

AN ACT Relating to industrial loan companies; and amending section 14, chapter 172, Laws of 1923 and RCW 31.04.140.

To Committee on Financial Institutions

HOUSE BILL NO. 733, by Representatives Conner, Gallagher and Gilleland (by Department of Motor Vehicles request):

AN ACT Relating to motor vehicle transporters; adding a new section to chapter 46.76 RCW; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 734, by Representative Fischer:

AN ACT Relating to cities; and amending section 35.18.130, chapter 7, Laws of 1965 and RCW 35.18.130.

To Committee on Local Government

HOUSE BILL NO. 735, by Representatives Newhouse, Berentson, Leckenby, Gilleland and Clayton:

AN ACT Relating to industrial insurance; amending section 51.52.100, chapter 23, Laws of 1961 as amended by section 4, chapter 148, Laws of 1963 and RCW 51.52.100; amending section 51.52.106, chapter 23, Laws of 1961 as last amended by section 4, chapter 58, Laws of 1975 1st ex. sess. and RCW 51.52.106; amending section 1, chapter 40, Laws of 1973 and RCW 51.52.110; amending section 51.52.115, chapter 23, Laws of 1961 and RCW 51.52.115; amending section 51.52.140, chapter 23, Laws of 1961 and RCW 51.52.140; creating new sections; repealing section 6, chapter 148, Laws of 1963, section 22, chapter 289, Laws of 1971 ex. sess. and RCW 51.52.104; prescribing an effective date; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 736, by Representatives Pardini, O'Brien, Greengo, Clayton, Taller, McCormick and Maxie:

AN ACT Relating to the common schools; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW.

To Committee on Education

HOUSE BILL NO. 737, by Representatives Bauer, Whiteside and Warnke:

AN ACT Relating to school districts; and amending section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 9, Laws of 1973 1st ex. sess. and RCW 28A.58.420.

To Committee on Education

HOUSE BILL NO. 738, by Representatives Nelson (Dick), Charnley, Vrooman and Barr:

AN ACT Relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.08.020; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.020; amending

section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; and providing an effective date.

To Committee on Revenue

HOUSE BILL NO. 739, by Representatives Monohon and Keller:

AN ACT Relating to motor vehicles; and amending section 46.37.280, chapter 12, Laws of 1961 as amended by section 19, chapter 154, Laws of 1963 and RCW 46.37.280.

To Committee on Transportation

HOUSE BILL NO. 740, by Representatives Charnley, Burns, Chandler, Douthwaite, Grier, Nelson (Dick), Becker, Lux, Thompson, Blair and Hughes:

AN ACT Relating to beverage container control; adding a new chapter to Title 69 RCW; and prescribing penalties.

To Committee on Ecology

HOUSE BILL NO. 741, by Representatives O'Brien, Berentson, Hurley (Margaret), Lysen, Moreau and King:

AN ACT Relating to revenue and taxation; and amending section 8, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.810.

To Committee on Revenue

HOUSE BILL NO. 742, by Representative Fischer:

AN ACT Relating to state employees' insurance and health care; and amending section 1, chapter ... (HB 173), Laws of 1977 and RCW 41.05.020.

To Committee on State Government

HOUSE BILL NO. 743, by Representatives Smith, Zimmerman, Thompson, Lee, Shipoch, Haley, McKibbin, Charnley, Becker, Hanna, Taller, Clemente, Chandler, Sherman, North, Charette, Hurley (Margaret), Blair, Douthwaite, Lux, Salatino, Burns, Sommers, Nelson (Dick), Hurley (George), Bauer and Knedlik:

AN ACT Relating to petroleum transfer and safety; adding new sections to Title 90 RCW; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 744, by Representatives North, Barr and Sanders:

AN ACT Relating to shorelands; and amending section 121, chapter 255, Laws of 1927 as amended by section 1, chapter 54, Laws of 1969 ex. sess. and RCW 79.01.484.

To Committee on Ecology

HOUSE BILL NO. 745, by Representative Fischer:

AN ACT Relating to public assistance; and amending section 2, chapter 172, Laws of 1967 and RCW 74.15.020.

To Committee on Social and Health Services

HOUSE BILL NO. 746, by Representative Thompson:

AN ACT Relating to county legislative authorities; amending section 36.16.020, chapter 4, Laws of 1963 and RCW 36.16.020; and amending section 36.32.030, chapter 4, Laws of 1963 and RCW 36.32.030.

To Committee on Local Government

HOUSE BILL NO. 747, by Representatives Nelson (Dick) and Nelson (Gary):

AN ACT Relating to revenue and taxation; amending section 2, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.020; amending section 10, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.100; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 748, by Representative Fischer:

AN ACT Relating to the practice of pharmacy; providing for pharmacy technologists and the licensing thereof; adding new sections to Title 18 RCW as a new chapter thereto; and providing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 749, by Representatives Sommers, Dunlap and Conner (by Executive request of Governor Ray):

AN ACT Relating to the state civil service law; and adding a new section to chapter 41.06 RCW.

To Committee on State Government

HOUSE BILL NO. 750, by Representatives Sommers and Conner (by Executive request of Governor Ray):

AN ACT Relating to the department of personnel; amending section 3, chapter 1, Laws of 1961 and RCW 41.06.030; amending section 1, chapter 11, Laws of 1972 ex. sess. as amended by section 1, chapter 133, Laws of 1973 1st ex. sess. and RCW 41.06.070; amending section 1, chapter ... (HB ...), Laws of 1977 and RCW 41.06.110; amending section 12, chapter 1, Laws of 1961 as amended by section 2, chapter 43, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.120; amending section 13, chapter 1, Laws of 1961 and RCW 41.06.130; amending section 14, chapter 1, Laws of 1961 and RCW 41.06.140; amending section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter 75, Laws of 1973 1st ex. sess. and RCW 41.06.150; amending section 16, chapter 1, Laws of 1961 and RCW 41.06.160; amending section 17, chapter 1, Laws of 1961 as amended by section 3, chapter 43, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.170; amending section 22, chapter 1, Laws of 1961 and RCW 41.06.220; amending section 24, chapter 1, Laws of 1961 and RCW 41.06.240; amending section 26, chapter 1, Laws of 1961 and RCW 41.06.260; amending section 27, chapter 1, Laws of 1961 and RCW 41.06.270; amending section 28, chapter 1, Laws of 1961 as amended by section 1, chapter 215, Laws of 1963 and RCW 41.06.280; amending section 1, chapter 45, Laws of 1969 and RCW 41.06.300; amending section 1, chapter 152, Laws of 1969 ex. sess. and RCW 41.06.350; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; and repealing section 9, chapter 1, Laws of 1961 and RCW 41.06.090.

To Committee on State Government

HOUSE BILL NO. 751, by Representative Becker:

AN ACT Relating to rules of the road; and amending section 3, chapter 1, Laws of 1969 as amended by section 1, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.506.

To Committee on Judiciary

HOUSE BILL NO. 752, by Representatives Sommers, Bauer, Sherman, Smith, Erickson, Fischer, Douthwaite, O'Brien and Winsley (by Executive request of Governor Ray):

AN ACT Relating to the department of motor vehicles; amending section 1, chapter 156, Laws of 1965 and RCW 46.01.010; amending section 2, chapter 156, Laws of 1965 and RCW 46.01.020; amending section 12, chapter 156, Laws of 1965 and RCW 46.01.120; amending section 17, chapter 156, Laws of 1965 and RCW 46.01.170; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; adding a new section to chapter 156, Laws of 1965 and to chapter 46.01 RCW; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 753, by Representative Knowles:

AN ACT Relating to sewer districts; and adding a new section to chapter 56.08 RCW.

To Committee on Local Government

HOUSE BILL NO. 754, by Representatives Salatino, Bender and Clemente:

AN ACT Relating to the Washington state school directors' association; and amending section 28A.61.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.61.020.

To Committee on Education

HOUSE BILL NO. 755, by Representatives Conner, McCormick, Berentson, Enbody and Gilleland:

AN ACT Relating to identicards and drivers' licenses; and adding new sections to chapter 46.20 RCW.

To Committee on Transportation

HOUSE BILL NO. 756, by Representatives Lysen, Sherman, Berentson and Pruitt:

AN ACT Relating to property tax exemptions for the use of alternative energy sources; and adding a new chapter to Title 84 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 757, by Representatives Hawkins, Fuller and Taller (by Secretary of State request):

AN ACT Relating to United States presidential electors; amending section 29.71.020, chapter 9, Laws of 1965 and RCW 29.71.020; amending section 29.71.040, chapter 9, Laws of 1965 and RCW 29.71.040; and providing penalties.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 758, by Representatives Conner, McCormick and Gilleland:

AN ACT Relating to the operation of motor vehicles; and amending section 52, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.370.

To Committee on Transportation

HOUSE BILL NO. 759, by Representative Lysen:

AN ACT Relating to public employment; adding a new section to chapter 41.04 RCW; and prescribing an effective date.

To Committee on State Government

HOUSE BILL NO. 760, by Representatives McKibbin, Sommers and Blair:

AN ACT Relating to revenue and taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 761, by Representatives Fischer and Grier:

AN ACT Relating to gambling; and adding a new section to chapter 9.46 RCW.

To Committee on Commerce

HOUSE BILL NO. 762, by Representatives Erickson and Lee:

AN ACT Relating to the support of the common schools; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; prescribing effective dates; and prescribing an expiration date.

To Committee on Education

HOUSE BILL NO. 763, by Representatives Lysen, Dunlap and Sherman:

AN ACT Relating to energy; amending section 1, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.010; amending section 2, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.015; amending section 3, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.020; amending section 4, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.025; amending section 7, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.040; amending section 9, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.050; adding new sections to chapter 260, Laws of 1969 ex. sess. and to chapter 44.39 RCW; adding a new section to chapter 82.16 RCW; and repealing section 6, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.035.

To Committee on Energy and Utilities

HOUSE BILL NO. 764, by Representatives Gaines and Sherman:

AN ACT Relating to the county admissions tax; and amending section 36.38.010, chapter 4, Laws of 1963 and RCW 36.38.010.

To Committee on Local Government

HOUSE BILL NO. 765, by Representative Gaines:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; and amending section 3, chapter 257, Laws of 1971 ex. sess. as amended by section 8, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.045.

To Committee on Appropriations

HOUSE BILL NO. 766, by Representatives Becker, Kilbury, Thompson, Sommers, Berentson, Amen, Erickson, Sherman and Charnley:

AN ACT Relating to farm and agriculture land; and adding new sections to chapter 84.34 RCW.

To Committee on Agriculture

HOUSE BILL NO. 767, by Representatives Polk, Lysen, Becker, Lee, Chandler, Blair and Lux:

AN ACT Relating to local government; authorizing the assumption by the executive authority of a class AA county governed under a home rule charter of the powers and duties of a port commission or of a metropolitan council or of both; and creating new sections.

To Committee on Local Government

HOUSE BILL NO. 768, by Representatives Moreau and Erickson:

AN ACT Relating to the state colleges; amending section 1, chapter 232, Laws of 1975 1st ex. sess. and RCW 28B.40.205; creating new sections; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.80 RCW.

To Committee on Higher Education

HOUSE BILL NO. 769, by Representatives Blair, Shinpoch, Berentson, Sommers and Polk:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.030; amending section 11, chapter 209, Laws of 1969 ex. sess. as last amended by section 9, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.110; amending section 15, chapter 209, Laws of 1969 ex. sess. as last amended by section 11, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.150; amending section 16, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.200; and adding a new section to chapter 51.52 RCW.

To Committee on Appropriations

HOUSE BILL NO. 770, by Representatives Blair, Sommers and Shinpoch:

AN ACT Relating to the Washington judicial retirement system; amending section 8, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 103, Laws of 1973 1st ex. sess. and RCW 2.10.080; amending section 9, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.090; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 771, by Representatives Sommers, Blair and Shinpoch:

AN ACT Relating to post retirement cost of living adjustments of public employees; amending section 9, chapter 189, Laws of 1973 1st ex. sess. as amended by section 1, chapter 32, Laws of 1973 2nd ex. sess. and RCW 41.32.499; and amending section 1, chapter 68, Laws of 1970 ex. sess. as last amended by section 1, chapter 14, Laws of 1973 2nd ex. sess. and RCW 41.40.195.

To Committee on Appropriations

HOUSE BILL NO. 772, by Representatives Dunlap, Pardini, Chandler, Greengo, Barr and Taller:

AN ACT Relating to energy; amending section 1, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.010; amending section 3, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.030; amending section 15, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.010; amending section 16, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.020; amending section 17, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.030; amending section 18, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.040; and adding new sections to chapter 43.21F RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 773, by Representatives Fuller, Ehlers, Paris, Berentson, Zimmerman and Thompson:

AN ACT Relating to revenue and taxation; amending section 1, chapter ...(HB 178), Laws of 1977 and RCW 82.04.291; amending section 6, chapter 294, Laws of 1971 ex. sess. as amended by section 91, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.060; and amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 8, chapter 123, Laws of 1975-'76 2nd ex. sess. and RCW 84.33.080.

To Committee on Revenue

HOUSE BILL NO. 774, by Representatives Kreidler, Winsley and Keller:

AN ACT Relating to revenue and taxation; and amending section 14, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.140.

To Committee on Revenue

HOUSE BILL NO. 775, by Representatives Erickson, Chandler and Thompson (by Executive Request of Governor Ray):

AN ACT Relating to tuition and fees of the state institutions of higher education; amending section 28B-.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; amending section 11, chapter 279, Laws of 1971 ex. sess. and RCW 28B-.15.530; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.380; amending section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 3, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.40.361; setting forth new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 28B.15-.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200; repealing section 28B.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300; repealing section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400; repealing section 22, chapter 279, Laws of 1971 ex. sess., section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; and declaring an emergency.

To Committee on Higher Education

HOUSE BILL NO. 776, by Representative Knowles:

AN ACT Relating to the retirement of judges; and amending section 1, chapter 286, Laws of 1961 as amended by section 2, chapter 30, Laws of 1971 and RCW 2.12.012.

To Committee on Appropriations

HOUSE BILL NO. 777, by Representatives O'Brien, Warnke, Berentson, Chandler, Gaines, Valle, Charnley, Thompson, Conner, McCormick, Burns, Bender, Maxie and Adams:

AN ACT Relating to commerce and economic development; creating new sections; making an appropriation; and declaring an emergency.

To Committee on Commerce

HOUSE BILL NO. 778, by Representatives Conner, McCormick and Warnke:

AN ACT Relating to the Washington state patrol; and amending section 43.43.310, chapter 8, Laws of 1965 and RCW 43.43.310.

To Committee on Appropriations

HOUSE BILL NO. 779, by Representatives Vrooman, Knowles, Lux, Keller, Martinis, Burns, Wilson, Taller and Berentson:

AN ACT Relating to liens; and amending section 2, chapter 43, Laws of 1897 and RCW 60.32.020.

To Committee on Labor

HOUSE BILL NO. 780, by Representative Fischer:

AN ACT Relating to gambling; and adding a new section to chapter 9.46 RCW.

To Committee on Commerce

HOUSE BILL NO. 781, by Representatives Chandler, Knedlik and Gilleland:

AN ACT Relating to school districts; amending section 2, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.57.050; amending section 28A.57.314, chapter 223, Laws of 1969 ex. sess. and RCW 28A-.57.314; amending section 28A.57.334, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.334; amending section 28A.57.342, chapter 223, Laws of 1969 ex. sess. as last amended by section 8, chapter 43, Laws of 1975 and RCW 28A.57.342; and amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 43, Laws of 1975 and RCW 28A.57.344.

To Committee on Education

HOUSE BILL NO. 782, by Representatives Kreidler, Burns, Pruitt, Blair, Gruger, Sommers, Lee, Thompson, Nelson (Dick) and Fortson:

AN ACT Relating to housing; adding a new chapter to Title 43 RCW; and making an appropriation.

To Committee on State Government

HOUSE BILL NO. 783, by Representatives Dunlap, Pardini, Chandler, Greengo, Barr and Taller:

AN ACT Relating to electric power; adding a new chapter to Title 43 RCW; and declaring an emergency.
To Committee on Energy and Utilities

HOUSE BILL NO. 784, by Representatives Burns, Becker, Thompson, Haley, Douthwaite, Bender, Enbody, Moreau, Chandler, Erickson, Grimm and Maxie:

AN ACT Relating to the council for postsecondary education; and amending section 4, chapter 277, Laws of 1969 ex. sess. as amended by section 4, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.040.
To Committee on Higher Education

HOUSE BILL NO. 785, by Representatives Berentson, Vrooman and Patterson:

AN ACT Relating to motor vehicles; amending section 1, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.010; amending section 2, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.020; amending section 3, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.030; amending section 4, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.040; amending section 5, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.050; amending section 7, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.070; amending section 11, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.110; adding new sections to chapter 46.79 RCW; and providing penalties.

To Committee on Transportation

HOUSE BILL NO. 786, by Representatives Conner, Gallagher and Gilleland:

AN ACT Relating to motor vehicles; amending section 46.37.010, chapter 12, Laws of 1961 as amended by section 1, chapter 154, Laws of 1963 and RCW 46.37.010; amending section 46.37.050, chapter 12, Laws of 1961 as amended by section 3, chapter 154, Laws of 1963 and RCW 46.37.050; amending section 46.37.090, chapter 12, Laws of 1961 as amended by section 7, chapter 154, Laws of 1963 and RCW 46.37.090; amending section 46.37.110, chapter 12, Laws of 1961 and RCW 46.37.110; amending section 46.37.320, chapter 12, Laws of 1961 and RCW 46.37.320; amending section 46.37.330, chapter 12, Laws of 1961 and RCW 46.37.330; amending section 46.37.380, chapter 12, Laws of 1961 and RCW 46.37.380; amending section 46.37.410, chapter 12, Laws of 1961 and RCW 46.37.410; amending section 46.37.480, chapter 12, Laws of 1961 and RCW 46.37.480; amending section 46.37.500, chapter 12, Laws of 1961 and RCW 46.37.500; adding a new section to chapter 46.37 RCW; and prescribing penalties.

To Committee on Transportation

HOUSE BILL NO. 787, by Representatives Hawkins, Lee, Thompson, Pardini and Charette:

AN ACT Relating to counties; and adding a new section to chapter 36.32 RCW.

To Committee on Local Government

HOUSE BILL NO. 788, by Representatives Craswell, Schmitt, Winsley, Smith and Owen:

AN ACT Relating to water districts; and amending section 1, chapter 50, Laws of 1953 and RCW 57.08-.015.

To Committee on Local Government

HOUSE BILL NO. 789, by Representative Ehlers:

AN ACT Relating to the state capitol committee; amending section 43.17.070, chapter 8, Laws of 1965 and RCW 43.17.070; amending section 43.34.040, chapter 8, Laws of 1965 and RCW 43.34.040; amending section 43.82.020, chapter 8, Laws of 1965 and RCW 43.82.020; amending section 7, chapter 69, Laws of 1909 as last amended by section 37, chapter 106, Laws of 1973 and RCW 79.24.030; amending section 7, chapter 22, Laws of 1951 as last amended by section 5, chapter 62, Laws of 1957 and RCW 79.24.260; amending section 1, chapter 293, Laws of 1955 as amended by section 1, chapter 129, Laws of 1965 and RCW 79.24.300; amending section 2, chapter 216, Laws of 1955 and RCW 79.24.410; amending section 1, chapter 167, Laws of 1961 as amended by section 1, chapter 43, Laws of 1967 ex. sess. and RCW 79.24.500; amending section 4, chapter 167, Laws of 1961 and RCW 79.24.530; amending section 5, chapter 167, Laws of 1961 and RCW 79.24.540; amending section 6, chapter 167, Laws of 1961 and RCW 79.24.550; amending section 1, chapter 14, Laws of 1970 ex. sess. and RCW 79.24.630; amending section 5, chapter 105, Laws of 1967 ex. sess. as amended by section 4, chapter 273, Laws of 1969 ex. sess. and RCW 79.24.632; amending section 6, chapter 105, Laws of 1967 ex. sess. as amended by section 5, chapter 273, Laws of 1969 ex. sess. and RCW 79.24.634; amending section 8, chapter 105, Laws of 1967 ex. sess. as amended by section 7, chapter 273, Laws of 1969 ex. sess. and RCW 79.24.638; amending section 10, chapter 105, Laws of 1967 ex. sess. as amended by section 9, chapter 273, Laws of 1969 ex. sess. and RCW 79.24.642; amending section 1, chapter 273, Laws of 1969 ex. sess. and RCW 79.24.6421; amending section 1, chapter 272, Laws of 1969 ex. sess. and RCW 79.24.650; amending section 2, chapter 272, Laws of 1969 ex. sess. and RCW 79.24.652; amending

section 3, chapter 272, Laws of 1969 ex. sess. and RCW 79.24.654; amending section 5, chapter 272, Laws of 1969 ex. sess. and RCW 79.24.658; amending section 7, chapter 272, Laws of 1969 ex. sess. and RCW 79.24.662; amending section 9, chapter 272, Laws of 1969 ex. sess. and RCW 79.24.666; creating a new section; repealing section 43.30.090, chapter 8, Laws of 1965 and RCW 43.30.090; repealing section 43.34.010, chapter 8, Laws of 1965 and RCW 43.34.010; repealing section 43.34.015, chapter 8, Laws of 1965 and RCW 43.34.015; repealing section 1, chapter 186, Laws of 1947 and RCW 79.24.100; repealing section 2, chapter 186, Laws of 1947 and RCW 79.24.110; repealing section 3, chapter 186, Laws of 1947 and RCW 79.24.120; repealing section 4, chapter 186, Laws of 1947 and RCW 79.24.130; repealing section 5, chapter 186, Laws of 1947 and RCW 79.24.140; repealing section 6, chapter 186, Laws of 1947 and RCW 79.24.150; repealing section 7, chapter 186, Laws of 1947 and RCW 79.24.160; repealing section 1, chapter 279, Laws of 1955, section 1, chapter 62, Laws of 1957 and RCW 79.24.200; repealing section 2, chapter 279, Laws of 1955, section 2, chapter 62, Laws of 1957 and RCW 79.24.210; repealing section 3, chapter 22, Laws of 1951, section 3, chapter 279, Laws of 1955, section 3, chapter 62, Laws of 1957 and RCW 79.24.220; repealing section 4, chapter 22, Laws of 1951, section 4, chapter 279, Laws of 1955 and RCW 79.24.230; repealing section 5, chapter 279, Laws of 1955, section 4, chapter 62, Laws of 1957 and RCW 79.24.240; repealing section 6, chapter 279, Laws of 1955 and RCW 79.24.250; repealing section 8, chapter 279, Laws of 1955, section 6, chapter 62, Laws of 1957 and RCW 79.24.270; repealing section 7, chapter 62, Laws of 1957 and RCW 79.24.280; repealing section 2, chapter 293, Laws of 1955 and RCW 79.24.310; repealing section 3, chapter 293, Laws of 1955 and RCW 79.24.320; repealing section 1, chapter 257, Laws of 1957 and RCW 79.24.330; repealing section 2, chapter 257, Laws of 1957 and RCW 79.24.340; repealing section 1, chapter 258, Laws of 1957 and RCW 79.24.450; and repealing section 3, chapter 167, Laws of 1961 and RCW 79.24.520.

To Committee on State Government

HOUSE BILL NO. 790, by Representatives O'Brien, Moreau, Kilbury, Pardini and Sommers:

AN ACT Relating to insurance; amending section .14.02, chapter 79, Laws of 1947 as amended by section 9, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.020; amending section 21, chapter 190, Laws of 1949 and RCW 48.14.080; amending section 82.04.320, chapter 15, Laws of 1961 and RCW 82.04.320; and repealing section .29.15, chapter 79, Laws of 1947 and RCW 48.29.150.

To Committee on Insurance

HOUSE BILL NO. 791, by Representative Fischer:

AN ACT Relating to camping clubs; amending section 1, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.010; amending section 9, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.045; amending section 7, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.070; amending section 12, chapter 106, Laws of 1972 ex. sess. as amended by section 1, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.120; amending section 13, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.130; amending section 3, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.220; adding new sections to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 792, by Representative Kilbury:

AN ACT Relating to agriculture.

To Committee on Agriculture

HOUSE JOINT RESOLUTION NO. 35, by Representatives Craswell, Greengo, Knedlik, Smith, Chandler, Fancher, Haley, Sanders, Struthers, Fuller, Paris, Polk, Bond, Taller, Kilbury, Nelson (Gary), Oliver, Berentson, Flanagan and Barr:

Amending the Constitution to impose a limitation on all state taxes.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 36, by Representatives Warnke, O'Brien and Smith (by Executive request of Governor Ray):

Amending the Constitution to allow the state, its political subdivisions, and municipal corporations to lend their credit to the extent of certain special revenues.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 37, by Representatives King, Charnley, McCormick, Burns, Sherman, Erickson, Douthwaite, Fortson, Fischer, Smith, O'Brien and Hughes (by Executive request of Governor Ray):

Amending the Constitution to permit future amendments to encompass several sections relating to a single subject.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 38, by Representatives McKibbin, Whiteside, Fortson, Bauer, Haley, Bender, Hawkins, Lee, Heck, Enbody, Erickson, Charnley and Clemente:

Amending the Constitution to authorize passage of special levies by majority vote.

To Committee on Education

HOUSE JOINT RESOLUTION NO. 39, by Representatives King, Vrooman, Zimmerman, Hurley (Margaret), Paris, Craswell, Owen and North:

Amending the Constitution to provide a method of long term funding of capital projects without the incurring of bonded debt.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 2561, by Senators Donohue, Gaspard, Herr, Ridder, von Reichbauer, Bailey, Matson, Newschwander, Washington, Sandison, Clarke, Buffington, Hayner, Jones, Bluechel, Benitz, Odegaard, McDermott, Woody, Wojahn, Bausch, Goltz, Rasmussen, Wilson, Van Hollebeke, Guess, Gould, Morrison, Murray, Lewis, Sellar and Wanamaker:

Providing for emergency cloud seeding.

To Committee on Agriculture

MOTIONS

Mr. King moved that all bills, memorials and resolutions listed on today's agenda be considered first reading under the fourth order of business and passed to the committees designated.

Mr. Berentson moved that Mr. King's motion be amended and that Engrossed Senate Bill No. 2561 be excluded from the motion.

Representatives Berentson, Deccio, Newhouse and Hansen spoke in favor of the motion, and Representatives King and Conner spoke against it.

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

Representatives Clayton, Whiteside, Tilly and Pardini spoke in favor of the Berentson motion.

ROLL CALL

The Clerk called the roll on the motion by Representative Berentson to amend the King motion and exclude Engrossed Senate Bill No. 2561 from the motion to pass to committee, and the motion was lost by the following vote: Yeas, 41; nays, 53; not voting, 4.

Voting yea: Representatives Barnes, Berentson, Boldt, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Haley, Hansen, Hughes, Kilbury, Leckenby, Lee, Martinis, Moreau, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Bender, Blair, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Monohon, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoeh, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams.

Not voting: Representatives Bond, Fischer, Wilson, and Mr. Speaker.

The motion by Mr. King was carried.

REPORTS OF STANDING COMMITTEES

February 11, 1977

HOUSE BILL NO. 82, Prime Sponsor: Representative Boldt, creating a joint legislative committee to review agency rules. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 129, Prime Sponsor: Representative Amen, requiring fiscal impact statements on proposed legislation. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

Beginning on page 1, line 27 strike all of section 3 down through line 7 on page 2 and insert:

*NEW SECTION. Sec. 3. When a fiscal note is prepared and approved as to form, accuracy, and completeness by the office of program planning and fiscal management, which depicts the expected fiscal impact of a bill or resolution, copies shall be filed immediately with:

(1) The chairperson of the committee to which the bill or resolution was referred upon introduction in the house of origin;

(2) The senate committee on ways and means, or its successor;

(3) The house committees on revenue and appropriations, or their successors; and

(4) The legislative budget committee.

Whenever possible, such fiscal note shall be provided prior to or at the time the bill or resolution is first heard by the committee of reference in the house of origin."

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Amen, Bauer, Becker, Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Pardini, Taller, Thompson, Valle, Warnke, Zimmerman.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 195, Prime Sponsor: Representative Shinpoch, extending time bonds of the Washington Futures Program of 1972 may be issued. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Amen, Bauer, Becker, Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Pardini, Taller, Thompson, Valle, Warnke, Zimmerman.

To Committee on Rules for second reading.

February 10, 1977

HOUSE BILL NO. 235, Prime Sponsor: Representative Shinpoch, amending laws relating to public printing. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Amen, Bauer, Becker, Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Taller, Thompson, Valle, Warnke, Zimmerman.

To Committee on Rules for second reading.

February 9, 1977

HOUSE BILL NO. 334, Prime Sponsor: Representative Kreidler, establishing a sexually transmitted disease clinic at University of Washington. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Hanna, Lux, Pearsall, Pruitt, Schmitten.

MOTION

On motion of Mr. Bender, House Bill No. 334 was rereferred to Committee on Appropriations.

February 14, 1977

HOUSE BILL NO. 445, Prime Sponsor: Representative Smith, revising law relating to eminent domain. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 4 following "RCW 8.25.070" insert "as now or hereafter amended"

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

To Committee on Rules for second reading.

February 14, 1977

HOUSE JOINT RESOLUTION NO. 14, Prime Sponsor: Representative Hawkins, amending the state Constitution to allow for a statutory method to fill vacancies in the legislature, executive department, and county elective offices. Reported by Committee on Elections and Governmental Ethics.

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

MOTION

On motion of Mr. Bender, House Joint Resolution No. 14 was rereferred to Committee on Constitution.

SECOND READING

HOUSE BILL NO. 167, by Representative Eng:

Changing the time for filing and penalty of bank and trust company reports.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 194, by Representative Eng:

Extending the definition of the "funds" of a mutual savings bank.

The bill was read the second time.

On motion of Mr. Eng, Substitute House Bill No. 194 was substituted for House Bill No. 194, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 194 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 390, by Representatives Berentson, Kilbury and Newhouse:

Fixing the rate of repaying damage to animals caused by dogs.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, 24th Day, February 2, 1977.)

On motion of Mr. Kilbury, the committee amendment was adopted.

House Bill No. 390 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 279, by Representatives Martinis, Wilson and Moreau:

Allowing the director of game to determine the time and place of the drawing in special hunting seasons.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 275, by Representatives Martinis, Wilson and Moreau:

Prohibiting the application of the distribution percentage to fines and forfeitures transmitted to the director of game.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended; minority, do not pass. (For amendment, see Journal, 24th Day, February 2, 1977.)

On motion of Mr. Martinis, the committee amendment was adopted.

House Bill No. 275 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 68, by Representatives Ehlers, Sommers, Nelson (Gary) and North:
Expanding the cemetery board and providing for its abolition in 1979.

The bill was read the second time.

On motion of Mr. Ehlers, Substitute House Bill No. 68 was substituted for House Bill No. 68, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 68 was read the second time.

On motion of Mr. Ehlers, the following amendment by Representatives Ehlers and Charette was adopted:

On page 1, line 10 after "extended" strike everything through and including "governor" on line 11 and insert "by law for an additional fixed period of time"

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

On page 2, after section 3 insert the following:

"Sec. 4. Section 40, chapter 290, Laws of 1953 as amended by section 16, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.180 are each amended to read as follows:

Each cemetery authority in charge of cemetery endowment care funds shall file with the board annually, on or before the thirtieth day of June, a written report in form prescribed by the board setting forth:

(1) The number of square feet of grave space and the number of crypts and niches sold or disposed of under endowment care:

(a) From June 12, 1943, to the first day of January of the year preceding the filing of this report.

(b) From the first day of January through the thirty-first day of December of the preceding year.

(2) The amount collected and deposited in both the general and special endowment care funds:

(a) Prior to June 12, 1943.

(b) From June 12, 1943, to the first day of January preceding the filing of this report.

(c) From the first day of January through the thirty-first day of December of the preceding year segregated as to the amounts deposited for crypts, niches, and grave space.

(3) A statement showing the total amount of the general and special endowment care funds invested in each of the investments authorized by law and the amount of cash on hand not invested, which statement shall show the actual financial condition of the funds.

(4) A statement showing the information required to be filed pursuant to RCW 68.46.090.

These reports shall be verified by the president or vice president ((and)), one other officer of the cemetery authority ((and shall be certified by)), the accountant or auditor preparing the same, and a certified public accountant in accordance with generally accepted auditing standards."

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

Mr. Ehlers spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Your indication is that this entire amendment is existing language, existing law, is that correct?"

Mr. Ehlers: "Yes, except the underlined portion on lines 15 through 17."

Mr. Zimmerman: "The present practice has been handled by the authority—who is the authority you are referring to?"

Mr. Ehlers: "The Cemetery Board."

Mr. Zimmerman: "The State Cemetery Board is the authority you are listing here?"

Mr. Ehlers: "That is correct."

Mr. Zimmerman: "Is that the only agency presently that does have to have a requirement of reports on endowment funds?"

Mr. Ehlers: "My interpretation is that the Cemetery Board has an auditor who verifies these and usually through mail (not necessarily on sight) makes a recommendation to the Cemetery Board and the Cemetery Board generally approves those."

The amendment was adopted.

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

On page 2, after section 3, insert the following:

*Sec. 4. Section 51, chapter 290, Laws of 1953 as amended by section 4, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.230 are each amended to read as follows:

Every cemetery authority shall pay for each cemetery operated by it, an annual regulatory charge to be fixed by the board, based on the number of interments, entombments, and inurnments made during the preceding full calendar year, but not exceeding ~~((twenty-five))~~ one hundred dollars for one hundred or less, ~~((fifty))~~ two hundred dollars for one hundred one to three hundred fifty, ~~((seventy-five))~~ three hundred dollars for three hundred fifty-one to seven hundred, ~~((one))~~ five hundred dollars for seven hundred one or more; plus an additional charge of not more than ~~((fifty cents))~~ one dollar per interment, entombment, and inurnment made during the preceding full calendar year, which charges shall be deposited in the cemetery account. Upon payment of said charges and compliance with the provisions of Title 68 RCW and the lawful orders, rules, and regulations of the board, the board will issue a certificate of authority."

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

POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (Gary): "We already have a section 4 from the previous amendment by Ehlers and Charette. Is it my understanding that this would really become section 5?"

The Speaker (Mr. O'Brien presiding): "Representative Nelson, your point is well taken; apparently there are two amendments to section 4. Also, included in this proposed amendment it states to correct internal references accordingly. As I understand it, section 4 should be section 5. The Chief Clerk states that he will change it to section 5."

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

On motion of Mr. Charette, the following amendments to the title were adopted:

In line 3 of the title after "68.05.050;" insert "amending section 40, chapter 290, Laws of 1953 as amended by section 16, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.180;"

On page 1, line 3 after "68.05.050;" insert "amending section 51, chapter 290, Laws of 1953 as amended by section 4, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.230;"

Substitute House Bill No. 68 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 21, by Representatives Fortson, Patterson and Sommers (by State Auditor request):

Amending the Constitution to allow audits of the judicial branch.

The resolution was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 12, by Representative Fischer:

Removing a limitation on use of school bus warning lights.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 49, by Representatives Clemente, Lux, King, Gruger and Knedlik:

Changing the term "workman" to "worker" throughout the state industrial insurance laws.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendments:

On page 8, line 27 after "composed of" strike "nine" and insert "~~((nine))~~ ten"

On page 8, line 30 after "self-insurers," insert "one representing private insurance companies,"

Representative Tilly spoke in favor of the amendments, and Representatives King and Lux spoke against them.

Mr. Tilly spoke again in favor of the amendments.

Mr. Pardini spoke in favor of the amendments, and Mr. Charette spoke against them.

The amendments were not adopted.

House Bill No. 49 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 242, by Representative Hanna:

Deleting minimum requirement for instruction at cosmetology school.

The bill was read the second time and passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

HOUSE BILL NO. 100, by Representatives North and Smith:

Requiring under certain conditions, reimbursement for cost of a loaner vehicle when owner's is destroyed.

The bill was read the second time.

On motion of Mr. Douthwaite, Substitute House Bill No. 100 was substituted for House Bill No. 100, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 100 was read the second time.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite and North:

On line 11 strike ", but not to exceed ten days."

Mr. Douthwaite spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Pardini.

Mr. Pardini: "You're the chairman of this committee, was this amendment offered in the Insurance Committee?"

Mr. Douthwaite: "No."

Mr. Pardini: "Why not?"

Mr. Douthwaite: "The bill did receive a hearing for a matter of about an hour or so and it is a substitute bill so you do see that it has been overhauled from the original bill. This is simply an idea, I think, which has arisen from another amendment which was offered by Representative Smith, who kindly agreed to withdraw the amendment."

Representatives Douthwaite and Barnes spoke in favor of the amendment, and Representatives Pardini and Charette spoke against it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "You heard the last speaker and according to his version and your version, it's entirely different. According to you the court has proceeded for years to give the loaner any limited time necessary, whether it's ten days or twelve or fifteen days, to procure a new car, and according to the testimony by the previous speaker, what you say is not accurate. Would you verify that?"

Mr. Charette: "Mr. Hurley, it is my understanding, and I don't know of any different law, that if a person's car is damaged and put out of commission, he is entitled to a reasonable amount of time for a replacement vehicle. Technically correcting what Mr. Barnes said—he said that if someone causes damage to your car you are entitled to it—technically it has to be their fault and on a comparative basis because of acts of the legislature within the last three or four years. It is my understanding that the court has always allowed a reasonable loss of use time. That is what I was saying and I can't imagine what the testimony before the committee said unless somebody just lost a case."

Mr. Hurley (George): "The reason I ask this question is because myself, or I think any other individual in this state, wouldn't want to be placed in the position where he couldn't get a loaner and even though the procedure has been as you stated, in case the insurance company didn't want to follow this procedure and the law did not force them to do so, then the injured person could remain injured and could not get a loaner. I would like to have a clarification on the law because without a clarification we would not be voting correctly here on the floor. If that is true the bill should revert back to committee to be rewritten so we know exactly what we are voting on."

Mr. Charette: "Mr. Hurley, in answering your question further, as I understand this bill it relates to actions arising. It does not have to do with the settlement of cases with an insurance company and an injured party. We're talking about actions arising out of accidents. This is not commanding an insurance company, the way I read the bill, to pay for ten days use. If we were commanding an insurance company, then in order to get that ten days use, if the company

would not pay, you would always have to bring an action. My understanding is that the vast majority of all cases are settled by insurance companies, reasonably, and the people who are injured are satisfied with their settlement."

Mr. Haley spoke against adoption of the amendment.

The amendment was adopted.

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

On line 13 after the period add a new sentence as follows: "Loss of use payments under the foregoing provisions shall be limited to a period of ten days unless the court determines that a replacement vehicle could not have reasonably been acquired within that period of time."

Substitute House Bill No. 100 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

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

MOTION FOR RECONSIDERATION

Mr. Fuller, having voted on the prevailing side, moved that the House now reconsider the vote by which Engrossed Substitute House Bill No. 227 passed the House.

Representatives Fuller and Tilly spoke in favor of the motion, and Mr. Hawkins spoke against it.

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

Mr. Fuller spoke again in favor of the motion.

MOTION

The Clerk called the roll on the motion for reconsideration of the vote by which the House passed Engrossed Substitute House Bill No. 227, and the motion was lost by the following vote: Yeas, 34; nays, 57; not voting, 6.

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

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

Not voting: Representatives Bond, Fischer, Leckenby, Monohon, Moreau, Paris.

MOTION

On motion of Mr. King, the House adjourned until 1:15 p.m., Tuesday, February 15, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-SEVENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, February 15, 1977.

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond and Fischer, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kim Lindberg and Jack Swynenburg. Prayer was offered by Reverend George Mitchell of the First Christian Church of Olympia.

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

MESSAGES FROM THE SENATE

February 14, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2024,
ENGROSSED SENATE BILL NO. 2156,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 14, 1977

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 17,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 15, 1977

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 2,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 793, by Representatives King and Lux:

AN ACT Relating to the department of labor and industries; authorizing the department of labor and industries to insure employers of this state against their liability for compensation and benefits for injuries or death under the federal longshoremen's and harbor workers' compensation act; amending section 43.22.030, chapter 8, Laws of 1965 and RCW 43.22.030; adding a new chapter to Title 51 RCW; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 794, by Representative Warnke:

AN ACT Relating to accountability; amending section 4, chapter 226, Laws of 1949 and RCW 18.04.050; amending section 11, chapter 226, Laws of 1949 as last amended by section 17, chapter 292, Laws of 1971 ex. sess. and RCW 18.04.120; amending section 12, chapter 226, Laws of 1949 and RCW 18.04.130; amending section 17, chapter 226, Laws of 1949 and RCW 18.04.180; amending section 18, chapter 226, Laws of 1949 and RCW 18.04.190; adding new sections to chapter 226, Laws of 1949 and to chapter 18.04 RCW; repealing section 20, chapter 226, Laws of 1949 and RCW 18.04.210; repealing section 22, chapter 226, Laws of 1949, section 26, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.04.230; repealing section 23, chapter 226, Laws of 1949 and RCW 18.04.240; repealing section 24,

chapter 226, Laws of 1949 and RCW 18.04.250; repealing section 25, chapter 226, Laws of 1949 and RCW 18.04.260; and repealing section 26, chapter 226, Laws of '949 and RCW 18.04.270.

To Committee on Commerce

HOUSE BILL NO. 795, by Representatives Hawkins and Nelson (Dick):

AN ACT Relating to elections for the office of insurance commissioner; amending section 29.21.080, chapter 9, Laws of 1965 as amended by section 87, chapter 176, Laws of 1969 ex. sess. and RCW 29.21.080; amending section 29.21.085, chapter 9, Laws of 1965 as amended by section 88, chapter 176, Laws of 1969 ex. sess. and RCW 29.21.085; and amending section 2, chapter 10, Laws of 1970 ex. sess. as amended by section 7, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.180.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 796, by Representative Charette:

AN ACT Relating to the Uniform Commercial Code; amending section 1-105, chapter 157, Laws of 1965 ex. sess. and RCW 62A.1-105; amending section 1-201, chapter 157, Laws of 1965 ex. sess. and RCW 62A.1-201; amending section 2-107, chapter 157, Laws of 1965 ex. sess. and RCW 62A.2-107; amending section 5-116, chapter 157, Laws of 1965 ex. sess. and RCW 62A.5-116; amending section 9-102, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-102; amending section 9-103, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-103; amending section 9-104, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-104; amending section 9-105, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-105; amending section 9-106, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-106; amending section 9-203, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-203; amending section 9-204, chapter 157, Laws of 1965 ex. sess. as amended by section 1, chapter 102, Laws of 1974 ex. sess. and RCW 62A.9-204; amending section 9-205, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-205; amending section 9-301, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-301; amending section 9-302, chapter 157, Laws of 1965 ex. sess. as amended by section 4, chapter 114, Laws of 1967 and RCW 62A.9-302; amending section 9-304, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-304; amending section 9-305, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-305; amending section 9-306, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-306; amending section 9-307, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-307; amending section 9-308, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-308; amending section 9-312, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-312; amending section 9-313, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-313; amending section 9-318, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-318; amending section 9-401, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-401; amending section 9-402, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-402; amending section 9-403, chapter 157, Laws of 1965 ex. sess. as amended by section 5, chapter 114, Laws of 1967 and RCW 62A.9-403; amending section 9-404, chapter 157, Laws of 1965 ex. sess. as amended by section 6, chapter 114, Laws of 1967 and RCW 62A.9-404; amending section 9-405, chapter 157, Laws of 1965 ex. sess. as amended by section 7, chapter 114, Laws of 1967 and RCW 62A.9-405; amending section 9-406, chapter 157, Laws of 1965 ex. sess. as amended by section 9, chapter 114, Laws of 1967 and RCW 62A.9-406; amending section 9-407, chapter 157, Laws of 1965 ex. sess. as amended by section 10, chapter 114, Laws of 1967 and RCW 62A.9-407; amending section 9-501, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-501; amending section 9-502, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-502; amending section 9-504, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-504; amending section 9-505, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-505; recodifying section 11, chapter 114, Laws of 1967 and RCW 62A.9-408; adding new sections to chapter 157, Laws of 1965 ex. sess. and to Article 62A.9 RCW; adding a new Article to chapter 157, Laws of 1965 ex. sess. and to Title 62A RCW; creating a new section; repealing section 81.36.140, chapter 14, Laws of 1961 and RCW 81.36-.140; repealing section 81.36.150, chapter 14, Laws of 1961 and RCW 81.36.150; repealing section 81.36.160, chapter 14, Laws of 1961 and RCW 81.36.160; and providing an effective date.

To Committee on Financial Institutions

ENGROSSED SENATE BILL NO. 2024, by Senators Guess, Beck and Henry:

Establishing equipment rental funds in counties.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2156, by Senators Day, Woody, McDermott, Sellar and Francis:

Permitting certain corporations of health care professionals to act as self-insurers against liability.

To Committee on Insurance

MOTION

On motion of Mr. King, all bills listed on today's agenda were considered first reading under the fourth order of business, and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 15, 1977

HOUSE BILL NO. 170, Prime Sponsor: Representative King, establishing procedures and a schedule for a constitutional convention. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 14, 1977

HOUSE BILL NO. 214, Prime Sponsor: Representative Hawkins, modifying the method of filling vacancies in county elected offices. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Grimm, Heck, Hughes and Hurley (Margaret).

To Committee on Rules for second reading.

February 15, 1977

HOUSE BILL NO. 251, Prime Sponsor: Representative Bauer, making changes in the senior citizens services act. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 14, 1977

HOUSE BILL NO. 296, Prime Sponsor: Representative Erickson, authorizing exemption from fees in institutions of higher education. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Oliver, Patterson and Thompson.

To Committee on Rules for second reading.

February 14, 1977

HOUSE BILL NO. 358, Prime Sponsor: Representative Clemente, authorizing state board of education rules to determine admission qualifications into preschool, kindergarten and the first grade. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16 after "admission to" strike all material down to and including "programs." on line 17, and insert "kindergarten and first grade programs of the common schools. Such rules may provide for exceptions based upon the ability, or the need, or both, of an individual student."

On page 1, line 2 of the title, strike "preschool."

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitten, Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

February 15, 1977

HOUSE BILL NO. 376, Prime Sponsor: Representative Martinis, removing requirement that ocean fishing regulations for Washington be made jointly with Oregon and California. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Wilson, Ranking Minority Member; Clemente, Gilleland, Greengo, May, Schmitten, Shinoda and Smith.

To Committee on Rules for second reading.

February 14, 1977

HOUSE BILL NO. 585, Prime Sponsor: Representative Erickson, providing that each state college board of trustees have a treasurer who shall be bonded. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Haley, Oliver, Patterson, Thompson.

To Committee on Rules for second reading.

February 15, 1977

ENGROSSED SENATE BILL NO. 2561, Prime Sponsor: Senator Donohue, providing for emergency cloud seeding. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan and Hansen.

MOTION

Mr. King moved that Engrossed Senate Bill No. 2561 be rereferred to Committee on Appropriations.

Mr. Berentson spoke against the motion.

MOTION

Mr. Pardini moved that Engrossed Senate Bill No. 2561 be placed at the top of today's second reading calendar.

SPEAKER'S RULING

The Speaker: "Your motion is basically out of order because the motions are of equal rank. In addition to that, it would take a suspension of the rules to put a bill with a direct appropriation on the floor of the House for second reading before it had gone to the Appropriations Committee. Our rules specifically state that every bill with a direct appropriation shall go to the Appropriations Committee."

With the consent of the House, Mr. Pardini withdrew his motion.

MOTION

Mr. Pardini moved that the rules be suspended, and Engrossed Senate Bill No. 2561 be placed at the top of today's second reading calendar.

The motion was lost.

The Speaker stated the question before the House to be the motion by Representative King to rerefer Engrossed Senate Bill No. 2561 to Committee on Appropriations.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Shinpoch, can you tell us how early a hearing Engrossed Senate Bill No. 2561 will have?"

Mr. Shinpoch: "No, I can't do that, but I'm not sure that has any purpose to the matter before us."

POINT OF INQUIRY

Mr. King yielded to question by Mr. Deccio.

Mr. Deccio: "Representative King, may we have your best answer as to whether the majority caucus of this House plans to kill Engrossed Senate Bill No. 2561? Do you plan to have an early hearing in Appropriations? Are you waiting for the Governor to determine what she wants to do with that bill? Do you want to give her credit for it? I'm asking these questions because the districts over on the east side of the mountains are hard pressed for this action about seeding and I think because we do represent the entire state of Washington we should have early answers."

Mr. King: "Would you repeat the question?"

Mr. Deccio: "What are you going to do with the bill?"

Mr. King: "We are going to send it to the Appropriations Committee."

Representatives Clayton, Zimmerman and Hansen spoke against the motion, and Mr. Shinpoch spoke in favor of it.

Mr. Oliver spoke against the motion.

POINT OF ORDER

Mr. Boldt: "I feel that the representative is getting a little bit away from the motion and this issue is so important to me in my district that I think we should handle it post haste, get it into Appropriations, get it out here and do it right."

The Speaker: "Your point is well taken. Representative Oliver, would you confine your remarks to the motion to refer the bill to committee?"

Mr. Oliver continued his remarks against the motion.

Representative King spoke in favor of the motion, and Mr. Berentson spoke against it.

Mr. Hurley (George) spoke in favor of the motion.

SPEAKER'S ADMONITION

The Speaker: "Representative Hurley, the motion by Representative Pardini was defeated some time ago. We are currently on the motion by Representative King to refer this bill to the Appropriations Committee."

Mr. Charette demanded the previous question, and a division was called.

ROLL CALL

The Clerk called the roll on the demand for the previous question on the motion by Representative King to rerefer Engrossed Senate Bill No. 2561 to Committee on Appropriations, and the demand was sustained by the following vote: Yeas, 64; nays, 30; not voting, 4.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Valle, Vrooman, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Greengo, Haley, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Bond, Fischer, Hansen, Thompson.

The Speaker stated the question before the House to be the motion by Representative King to rerefer Engrossed Senate Bill No. 2561 to Committee on Appropriations.

ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Senate Bill No. 2561 to Committee on Appropriations, and the motion was carried by the following vote: Yeas, 60; nays, 36; not voting, 2.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Boldt, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Kilbury, Leckenby, Lee, Martinis, Nelson G. A., Newhouse, Oliver, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

Not voting: Representatives Bond, Fischer.

MOTIONS

Mr. King moved that the House advance to the seventh order of business.

Mr. Pardini, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed Senate Bill No. 2561 was rereferred to Committee on Appropriations.

Mr. Pardini spoke in favor of the motion.

POINT OF ORDER

Mr. King: "Mr. Speaker, I don't believe he is speaking to the motion before us, which is whether or not the procedural motion should be reconsidered."

SPEAKER'S RULING

The Speaker: "Your point is well taken. Mr. Pardini, please confine your remarks to the motion."

Mr. Pardini continued his remarks.

SPEAKER'S ADMONITION

The Speaker: "Representative Pardini, you are speaking to the bill and we have a motion before us to reconsider the vote by which the motion by Representative King passed and placed Engrossed Senate Bill No. 2561 in Committee on Appropriations. Confine your remarks to the reasons why that vote should be reconsidered."

Mr. Pardini continued his remarks in favor of the motion, and Mr. Deccio also spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion by Representative Pardini to reconsider the vote by which Engrossed Senate Bill No. 2561 was rereferred to Committee on Appropriations, and the motion was lost by the following vote: Yeas, 38; nays, 56; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tally, Whiteside, Wilson, Winsley, Zimmerman.

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

Not voting: Representatives Bond, Fischer, Maxie, McKibbin.

The motion by Representative King to advance to the seventh order of business was carried.

SIGNED BY THE SPEAKER

The Speaker announced he was about to sign:

HOUSE CONCURRENT RESOLUTION NO. 17.

APPOINTMENT OF COMMITTEE

The Speaker appointed Representatives Erickson, Pruitt and Paris to the committee to plan the Memorial Service.

THIRD READING

HOUSE BILL NO. 167, by Representative Eng:

Changing the time for filing and penalty of bank and trust company reports.

The bill was read the third time and placed on final passage.

Representatives Eng and Deccio spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 167, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

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

Voting nay: Representative Nelson G. A.

Not voting: Representatives Bond, Chandler, Fischer, Maxie.

House Bill No. 167, having received the 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. 12, by Representative Fischer:

Removing a limitation on use of school bus warning lights.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 12, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

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

Voting nay: Representative Shinpoch.

Not voting: Representatives Bond, Fischer, Knedlik.

House Bill No. 12, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 44, by Committee on Parks and Recreation (Originally sponsored by Representatives Hurley (Margaret), North, Paris and Lee):

Establishing moorage fees in marine state parks.

The bill was read the third time and placed on final passage.

Representatives Hurley (Margaret) and Paris 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. 44, and the bill passed the House by the following vote: Yeas, 88; nays, 6; not voting, 4.

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

Voting nay: Representatives Barnes, Gilleland, Gruger, King, Lysen, Sanders.

Not voting: Representatives Bond, Fischer, Hanna, Tilly.

Engrossed Substitute House Bill No. 44, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 68, by Committee on State Government (Originally sponsored by Representatives Ehlers, Sommers, Nelson (Gary) and North):

Expanding the cemetery haley and providing for its abolition in 1979.

The bill was read the third time and placed on final passage.

Representatives Ehlers and Taller 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. 68, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

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

Voting nay: Representative Hansen.

Not voting: Representatives Bond, Deccio, Fischer.

Engrossed Substitute House 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 100, by Committee on Insurance (Originally sponsored by Representatives North and Smith):

Requiring under certain conditions, reimbursement for cost of a loaner vehicle when owner's is destroyed.

The bill was read the third time and placed on final passage.

Representatives North, Haley, Charette, Douthwaite and Barnes spoke in favor of the bill, and Representatives Pardini and Blair spoke against it.

POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Leckenby.

Mr. Leckenby: "What happens when there's an accident and it isn't clearly evident as to who is at fault? They presently have some kind of a clause that says there may be divided responsibility, and maybe one participant is 75% at fault and the other 25% at fault. Does this help to clarify which one gets the car for ten days while their cars get fixed?"

Mr. Barnes: "First there has to be a determination of what the cost is if there was a loss and what the loss is, and then a determination of who is at fault. There's two separate things there and, of course, if one person is 25% at fault the loss stands at 25% loss. This has nothing to do with the comparative fault type of conception. This only establishes or makes clear the conception that the person at fault—of course this includes the loss of the automobile along with all the other losses that have occurred in the same accident."

Mr. Leckenby spoke against the bill.

POINT OF INQUIRY

Mr. Douthwaite yielded to question by Ms. Becker.

Ms. Becker: "Representative Douthwaite, my understanding is that without this bill being passed, the person whose car is destroyed can still go to court and get some money for a vehicle during the time that they don't have the use of their car, so this bill doesn't change that, but what it does is sets a presumption that ten days is enough time to get a replacement vehicle, which strikes me as a little short if this person is working and doesn't have enough money to go out and buy a car and they are having a battle with the insurance company anyway. It seems to me that this would make it more difficult for a person to get accurately compensated for their loss."

Mr. Douthwaite: "That would be a good point, but that's what we dealt with yesterday, Representative Becker. If you read the contents of lines 13, 14, 15, it says, 'Loss of use payments under the foregoing provisions shall be limited to a period of ten days unless the court determines that a replacement vehicle could not have reasonably been acquired within that period of time.' You can go longer than ten days if it is a problem, and of course, I agree with you that it is a reasonable issue."

Mr. Douthwaite spoke again in favor of the bill, and Representatives Knowles and Deccio also spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 100, and the bill passed the House by the following vote: Yeas, 77; nays, 17; not voting, 4.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Monohon, Moreau, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Blair, Charnley, Flanagan, Gilleland, Greengo, Leckenby, May, Nelson G. A., Newhouse, Pardini, Salatino, Schmitten, Struthers, Thompson, Winsley.

Not voting: Representatives Bond, Fischer, Knedlik, Nelson D.

Engrossed Substitute House Bill No. 100, having received the 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

If present, I would have voted "Yes" on final passage of Engrossed Substitute House Bill No. 100.

DICK NELSON, 32nd District.

MOTIONS

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

Mr. King moved that HOUSE BILL NO. 282 be rereferred to Committee on Appropriations.

Mr. Chandler moved that Mr. King's motion be amended to include HOUSE BILL NO. 179.

SPEAKER'S RULING

The Speaker: "The motion before us by Representative King is to take a bill that is currently on the second reading calendar and refer it to the Appropriations Committee. House Bill No. 179 is not before us; therefore, the Chair does rule your motion out of order."

Mr. Hawkins spoke in favor of the motion by Mr. King, and it was carried.

SECOND READING

HOUSE BILL NO. 285, by Representatives O'Brien and Hurley (Margaret):
Renaming Sun Lakes State Park to Victor Aloysius Meyers State Park.

The bill was read the second time.

Committee on State Parks and Recreation recommendation: Majority, do pass as amended. (For amendment, see Journal, 29th Day, February 7, 1977.)

On motion of Representative Hurley (Margaret), the committee amendment was adopted.

Mr. Tilly moved adoption of the following amendments by Representatives Tilly, Hansen and Flanagan:

On line 8 after "area" insert ", subject to the requirements of section 3 of this act"

On line 15 after "act" insert ", subject to the requirements of section 3 of this act"

Add a new section following section 2 as follows:

"NEW SECTION. Sec. 3. In no case shall the name of a state park be changed unless hearings have been held concerning the name change in the county or counties in which the park is located, nor shall the name of any state park be changed until the proposed name is approved by a resolution of the legislative authority of the county or counties in which the park is located."

Mr. Tilly spoke in favor of the amendments.

POINT OF ORDER

Representative Hurley (Margaret): "My point of order, Mr. Speaker, and I would like to have a clarification on this, is that the bill refers to only one state park, and the amendments relate to any state park. Would that be included in the title of the bill?"

SPEAKER'S RULING

The Speaker: "Representative Hurley, the debate on this issue has gone on for some period of time and your point of order, which really is pertaining to the germaneness of the amendment, is a little bit late."

Mr. Tilly continued speaking in favor of the amendments, and Mr. O'Brien spoke against them.

POINT OF ORDER

Mr. Tilly: "I don't believe Mr. O'Brien is talking about the amendments. He's talking about the merits of why they are naming the park."

The Speaker: "I think he's trying to get to the point that Vic Meyers doesn't apologize for still being alive. Your point may be well taken. Representative O'Brien, will you confine your remarks to the question?"

Mr. O'Brien continued his remarks in opposition to the amendments.

POINT OF ORDER

Mr. Tilly: "He's doing it again."

The Speaker: "He was talking to the amendment. If you would confine your remarks a little tighter, Mr. O'Brien."

Mr. O'Brien concluded his remarks against the amendments.

Representatives Schmitt, Flanagan and Hansen spoke in favor of the amendments, and Representatives Owen and Hurley (Margaret) spoke against them.

Mr. Tilly spoke again in favor of the amendments.

POINT OF ORDER

Mr. O'Brien: "He's not talking about the amendments."

The Speaker: "Your point is well taken."

Mr. Tilly continued his remarks in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Tilly, Hansen and Flanagan to House Bill No. 285, and the amendments were not adopted by the following vote: Yeas, 25; nays, 66; not voting, 6.

Voting yea: Representatives Barnes, Berentson, Blair, Boldt, Chandler, Craswell, Deccio, Dunlap, Flanagan, Gilleland, Haley, Hansen, Leckenby, Lee, Nelson G. A., Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Tally, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Clayton, Fischer, Knedlik, Paris, Shinoda.

House Bill No. 285 was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 146, by Representatives McKibbin, Zimmerman, Heck, Bauer, Boldt and Charnley:

Authorizing bus transit service by agreement with a public transportation agency of a contiguous state.

The bill was read the second time.

On motion of Mrs. North, the following amendment by Representatives North, Becker and Moreau was adopted:

On page 1, line 10 after "state" insert ", or contiguous Canadian province."

House Bill No. 146 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 229, by Representative Hurley (Margaret) – (by Parks and Recreation Commission request):

Permitting longer concessions and leases in state parks.

The bill was read the second time.

Mr. Charnley moved adoption of the following amendment:

On page 2, line 9 after "lease" insert "PROVIDED FURTHER, That the commission shall reserve the right, in a concession or lease agreement, to alter and amend the terms and conditions of the concession or

lease, without the consent of the concessionaire or lessee, after twenty-five years of the concession or lease term has expired:

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

On line 3 after "lease," strike "without the consent of the concessionaire or lessee,"

Representatives Hurley (Margaret), Owen and Whiteside spoke in favor of the amendment to the amendment, and Representative Charnley spoke against it.

The amendment to the amendment was adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Charnley as amended.

Mr. Charnley spoke in favor of the amended amendment, and Representatives Hurley (Margaret), Owen and Pardini spoke against it.

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

House Bill No. 229 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 143, by Representatives Shinpoch, Flanagan, Polk and Taller (by Legislative Budget Committee request):

Deleting an obsolete restriction on employment of aliens.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 135, by Representatives Amen, Shinpoch, Flanagan, Polk, Knedlik and Oliver (by Legislative Budget Committee request):

Repealing certain obsolete laws relating to reclamation.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 255, by Representatives Newhouse and Thompson:

Granting irrigation and port districts the power to designate their own treasurers.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 255 was substituted for House Bill No. 255, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 255 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 200, by Representatives Sommers, Nelson (Dick), Ehlers and Lux:

Increasing the petty cash account limit.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 200 was substituted for House Bill No. 200, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 200 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 130, by Representatives Erickson, Clemente, Lux, Chandler, Gaines, Grier, Grimm, Heck, Lee, Sherman and Walk:

Exempting fire districts from the 106 percent property tax limitation.

The bill was read the second time.

Mr. Flanagan moved adoption of the following amendment:

Beginning on line 5 strike the remainder of the bill and insert:

*NEW SECTION. Section 1. Section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 1st ex. sess. and RCW 84.55.010; section 21, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.020; section 22, chapter 288, Laws of 1971 ex. sess. as amended by section 107, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.55.030; section 23, chapter 288, Laws of 1971 ex. sess. as amended by section 151, chapter 195, Laws of 1973 and RCW 84.55.040; and section 24, chapter 288, Laws of 1971 ex. sess. as amended by section 109, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.55.050 are each repealed.

NEW SECTION. Sec. 2. This act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, 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."

POINT OF ORDER

Mr. King: "Mr. Speaker, I believe that portion of Representative Flanagan's amendment dealing with section one would be out of order because it is beyond the scope and object of the bill. The bill itself deals with RCW 84.55.010 and this amendment deals with .020, .030, .040 and .050 and goes well beyond the object of the bill by repealing all those statutes."

Mr. Flanagan: "This was prepared by the Speaker's attorney and I assumed it was in order."

MOTION

On motion of Mr. King, further consideration of House Bill No. 130 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 45, by Representatives Flanagan, Hansen, Amen, Oliver and Patterson:

Extending the filing date of liens on crops.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 208, by Representatives Smith, Salatino, Knedlik, Erickson, Nelson (Gary), North, Enbody and Leckenby:

Providing attorneys fees for the prevailing party in contract and lease dispute.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 204, by Representatives Hawkins, Heck, Barnes, Burns, Charnley and Sherman:

Making punchcard voting more efficient and certain.

The bill was read the second time.

On motion of Mr. Hawkins, 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.

Mr. Tilly moved adoption of the following amendment:

On page 3, line 28 strike "primaries and elections, general or special" and insert "((elections, general-or-special)) primary, special or general"

Mr. Tilly spoke in favor of the amendment, and Representatives Hawkins and Charnley spoke against it.

Mr. Tilly spoke again in favor of the amendment.

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

On line 3 of the amendment after "general" insert "elections"

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

The amendment to the amendment was not adopted, and the amendment was also not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 21, line 6 strike "((election))" and insert "election"

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

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 25, line 11 after "primary" insert "election"

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

The amendment was not adopted.

The Clerk read the following amendment by Mr. Tilly:
On page 25, line 31 strike "primary or"

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

Mr. Tilly moved adoption of the following amendments:

On page 6, line 19 after "be" strike "first"

On page 6, line 20 beginning with "in which" strike all material down to and including "precincts" on line 39 and insert "determined by lot. The canvassing board of each county, or its designated representatives, shall conduct a drawing by a lot at a predesignated location to determine each candidate's position on the primary ballot. The drawing shall be held within three working days after the last day that the secretary of state may certify the names of candidates to the county auditor pursuant to RCW 29.27.020. Each candidate, or each candidate's designated representative, may be present at the drawing. The position drawn shall be the only official position in which a candidate's name may be printed on the primary ballot for an office"

On page 7, line 5 beginning with "substantially" strike all material down to and including "filed" on line 8, and insert "identical to the official ballot pages to be used in the primary"

On page 10, line 36 after "be" strike "first"

On page 10, line 37 beginning with "in which" strike all material down to and including "precincts" on line 14 of page 11, and insert "determined by lot. The canvassing board of each county, or its designated representatives, shall conduct a drawing by lot at a predesignated location to determine each candidate's position on the primary ballot. The drawing shall be held within three working days after the last day that the secretary of state may certify the names of candidates to the county auditor pursuant to RCW 29.27.020. Each candidate, or each candidate's designated representative, may be present at the drawing. The position drawn shall be the only official position in which a candidate's name may be printed on the primary ballot for an office"

Mr. Tilly spoke in favor of the amendments, and Representatives Hawkins, Nelson (Dick) and Hurley (George) spoke against them.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 204 was deferred, and the bill, along with the balance of the bills on the second reading calendar, was ordered placed on the calendar of the next working day.

MOTION

On motion of Mr. King, the House adjourned until 10:45 a.m., Wednesday, February 16, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 16, 1977.

The House was called to order at 10:45 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond and Fischer, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joanne Jewell and David Nord. Prayer was offered by Reverend George Mitchell of the First Christian Church of Olympia.

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

MESSAGE FROM THE SENATE

February 15, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2067,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2019,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2129,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 797, by Representatives Charette, Vrooman, Knowles, Smith and Enbody:

AN ACT Relating to habitual traffic offenders; amending section 11, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.090; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 798, by Representative O'Brien:

AN ACT Relating to freedom from discrimination in commerce; and amending section 2, chapter 183, Laws of 1949 as last amended by section 1, chapter 32, Laws of 1974 ex. sess. and RCW 49.60.030.

To Committee on Commerce

HOUSE BILL NO. 799, by Representatives Struthers, Tilly, Shinoda, Owen, Greengo, Taller, Fuller, Oliver, Haley, Schmitten, Hanna, Sanders and Paris:

AN ACT Relating to education; requiring all public high schools to give instruction to all students on the essentials and benefits of the free enterprise system; prescribing certain duties of the state board of education, the superintendent of public instruction and the boards of directors of each school district in the state; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW.

To Committee on Education

HOUSE BILL NO. 800, by Representatives Gruger, Kreidler, Whiteside, Adams, Fortson, May, Pearsall and Lux:

AN ACT Relating to general assistance; and adding a new section to chapter 26, Laws of 1959 and to chapter 74.04 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 801, by Representatives Kreidler and Pruitt:

AN ACT Relating to state government; and adding new sections to chapter 43.20 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 802, by Representative O'Brien:

AN ACT Relating to business regulations; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

To Committee on Commerce

HOUSE BILL NO. 803, by Representatives Gruger, Kreidler, Adams and Lux:

AN ACT Relating to vocational rehabilitation; and amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 15, Laws of 1972 ex. sess. and RCW 28A.10.080.

To Committee on Social and Health Services

HOUSE BILL NO. 804, by Representatives Whiteside, Clemente, Dunlap, Heck, Bauer, Boldt, McKibbin, Barnes, Schmitt, Gilleland, Craswell, Sanders, Paris and Taller:

AN ACT Relating to education; and amending section 2, chapter 10, Laws of 1972 ex. sess. as amended by section 1, chapter 51, Laws of 1973 and RCW 28A.27.010.

To Committee on Education

HOUSE BILL NO. 805, by Representatives Kreidler, Gruger, Whiteside, Craswell, Schmitt, Lux, Adams, Pearsall, Fortson, Keller, Wilson, North, Barr and Nelson (Gary):

AN ACT Relating to medical care; and adding a new section to chapter 74.09 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 806, by Representatives Nelson (Dick), Kreidler, Adams and Lux:

AN ACT Relating to political parties; and amending section 29.42.010, chapter 9, Laws of 1965 and RCW 29.42.010.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 807, by Representatives Nelson (Dick), Adams, Kreidler, Gruger and Pearsall:

AN ACT Relating to elections; amending section 29.48.005, chapter 9, Laws of 1965 and RCW 29.48.005; and adding a new section to chapter 29.04 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 808, by Representatives Adams, Pearsall, Kreidler, Nelson (Dick) and Salatino:

AN ACT Relating to state government; and adding a new chapter to Title 43 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 809, by Representatives Hanna, Gallagher, Grimm, Haley and Grier:

AN ACT Relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education

HOUSE BILL NO. 810, by Representatives Hawkins, Erickson, King, Smith, Sommers, Douthwaite, Sherman, Barnes, Nelson (Dick) and Lux:

AN ACT Relating to elections and election campaigns for state executive and legislative office; establishing limitations upon contributions and expenditures; making provision for partial public funding of campaign costs; limiting utilization of mass mailings; adding a new chapter to Title 42 RCW; and prescribing penalties.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 811, by Representatives Haley, Adams, Gruger, Valle, Erickson, Winsley, Hurlley (George), Lee, Fuller, Bauer, Charnley, Whiteside, Newhouse, Barr, Clayton, Taller, Hanna, Oliver, Pearsall, Lux and Salatino:

AN ACT Relating to the common schools; creating new sections; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 812, by Representatives Adams, Pearsall, Pruitt, Lux, Fortson, Schmitt, Gruger and Salatino:

AN ACT Relating to discrimination; amending section 3, chapter 183, Laws of 1949 as last amended by section 4, chapter 141, Laws of 1973 and RCW 49.60.040; amending section 1, chapter 68, Laws of 1959 as amended by section 9, chapter 141, Laws of 1973 and RCW 49.60.175; amending section 5, chapter 141, Laws of 1973 and RCW 49.60.176; amending section 6, chapter 141, Laws of 1973 as amended by section 2, chapter 32, Laws of 1974 ex. sess. and RCW 49.60.178; amending section 14, chapter 37, Laws of 1957 and RCW 49.60.215; amending section 4, chapter 167, Laws of 1969 ex. sess. as last amended by section 1, chapter 145, Laws of 1975 1st ex. sess. and RCW 49.60.222; amending section 5, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.223; amending section 6, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.224; and amending section 7, chapter 167, Laws of 1969 ex. sess. as amended by section 14, chapter 141, Laws of 1973 and RCW 49.60.225.

To Committee on Labor

HOUSE BILL NO. 813, by Representatives Sherman and North:

AN ACT Relating to public transportation; amending section 8, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.273; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 814, by Representatives King and Haley:

AN ACT Relating to public health; amending section 1, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.010; amending section 8, chapter 183, Laws of 1945 as last amended by section 10, chapter 85, Laws of 1971 ex. sess. and RCW 70.46.080; amending section 20, chapter 51, Laws of 1967 ex. sess. and RCW 70.46.085; adding new sections to chapter 70.46 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 815, by Representatives Kreidler, Pruitt, Gruger and Adams:

AN ACT Relating to public assistance; amending section 74.08.070, chapter 26, Laws of 1959 as amended by section 1, chapter 172, Laws of 1969 ex. sess. and RCW 74.08.070; and amending section 20, chapter 164, Laws of 1971 ex. sess. as amended by section 18, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.200.

To Committee on Social and Health Services

HOUSE BILL NO. 816, by Representatives Maxie, O'Brien, Lux, Burns, Blair and Douthwaite:

AN ACT Relating to the acquisition and disposition of state highway property; and amending section 1, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.12.280.

To Committee on Transportation

HOUSE BILL NO. 817, by Representatives Tilly, Owen, Greengo, Nelson (Gary), Dunlap, Chandler and Wilson:

AN ACT Relating to revenue and taxation; and amending section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.010.

To Committee on Revenue

HOUSE BILL NO. 818, by Representatives Polk, Shipoch and Chandler:

AN ACT Relating to the University of Washington; and amending section 28B.20.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.130.

To Committee on Higher Education

HOUSE BILL NO. 819, by Representatives Adams, Kreidler, Fortson, Gruger, May, Pearsall and Lux:

AN ACT Relating to child welfare services; and amending section 3, chapter 30, Laws of 1965 as last amended by section 3, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 74.13.020.

To Committee on Social and Health Services

HOUSE BILL NO. 820, by Representatives Adams, Kreidler, Fortson, Gruger, May and Whiteside:

AN ACT Relating to victims of sexual assault; adding a new chapter to Title 70 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 821, by Representatives Fortson, Adams, Pearsall, Pruitt, Lux, Thompson, Kreidler, Burns, Gruger and Salatino:

AN ACT Relating to sidewalks; and amending section 1, chapter 83, Laws of 1973 and RCW 35.68.075.

To Committee on Local Government

HOUSE BILL NO. 822, by Representatives Pearsall, Haley, Adams, Gallagher, Grimm, Vrooman, Walk, Newhouse, Sherman, Salatino, Kreidler, Winsley, Grier, Gruger, Lux, Heck and Erickson:

AN ACT Relating to legend drugs; amending section 1, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.010; and amending section 3, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.030.

To Committee on Social and Health Services

HOUSE BILL NO. 823, by Representative Sommers:

AN ACT Relating to revenue and taxation; and amending section 10, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.065.

To Committee on Revenue

HOUSE BILL NO. 824, by Representatives Smith and Blair:

AN ACT Relating to interest; and amending section 1, chapter 80, Laws of 1899 and RCW 19.52.010.

To Committee on Commerce

HOUSE BILL NO. 825, by Representatives Hansen and Conner:

AN ACT Relating to the county road administration board; amending section 9, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.090; and amending section 10, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.100.

To Committee on Local Government

HOUSE BILL NO. 826, by Representative Shinpoch:

AN ACT Relating to data processing; and amending section 6, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.041.

To Committee on State Government

HOUSE BILL NO. 827, by Representatives Haley and Eng:

AN ACT Relating to hospitals; and adding a new section to chapter 267, Laws of 1955 and to chapter 70.41 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 828, by Representatives King, Enbody, Berentson and Polk:

AN ACT Relating to collection agencies; amending section 3, chapter 253, Laws of 1971 ex. sess. as amended by section 1, chapter 20, Laws of 1973 1st ex. sess. and RCW 19.16.120; amending section 8, chapter 20, Laws of 1973 1st ex. sess. and RCW 19.16.351; amending section 27, chapter 253, Laws of 1971 ex. sess. as amended by section 4, chapter 20, Laws of 1973 1st ex. sess. and RCW 19.16.360; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 829, by Representative Eng:

AN ACT Relating to financial institutions; adding a new chapter to Title 43 RCW; and prescribing penalties.

To Committee on Financial Institutions

HOUSE BILL NO. 830, by Representatives Nelson (Dick) and Hurley (George):

AN ACT Relating to state environmental policy; and making an appropriation.

To Committee on Ecology

HOUSE BILL NO. 831, by Representatives Polk, Douthwaite, Burns and Patterson:

AN ACT Relating to engineers and land surveyors; amending section 1, chapter 283, Laws of 1947 and RCW 18.43.010; amending section 2, chapter 283, Laws of 1947 and RCW 18.43.020; amending section 3, chapter 283, Laws of 1947 as amended by section 37, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.43.030; amending section 1, chapter 297, Laws of 1959 as amended by section 1, chapter 142, Laws of 1961 and RCW 18.43.035; amending section 7, chapter 283, Laws of 1947 and RCW

18.43.040; amending section 8, chapter 283, Laws of 1947 as amended by section 46, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.43.050; amending section 9, chapter 283, Laws of 1947 as amended by section 2, chapter 142, Laws of 1961 and RCW 18.43.060; amending section 10, chapter 283, Laws of 1947 as amended by section 4, chapter 297, Laws of 1959 and RCW 18.43.070; amending and reenacting section 11, chapter 283, Laws of 1947 as last amended by section 1, chapter 23, Laws of 1975 and section 47, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.43.080; amending section 2, chapter 297, Laws of 1959 as amended by section 4, chapter 142, Laws of 1961 and RCW 18.43.105; amending section 14, chapter 283, Laws of 1947 as amended by section 49, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.43.110; amending section 15, chapter 283, Laws of 1947 and RCW 18.43.120; amending section 16, chapter 283, Laws of 1947 as last amended by section 50, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.43.130; amending section 3, chapter 297, Laws of 1959 and RCW 18.43.140; amending section 3, chapter 126, Laws of 1965 ex. sess. and RCW 18.43.150; amending section 19, chapter 283, Laws of 1947 and RCW 18.43.900; adding new sections to chapter 18.43 RCW; repealing section 13, chapter 283, Laws of 1947, section 6, chapter 297, Laws of 1959, section 48, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.43.100; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 832, by Representatives Sommers and Warnke:

AN ACT Relating to state government; amending section 3, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.030; creating new sections; repealing section 4, chapter 208, Laws of 1973 1st ex. sess., section 43, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.73.040; repealing section 5, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.050; repealing section 43.38.010, chapter 8, Laws of 1965, section 113, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.38.010; repealing section 43.38.020, chapter 8, Laws of 1965 and RCW 43.38.020; repealing section 43.38.030, chapter 8, Laws of 1965 and RCW 43.38.030; repealing section 43.38.040, chapter 8, Laws of 1965, section 24, chapter 278, Laws of 1975 1st ex. sess. and RCW 43.38.040; repealing section 43.38.050, chapter 8, Laws of 1965 and RCW 43.38.050; and repealing section 43.51.520, chapter 8, Laws of 1965, section 2, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.520.

To Committee on State Government

HOUSE JOINT MEMORIAL NO. 10, by Representatives Lux, Shipoch, Nelson (Dick), Kreidler, Burns, Pruitt, Maxie, Adams, Sherman, Eng, Fortson, Hurley (George), Douthwaite, Conner, Williams, Charnley, May, Gallagher, Valle and Lysen:

Requesting passage of the Kennedy-Corman Health Security Act.

To Committee on Social and Health Services

ENGROSSED SUBSTITUTE SENATE BILL NO. 2019, by Committee on Local Government (Originally sponsored by Senator Rasmussen):

Changing the requirements for legal publications.

To Committee on Local Government

SENATE BILL NO. 2067, by Senators Woody, Clarke, Donohue, Odegaard, Scott, Bausch and Gould (by Legislative Budget Committee request to implement performance audit recommendations):

Supplementing law relating to traffic safety education courses.

To Committee on Education

ENGROSSED SUBSTITUTE SENATE BILL NO. 2129, by Committee on State Government (Originally sponsored by Senators Walgren, Clarke, Rasmussen and Wilson):

Requiring a statement of purpose and other information to accompany agency rules.

To Committee on State Government

JOINT SESSION

The Sergeants at Arms of the House and the Senate announced the arrival of the Senate at the bar of the House.

The Speaker requested the Sergeant at Arms of the House and the Sergeant at Arms of the Senate to escort President of the Senate, John Cherberg, President Pro Tem Al Henry and Vice President Pro Tem James Keefe to seats on the rostrum.

The Speaker invited the members of the Senate to seats within the House Chamber.

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

The Secretary of the Senate called the roll of the Senate and all members were present except Senators Newschwander and Odegaard, who were excused.

The Clerk called the roll of the House and all members were present except Representatives Bond and Fischer, who were excused.

The President appointed Representatives Paris, Warnke and Lysen and Senators Sandison, Pullen and Rasmussen as a special committee to advise Governor Dixy Lee Ray that the Joint Session was assembled and to escort her to the bar of the House.

The President appointed Representatives Knedlik, Grier, Schmitt and Fuller and Senators Woody, Scott, Marsh and Hayner to escort the Supreme Court Justices from the State Reception Room to seats at the front of the House Chamber.

The President appointed Representatives Bauer and Becker, and Senators Wojahn and North to escort the state elected officials from the State Reception Room to seats at the front of the House Chamber.

The Sergeants at Arms of the House and the Senate announced the arrival at the bar of the House of Governor Dixy Lee Ray, and the President requested the committee to escort her to the rostrum.

The President: "Honored members of the Senate and House, ladies and gentlemen, this is a Joint Session to receive a message from Her Excellency, the Honorable Dixy Lee Ray, Governor of the State of Washington."

GOVERNOR'S ENERGY ADDRESS

Governor Ray: "Mr. President, Mr. Speaker, honored members of the Judiciary, Senators, Representatives and my fellow citizens: The fact that a serious energy problem exists both in our nation, our state and on local levels is now obvious to everyone. The situation is far from simple. With eighty percent of our electricity hydrogenerated, our problems have been compounded by an unusually dry fall and winter. Given the extraordinary situation, we must take extraordinary measures. It is the policy of this administration to take every reasonable governmental action to insure that an adequate supply of energy is available at reasonable costs.

"The programs required to implement this policy are both short-term and long-term. Short-term programs include conservation and curtailment. Long-term programs also involve conservation, but additionally they involve improved uses of our present energy and development of new sources.

"Please note at this point the distinction I make between conservation and curtailment. Good conservation means living just as comfortably but using less energy because of higher efficiency. Insulation of homes and buildings is a prime example of a good conservation measure.

"Curtailment, on the other hand, involves some hardships or sacrifice on the part of certain sectors of our population to reduce the amount of energy used and, therefore, make our available energy supply go farther while still maintaining overall public health and safety.

"In general, conservation is preferable to curtailment, since the advantages gained by conservation are relatively long term, can create jobs, slow the growth of dependence on uncertain or unpredictable energy sources (such as weather and oil exporting countries), slow the rate of increase in energy prices, lower personal energy costs, and free up energy to be used by interruptible industrial customers.

"Curtailment is only a short term solution. Too often it results in the loss of jobs—as for example, right now in the aluminum industry—while not permanently freeing up more energy for industry, much less for economic growth. But in special circumstances, like the ones we face today, curtailment is necessary.

"With reference to the situation here in the Pacific Northwest, Secretary of the Interior Cecil D. Andrus has stressed: 'This is not another energy shortage. It is definitely a water shortage. By saving hydroelectric power, we can save water, which is vitally needed for irrigation of cropland, for orchards and vineyards which produce a significant portion of this nation's fruit, for municipal and industrial use in many cities, and for the stream flow necessary to perpetuate the anadromous fishery resource.'

"Recognizing then the precise nature and extent of our problem, what sort of executive action has been taken? As of last Friday, we issued a statement calling upon the utilities to intensify their conservation programs and to institute programs to inform their customers better of conservation measures that can be taken by all individuals, by organizations, by business, and by industry. I also asked the utilities to monitor these programs, setting specific goals, to

keep a current file of progress, and to report to me. We also made a general appeal for all citizens of the state to engage in conscious, deliberate, individual efforts to conserve energy and water.

"Second, we have appointed an ad hoc executive committee on water emergency. This represents a number of departments of the executive branch, including Agriculture, Fisheries, Ecology, General Administration, and Department of Social and Health Services. We will also ask for participation from Natural Resources. The committee will meet for the first time tomorrow; it has been directed to develop an overall state program for water management and water resource development to keep an accounting of the current status of water supplies. The committee will provide for liaison with various federal entities and will provide for private citizen input. In addition, the committee's activities will be coordinated with programs in the neighboring states of Oregon, Idaho and Montana.

"Yesterday, February 15th, I was invited by Secretary of the Interior Andrus to attend a special regional governors' meeting in Denver this coming Sunday. Governors from the west, the southwest, and the midwest have been invited to discuss various federal remedies for the current drought situation. I hope to seek all possible avenues of relief available from the federal government.

"In addition, I look forward to the cooperative program of working with my fellow governors in our region. Yesterday I issued an executive order binding on all state employees. It laid out requirements based on recommendations from the Director of the Department of General Administration which will substantially reduce energy consumption in the State Capitol buildings. This is just a first step. I have also requested that similar studies be done on all of our public state institutions of higher learning, at all office buildings owned and leased by the state government, and all government buildings throughout the State of Washington so that similar conservation measures may be proposed and put into effect in them.

"For the Capitol campus alone, the savings indicated by the procedures already set in motion will amount to about five thousand dollars a month. This represents a 5.54% savings in lighting and use of electricity, and it involves a 256,955 kilowatt-hour reduction and a 6% reduction in heating, including utilization of the mechanical and ventilating equipment.

"I expect that similar savings in both heating and electrical use can be made across the state. An example of action taken by other departments in the executive branch is that of the Department of Fisheries, which continues to study the possibility of reducing fishway flows on the Columbia and Snake Rivers. This will be undertaken in joint action with similar departments in the states of Idaho and Oregon. It will also be coordinated with federal programs. We will continue to monitor programs of fisheries activities in all of these areas so as to minimize any possible effect upon the fisheries resource, while maximizing the savings of water.

"Moreover, the Department of Social and Health Services has already initiated a study examining the communities, cities, towns and localities around the state which either suffer from some imminent shortage in their potable water supplies or face shortages in the coming spring and summer.

"Additionally, we are examining the situation with respect to lighting of our interstate highways, and may ask for reductions back to the 1973 levels. I am asking the Washington State Patrol to enforce vigorously the 55 mile per hour speed limit. We are reexamining the situation concerning use of state automobiles and the motor pool and are urging carpooling under all possible circumstances. We may reinstitute the shuttle bus program which operated for a short time during the 1973 electricity emergency.

"I have asked the Adjutant General of the Washington State National Guard to survey the availability of water tank trucks that could become available to move water supplies in the case of a crisis in drought-stricken areas. He will report to me on the cost involved, the availability of such equipment, and the nature of support the Guard may be able to provide. This is one aspect of the water shortage that so far has not received much public attention. Ground water sources in some areas are receding, shallow wells are drying up, streams are at very low levels of flow, and the water resources for many cities and towns are now imperiled. We must work with cities that face water shortages.

"A report from the Department of Social and Health Services indicates that Bremerton, Sequim, Camas, Goldendale, and Long Beach are among cities facing critical water shortages for domestic, as well as commercial, use in the approaching months. Other cities will face similar problems soon if the drought is not broken. All of these activities will be coordinated by our Department of Emergency Services.

"At the same time we will continue to appeal to all citizens throughout the state to intensify their efforts in voluntary curtailment and reduction in the use of electrical energy. I must

refer once again to the fact that 80% of our electrical energy comes from water sources and, therefore, all savings of electricity will have a ripple effect in saving water. It is the drought that is the basis of our current problem.

"In addition to the actions taken by the executive branch, we recognize full well our responsibility in working with the legislative branch and the many actions that are called for, both to encourage voluntary conservation measures at present and to have the authority available for possible mandatory measures later. We have requested a number of pieces of legislation. I am asking emergency powers in order to solve some of the problems that may intensify if the drought continues. We must work together and we must be able to act quickly. Included in the emergency power bill is a request to reexamine the Energy Technical Advisory Council and perhaps make it statutory so it can be available to provide technical advice and oversights on all energy measures.

"I have also requested legislation to upgrade the state's Energy Office, which has been seriously hampered by statutory and budgetary insufficiencies resulting from selective vetoes in the past. The Energy Facility Siting Evaluation Council also needs upgrading legislation. This vital body needs to have the additional statutory clarification regarding its procedures and funding methods, and these are in the legislation I have requested.

"Legislation which may become useful or necessary—not requested at the moment, but something for us both to be thinking about—will refer to areas of the state hardest hit by the drought. The most critical area is the Yakima Valley. The situation indicates that the growers, the orchards, the farmers in that area may receive no more than about six percent of their annual amount of water. This would be catastrophic, and, in fact, would result in the death of many of the trees in that important orchard area.

"The one bright spot in an otherwise rather widely dismal picture with respect to water is the Columbia River. Because of the very wet summer of 1976 and a good snowpack farther north in the Canadian Cascades, the flow of the Columbia is nearly normal at present and therefore is providing us with a reservoir from which we may be able to draw in this emergency situation.

"Most of you are well informed about various irrigation and engineering projects developed in the past and studies of the feasibility of moving water out of the Columbia and into other regions. Now we should take a critical look at some of these plans. Consider, for example, the plan proposed for the Roza irrigation district, which services a large part of the Yakima Valley. It could be put into effect quickly. Water could be moved perhaps by making use of existing pumps at the Hanford Reservation—pumps at the reactor site not now being used. We could make use of surplus pipe from the Alyeska project, which could be acquired quickly. We could lay the pipe then from the Columbia across Union Gap, and then into the Yakima area. It might be done quickly and by June. It would remove only about one percent of the Columbia River flow, and it would get water into the Yakima Valley.

"If this were to be done it would make a tremendous difference to the growers of that region and perhaps save an enormous part of our fruit industry. If water does not come, the apple, the soft fruit trees will die, and it would take seven to ten years to put those orchards back into production. The cost will be high if that project and several others proposed were to be undertaken as emergency measures to relieve the drought. The total cost could go as high as \$50 million, but it would be insignificant compared to the enormous economic impact that could result from the loss of those food crops. The farmers in the region are willing to help pay a fair share of the cost through higher irrigation assessments, but they need our help. They will need long term loans and perhaps even some grants.

"I know the Legislature and the people of this state are not willing to turn their backs on the drought stricken area and the men and women who have spent a lifetime putting food on our tables. I urge the Legislature to consider these projects seriously. The engineering has already been done. They will make it possible to move water into the central part of our state for the next few months.

"Another proposal under discussion is the possibility of increasing water supplies in drought areas by cloud seeding. We will explore the possibility of such a program, but it should be recognized that seeding projects bring many uncertainties and not a few dangers. In the first place, making rain by cloud seeding or causing snow to fall in the higher elevations, is a little bit like making duck soup. First you must catch the duck. In the case of cloud seeding, you must first have the clouds. That has been a problem so far in the drought—no clouds. Furthermore, once you have clouds, they must be of the right kind and they must be seeded at the right time. It is not a simple process. The results of previous experiments cast doubts on the efficacies of the procedures. Under the very best circumstances the best that has been obtained

by these methods under the most favorable circumstances is an increase of ten or fifteen percent over expected rainfall.

"Even so, such a drastic long shot emergency measure may be reasonable to undertake. I would caution that serious consideration also be given to the real problems of environmental impact. Whereas we may set aside our state requirements for environmental impact statements, we must ask whether we can similarly set aside the national requirements. We also must look into the very real possibility of liability and lawsuits. Even the discussion of cloud seeding has brought us warnings from Idaho and Montana that we might be subject to lawsuit.

"In another area, I note with satisfaction that H.B. 98 establishing heat loss standards for new construction in private dwellings, passed the House unanimously last Friday. I hope the Senate will give immediate attention to this bill and that it will soon become law. Further, I hope a way can be found to adopt similar statutory requirements or standards regarding insulation, lighting, and so on to cover commercial construction. This may require some legislative action that may be difficult to take, but if we succeed it will put us in conformity with requirements from the Federal Energy Administration and in line for assistance from federal sources.

"Generally speaking, I believe, as I am sure all of you do, that incentives are better than orders. Thus, I pledge to work with you in developing appropriate incentives for homeowners and for business and industry to increase their energy efficiency. Favorable tax treatment can sometimes make the difference in whether people invest in efficiency improving measures. We must be certain, however, that such measures as tax incentives, while beneficial to the state, do not seriously jeopardize our tax revenues and thus undermine the very programs they fund. I will leave that problem for you to resolve.

"Turning again to the question of hydroelectric generation, let us look at the possibilities of pumped storage. For years we have considered hydroelectric power as the never ending source of energy for our state. In doing so, we have overlooked the kind of savings that would result from pumped storage after the water has worked to generate electricity. It could be pumped back up into the higher elevation and reserved for future use, for generation of electricity, for irrigation, and, of course, for recreational use, too. We can no longer afford to ignore the possibilities of pumped storage. The drought and our growing reliance on thermal power plants make pumped storage a necessity. I urge that both private and public utilities move ahead on plans to provide the capability and as many locations as possible.

"Hindsight often provides great wisdom. We look now at the plan, once developed but turned down, of the Chelan County Public Utility District. If that plan were in operation today, the pumped storage that would have been available could have provided peak-period electrical generation equivalent to that generated by the Grand Coulee Dam before the third powerhouse was put into operation.

"We also note with interest that investor-owned utilities have undertaken through their own initiative, a program of assisting homeowners to insulate their private dwellings and to bill them on a monthly basis so as to reduce the necessity for large capital output. I would encourage you to examine whether the Legislature might take steps to make it possible for public utility districts to do the same thing. I realize that this type of action might require a constitutional amendment, but it is a possibility well worth examining.

"In all of these actions, the Legislature must have a continuing and ongoing interest. I understand that bipartisan support exists for the creation of a special legislative oversight committee to coordinate both House and Senate activities in dealing with the current water shortage and to provide for a more constant daily interaction between the executive and the legislative branches. I would hope that you would look favorably on the creation of such a special oversight committee. We would pledge to work closely with it.

"Let us turn now to the long term problems and take a look at the future. We must work together. We are privileged to have one of our own Senators occupying a position of such importance in the Senate of the United States as Chairman of the Energy and Natural Resources Committee. We have pledged to work closely with Senator Jackson in this regard. His new position and his vast experience in the field of energy will be well utilized by this administration, and it will be extremely helpful to all the citizens of our state.

"As we look into the future, conservation is, and must be, a continuing way of life. I encourage all citizens adopting conservation measures in excess of anything we have so far done to look upon them as permanent. We want to emphasize again such measures as weather stripping, insulation, and adopting standards of efficiency in heating and lighting for all new construction. We should encourage the research that is going on with fuel-saving appliances and seek increased efficiency in all types of structures we use in our technological society, from

automobiles to household appliances. We should look to state purchasing procedures and make sure we stress the importance of finding the most energy efficient equipment.

"The state's purchasing powers are great; they can have a considerable influence on the development of better energy saving pieces of equipment by providing an assured market. We would hope that through such actions and through encouragement we would soon see the emergence of many more energy efficient machines, including, we trust, even the development of a lightweight electric car that would have a high density, long lasting storage battery.

"Conservation is essential. We must practice it, but we must hope also that curtailment, such as we face right now, will be necessary only in the short term, because we need to use energy to keep our economy strong. Energy underlies all economic activities. It is energy that makes the world go 'round. Energy turns the wheels of industry as well as the wheels of transportation. Energy is required for the growing and the processing of all foods. It is required for the manufacture and distribution of all goods. It is required in all commercial, in all civic, in all domestic activities. Energy underlies the possibility of jobs, and we must face a growing economy, a growing opportunity for jobs in this state lest we ask all of our young people to move someplace else to find employment.

"We must have a strong economy. In order to maintain it, we must use our energy resources, but we must use them wisely and well. As we face the need for increasing jobs and improving the economy, we must look to the development of additional energy sources in the future.

"Energy means fuel, as well as electricity. How do we stand in this situation in Washington State today? Let us look at our fuels. First, natural gas. We are fortunate. Our present situation and our outlook for the future in natural gas is good. Even though we do not have endemic sources of natural gas in this state, our natural gas companies have enough on hand and in secure storage to meet new home construction needs. There is provided a substantial summer storage capability for winter use. Our natural gas companies have firm contracts with Canadian supplies lasting until 1989.

"Because of our favorable situation with respect to natural gas, it was possible in this state—without asking citizens to lower their domestic use of natural gas and only by asking interruptible customers to shift to their alternate fuels—to provide natural gas out of storage that could be put into the pipeline and pumped east to help relieve the natural gas shortage in the eastern part of our country. Gas from this state helped to supply enough heat for about 70,000 to 80,000 homes during the worst of the cold weather last month. But favorable as our natural gas supply situation is in this state, we must not waste it.

"With regard to petroleum, we begin to look at a fuel which seems now to be embroiled not just in heat, but in emotion. While it is possible to speak rather rationally about natural gas, it is difficult to mention the word 'petroleum' without raising a considerable amount of emotion. Petroleum is the lifeblood of our economy. Our number one priority is to be assured that crude oil supplies continue to get to our refineries.

"We are fortunate in the State of Washington that since 1950 we have had refineries that have provided all citizens of our state with oil products without long transportation lines and at a reasonable and competitive cost. If we did not refine oil in our state, we would have to import all our oil products—gasoline, fuel oil, diesel, and all of the other many, many petroleum products upon which our economy is based. The transportation of refined products carries with it risks far beyond the risks of the transportation of crude oil. Moreover, the only way to bring into this state the large amounts of gasoline and refined products we would need if our refineries were not operating, would be by ship, and if there were to be an accident and a spill—remember that the spilling of refined oil would cause far more ecological damage than the spilling of crude oil. None is good, but we must look at the whole picture.

"Our number one priority must be to assure that our own state refineries continue to receive their crude oil and the refined products then reach our state residents. Most of our crude oil in recent years came by pipeline from Canada, but this supply is no longer available. Consequently, our refineries can be supplied only by ship. They have been receiving tankers since 1950. It is clear that now and in the future tanker traffic will need to increase.

"Bringing crude oil in to refineries by ship raises the question of how it can best be done. First let me say that this administration supports strongly the measures discussed recently by Senator Magnuson and Transportation Secretary Brock Adams for bringing about new rules and procedures and regulations to assure increased tanker safety. They would increase the safety measures which are built into the ships, strengthen regulations under which they operate, improve the training of the crews, improve navigation standards and the navigation aides, allow for very much better traffic controls, upgrade the Coast Guard and provide it with the

resources and the appropriations for its enlarged responsibilities. If we do all of these things, it is my conviction that we can tolerate increased ship tanker traffic on our waters while minimizing the risk of accidents.

"While it is in one interest to get crude oil to our own refineries, we must also remember that Washington is not a state unto itself. Just as our citizens responded and our private companies and our government responded to sending natural gas to our states lying to the east of us, we must also seriously examine whether we have some responsibilities to the rest of the country in assisting to transship Alaskan crude oil from the west to the midwest and the east. In assuring that our own refineries receive crude oil, in trying to do everything we can to relieve the dependence of our nation on foreign sources of oil, we should bend all our energies to getting the Alaskan crude to our refineries. We should seek to make it possible for those refineries not now capable of using Alaska crude, to do so in the future. Not only is that sensible with respect to assuring an independent oil supply; it has a secondary effect that is beneficial, inasmuch as Alaska is part of the United States. It means that the movement of oil out of Alaska into this state will be covered by the Jones Act, and that means that the oil will be in American vessels built in American shipyards, flying the American flag and operating to American standards that will make it easier to be sure we control and reduce risks to the minimum. Once oil reaches our shores the question is: How do we get it to the refineries and how do we get it to the east, if that is to be an important part of our function? A number of plans have been proposed. One which has been discussed extensively would offload oil at Port Angeles, then continue to pump it into a storage area about ten miles south, thence into a pipeline which would be constructed around the entire Puget Sound going up the eastside and finally eastward across country to the Middle West.

"While there seems to be some considerable support for an offloading facility at Port Angeles, the questions with respect to the storage area and the pipeline around Puget Sound have not been publicly discussed as yet with all the attendant questions that need to be examined concerning the environmental impact of such a pipeline. Where will be the right-of-way? What happens with all of the rivers and streams the pipeline must cross? Will it be above them or underneath? In addition, the pipeline has to be heated to an average of 40° in order to carry the thick Alaskan crude and make it flow. Where do we build the pumping stations and heating stations? What about the various watersheds, particularly the extensive watershed for the potable water for Tacoma and Pierce County, Seattle and King County, that the pipeline would have to cross?

"As we look upon these things, we must recognize that important as our technology is and as important as it is to use the very best technology available, it is never perfect. In the year 1975, 76% of all oil spills came from pipelines. So we have to think very, very seriously about where pipelines go and what the environmental impact may be.

"We should also examine the economics. Construction of such an enormous pipeline around the entire Puget Sound Basin would not only be costly, but time consuming, and time is getting short. Petroleum supplies must come from Alaska and must get to refineries. If the pipeline around Puget Sound were to supply only our own refineries, the cost would be enormous, and the cost of the refined products would probably be beyond our ability to support.

"It is worthwhile to reexamine our attitudes with respect to tanker traffic; to look soberly and objectively at what can be done with vessel traffic control systems, improved tanker construction and operation, and to recall that even though we do not accept large tankers in the inland waters of Puget Sound at the present time, Canada does. Large tankers carrying oil move up Haro Strait past the San Juan Islands into refineries north of Vancouver. It is also possible, with a good vessel traffic control system, to have one-way traffic, moving tankers loaded with oil, as they are now going to Canadian refineries, northward up Haro Strait and returning if they visit our refineries at Ferndale and Cherry Point, returning in ballast with a water cargo down through Rosario Strait.

"There are many things that could be examined unemotionally and looked at as to the possibilities of the much more economical means of moving the oil directly to where the refineries are. Were that to be done, the economics, as well as the environmental impact of utilizing an existing pipeline which stretches eastward from Cherry Point, may have some real attraction. The existing pipeline has brought oil from Canada to the Canadian and American refineries in our state. The oil has flowed from east to west. The pipeline is there, and with the simple expedient—yes, some cost is involved—of rebuilding the pumping stations with reversible pumps, the oil could flow in the opposite direction just as readily. The economics and the ease of utilizing an existing pipeline could make it possible to receive and transmit oil years earlier and at far less cost than any of the other alternatives now being discussed. It is quite

possible—and discussions have been going on recently involving the Trans-Mountain Pipeline Company which owns the right-of-way and the pipeline—that some east/westward flow of Canadian oil might be continued and that we might add to the pipeline the eastward flow of Alaskan oil. Refineries use a blend of Canadian and Alaskan oil that would reduce the amount of refitting needed in the various refineries.

"It is a plan that merits careful examination.

"With respect to tanker traffic, we should also be conscious of the fact that the smaller tankers tend to be the older ones and the ones flying flags of convenience. When we consider tanker traffic, we ought to remember that a smaller number of larger vessels may, in fact, bring better traffic safety than a larger number of smaller vessels.

"Finally, we must never forget that every ship carries oil. World trade, commerce with the rest of the world, is one of the most important parts of our economic well-being. This state, through its ports, moves goods in world trade. All those ships carry oil. A modern cargo vessel carrying bulk cargo such as grain, loading at the Seattle or Tacoma facilities, carries as much oil in its fuel tanks as a 'supertanker' of twenty years ago. In 1950, the largest tankers afloat were the Navy tankers of World War II, and they carry just about as much oil as the modern cargo vessel carrying bulk cargo or container cargo.

"We must use our existing fossil fuel supplies to keep our economy strong while we look to diversifying and developing other fuels and other energy sources. What are our prospects there?

"We have coal in this state. The readily mineable coal is being used to fuel a thermal power plant in Centralia, which produces about 1,400 megawatts of electricity. Unfortunately, most of the other coal supplies are in the Cascades and very expensive to mine, but their very characteristics make them good candidates for the possibility of development of a new technology of underground coal gasification. This technology is in its very early stages of development, but it would be worthwhile for experimental development of some type to take place in some of those seams so we can see whether the underground conversion of coal to more readily usable and cleaner gas might be profitable.

"Already in this state and others, a certain percentage of electricity comes from nuclear power plants. I support the construction of nuclear power generation as another addition to our power source. The people of this state indicated their support of nuclear power in rejecting the initiative that was on the ballot last November by a vote of almost 2 to 1.

"We have had electrical power produced by the N reactor at Hanford for many years. This old workhorse pumps 850 megawatts of electricity into our system. The plants already under construction at Hanford will add another 2,000 megawatts. They have suffered a number of different kinds of delays, and I would hope very much that a recognition of the need for increased capacity for electric power would speed the construction of these plants. All due consideration must be given to the rules and regulations and the safety precautions which are in place and are insisted upon both nationally and in our state.

"With regard to the two other plants, at Satsop and Skagit, plans for which have been approved by the previous administration, I support their construction and trust that they will move ahead on line to begin supplying us with electricity in the next decade. If these things all move ahead, we will have 7,000 additional megawatts of electricity toward the end of the decade of the 1980's. That would be a remarkable advantage we would have over many other states.

"For those who fear nuclear power plants are not reliable, let me call attention to the proof provided in the recent cold spell in the east. The city of Chicago and surrounding areas were hard hit, as hard as any other place, but there was not one single interruption of electrical power save for one day during the entire cold spell when interruptible customers were asked—interruptible only—to cut back on electricity because the last remaining coal plant had broken its conveyor belt. All the coal for the coal-fired plants had frozen and coal supplies were hard to get.

"The Commonwealth Edison Company was unable to operate most of its coal plants, but its seven nuclear power plants (Commonwealth operates more nuclear power plants than any other utility in this country) ran full tilt during the entire cold spell, generating 50% of all the electricity used throughout the Chicago region. They did it all during 1976, too. During 1976 they produced 24 1/2 billion kilowatt hours of electricity. That amounted to money savings of \$200 million to residents. Had those seven nuclear power plants been burning coal, they would have cost \$200 million more in fees. Had they been burning oil, it would have cost their ratepayers \$500 million more for that one year.

"Operating those seven nuclear power plants saved 13.7 million tons of coal and 43 million barrels of oil.

"I support nuclear power as a safe, dependable, additional source of electricity, and I trust that the plans already underway in this state will move ahead. We are fortunate also to have the Trojan plant nearby. Its additional generation of electricity will be of great assistance during this drought condition.

"Overall, in this state, we must recognize that we have to end for all time our nearly total dependence upon petrochemicals as fuels and hydropower as our major source of electricity. We must diversify not only our electrical supply resources but also all of our energy resources. We must not be misled into the simplistic thinking that we can stop using petroleum and use something else instead. No, we will gradually phase down the uses of petroleum, as we phase in other things.

"We must never again in this state, in our nation, in our society, have almost total dependence on any one energy supply. Hence, as a state, we must encourage diversification and, where appropriate, encourage the development of additional energy supplies wherever appropriate for whatever increment they can add.

"There is no way in which we can turn to geothermal energy to serve most of our needs. We should, however, develop geothermal energy in the eastern part of our state in the several different areas where hot water is available within drilling distance of the surface. The hot water is about 120° to 150° degrees in temperature—that's just right, not for making electricity, but for use by the food processing industry. We must learn to make use of windmills where appropriate. Windmills don't generate electricity very well, but they are awfully good at pumping water. I spoke earlier of pump storage, it could be done, since it doesn't have to be done on a continuing basis, but could be done intermittently and could be done by modern, well developed high technology windmills.

"In the Evergreen State we should look more to utilization of our plant materials. We have a forest products industry of high capability. Nevertheless, in our logging industry there are many pieces and bits of trees that go unutilized. We can make use of this material, not only as pellets for additional fuel, but we can examine it for conversion into liquid or gaseous fuels—wood alcohol, for example. We must consider that one organic resource which above all we waste more than any other: Human sewage, sludge. Unpleasant as the subject seems to be, it's a resource waiting to be used for conversion into methane gas or liquid fuels, and we should lend all of the help we can to assist communities install conversion plants to utilize sludge for energy purposes.

"Moreover, important studies are going on. The Battelle Memorial Institute in Richland is looking into the possibility of growing plants for the purpose of converting them into energy. Certain microscopic plants already finely divided could be grown as feedstock into an industrial plant that could convert the material into methane gas or methanol. These studies are all in the very early stages of development, but making use of plant materials in a variety of ways to add to our fuel and energy supplies is a way of diversifying and making use of things not now being used.

"We cannot ignore the possibilities of greater use of solar energy. As a lifelong native daughter of the Puget Sound area, I have always had my doubts about solar energy on a year round basis; however, east of the Cascades we are blessed with sunshine and there we can find many ways to assist in the development of solar heating and solar cooling. We can participate in some of the experimental activities now going on to try to improve the capability of converting the sun's rays into electrical supplies.

"No one thing is going to do the entire job, but every little bit helps and that is how we must plan. In conclusion, the shortage of 1977 is clear. It is, we hope, temporary. Since most of our electricity today is generated by falling water and most of our water comes from snow, we must take extraordinary measures now because our mountains have little snow. But looking into the future the economic impact of the current drought is almost incomprehensible. We should take every measure we can, even with extraordinary engineering projects. We should try to relieve that shortage where the drought is the worst.

"If we do not do these things and if the drought continues without relief, information compiled from our state agencies indicates that by the end of December it could cost us more than \$2.5 billion in agriculture and industrial production losses. It is worth an investment to do all that is humanly within our power to relieve the drought. If we do not, more than 120,000 could lose their jobs from water-related stoppages alone.

"These are only estimates, but they are an indication of the possible impact of our present and critical situation. In the longer view we must work to improve our conservation while we

improve our uses and develop new energy resources. Positive action, both short term and long term, by the executive and legislative branches of this government will be in the best interests of the people of our state and will reduce the human and financial impact of an increasingly critical situation."

The President instructed the special committee to escort Governor Ray from the House Chamber to her office.

The President instructed the escort committee to escort the state elected officials from the House Chamber.

The President instructed the escort committee to escort the Supreme Court Justices from the House Chamber.

MOTION

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

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

The Speaker instructed the Sergeants at Arms of the House and the Senate to escort President John Cherberg, President Pro Tem Al Henry and Vice President James Keefe, and the Senators from the House Chamber.

MOTION

On motion of Mr. King, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The House was called to order at 2:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Bond, who was excused.

REPORTS OF STANDING COMMITTEES

February 16, 1977

HOUSE BILL NO. 54, Prime Sponsor: Representative Ehlers, Authorizing direct billing to the legislature for services provided by the department of general administration. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 16, 1977

HOUSE BILL NO. 82, Prime Sponsor: Representative Boldt, creating a joint legislative committee to review agency rules. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 14, 1977

HOUSE BILL NO. 126, Prime Sponsor: Representative Ehlers, regulating use of political signs and posters. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Grimm.

To Committee on Rules for second reading.

February 14, 1977

HOUSE BILL NO. 291, Prime Sponsor: Representative Clemente, implementing laws relating to student transfers within the common schools. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitt, Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

February 16, 1977

HOUSE BILL NO. 296, Prime Sponsor: Representative Erickson, authorizing exemption from fees in institutions of higher education. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

MESSAGE FROM THE SENATE

February 16, 1977

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 17,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 242, by Representative Hanna:

Deleting minimum requirement for instruction at cosmetology school.

The bill was read the third time and placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 242, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

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

Voting nay: Representative Charette.

Not voting: Representatives Adams, Bond, Grimm, Martinis, Maxie, Moreau, Walk.

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.

ENGROSSED HOUSE BILL NO. 390, by Representatives Berentson, Kilbury and Newhouse:

Fixing the rate of repaying damage to animals caused by dogs.

The bill was read the third time and placed on final passage.

Mr. Berentson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 390, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

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

Not voting: Representatives Adams, Bond, Charnley, Craswell, Grimm, Martinis, Shinpoch, Walk, Warnke.

Engrossed House Bill No. 390, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 204, by Representatives Hawkins, Heck, Barnes, Burns, Charnley and Sherman:

Making punchcard voting more efficient and certain.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 37th Day, February 16, 1977.)

The Speaker stated the question before the House to be the amendments to page 6 by Representative Tilly.

Representatives Tilly and Struthers spoke in favor of the amendments, and Representatives King, Nelson (Dick), Hurley (George) and Barnes spoke against them.

Mr. Tilly closed debate, speaking again in favor of the amendments.

The amendments were not adopted.

Substitute House Bill No. 204 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 323, by Representatives Sommers, Pardini, Eng, Polk, Burns, Deccio, Lux, Douthwaite, Taller, O'Brien and Maxie:

Regulating lending practices of financial institutions.

The bill was read the second time.

On motion of Mr. Eng, Substitute House Bill No. 323 was substituted for House Bill No. 323, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 323 was read the second time.

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

On page 4, line 7 after "greater." insert "The secretary of state shall refer any violation of this subsection to the attorney general for enforcement."

On page 4, line 11 after "misdemeanor" insert "pursuant to RCW 9A.20"

Mr. Smith moved adoption of the following amendment by Representatives Smith and Charnley:

On page 6, line 18 after "origin," insert "marital status,"

Mr. Smith spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Smith, the question of marital status—have you checked that with the Human Rights Commission and can they not enforce any complaints involving the marital status?"

Mr. Smith: "At least once the court has ruled that they cannot use their agency functions to enforce marital status complaints. It has not been ruled on by any Court of Appeals, however. I believe that they are acting to enforce marital status under their own interpretation of their authority, which I think is valid, but there is this question raised by the omission of these words in this one section."

Mr. Pardini spoke against the amendment.

The amendment was adopted.

On motion of Mr. Smith, the following amendment by Representatives Smith and Charnley was adopted:

On page 6, line 33 after "color" strike "or" and insert "((or)) ." and after "origin" insert "or marital status"

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 323 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 46, by Representatives Clemente, Lux and Fischer:

Authorizing adjustments of workmen's compensation payments.

The bill was read the second time.

Mr. Oliver moved adoption of the following amendment by Representatives Oliver and Sanders:

On page 2, line 12 after "in" strike "((RCW 51.32.075)) subsection (3) of this section as now or hereafter amended" and insert "RCW 51.32.075"

Mr. Oliver spoke in favor of the amendment, and Mr. Lux spoke against it.

Ms. Becker demanded an electric roll call, and the demand was sustained.

Representatives Blair, Newhouse and Oliver spoke in favor of the amendment, and Representatives Charette, Pruitt and Clemente spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Oliver and Sanders to House Bill No. 46, and the amendment was not adopted by the following vote: Yeas, 31; nays, 65; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Vrooman, Whiteside, Wilson.

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

Not voting: Representatives Bond, Heck.

Mr. Oliver moved adoption of the following amendment by Representatives Oliver and Sanders:

On page 2, line 23 after "1977." strike all material down to and including "fund." on page 3, line 9.

Mr. Oliver spoke in favor of the amendment.

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

Mr. Lux spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Oliver and Sanders to page 2, line 23 of House Bill No. 46, and the amendment was not adopted by the following vote: Yeas, 24; nays, 70; not voting, 4.

Voting yea: Representatives Amen, Barr, Berentson, Blair, Clayton, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Leckenby, Nelson G. A., Newhouse, Oliver, Pardini, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Whiteside.

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

Not voting: Representatives Bond, Deccio, Patterson, Tilly.

House Bill No. 46 was passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 130, by Representatives Erickson, Clemente, Lux, Chandler, Gaines, Grier, Grimm, Heck, Lee, Sherman and Walk:

Exempting fire districts from the 106 percent property tax limitation.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 37th Day, February 15, 1977.)

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the Point of Order raised by Representative King on the amendment offered by Representative Flanagan.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Speaker rules that House Bill No. 130 is in a very narrow vein which is exempting fire districts from the application of the 106% limit. The amendment by Representative Flanagan places before us a referendum on the ballot to repeal all of the 106% limit law. On the basis of that, it seems to the Speaker that this amendment might well be within the title, but it considerably broadens the subject matter of the bill. Therefore, the Speaker rules that the point of order is well taken and the amendment is out of order."

House Bill No. 130 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 102, by Representatives McKibbin, Nelson (Gary) and Sommers:

Providing for highway permits and property taxes on mobile homes.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 102 was substituted for House Bill No. 102, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 102 was read the second time.

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

On page 2, line 25 add a new subsection as follows:

"(3) A notification under this section shall state the specific, residential destination of the mobile home."

Substitute House Bill No. 102 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 245, by Representative Hanna:

Allowing counties to establish biweekly pay periods.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 26th Day, February 4, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

House Bill No. 245 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 288, by Representatives Hanna, Knowles, Smith and Haley:

Changing certain terms and provisions of the civil commitment law.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 288 was substituted for House Bill No. 288, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 288 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 129, by Representatives Amen, Flanagan, Shinpoch, Tilly, Thompson, Polk, Knedlik, Bond, Clayton, Fuller, Greengo, Lee, Sanders, Taller and Zimmerman (by Legislative Budget Committee request):

Requiring fiscal impact statements on proposed legislation.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 36th Day, February 14, 1977.)

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

House Bill No. 129 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 148, by Representatives Enbody, Thompson and Conner:

Providing for the operation and maintenance of the Puget Island ferry.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 414, by Representatives Tilly and Smith (by Judicial Council request):

Modifying the collection of jury costs.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 29th Day, February 7, 1977.)

On motion of Mr. Knowles, the committee amendments were adopted.

House Bill No. 414 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 413, by Representatives Knedlik, Knowles and Enbody (by Judicial Council request):

Increasing witness fees.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 230, by Representatives North and Lee (by Parks and Recreation Commission request):

Revising the penalty for a winter recreational parking violation.

The bill was read the second time.

The Clerk read the following amendment by Representative Martinis:

Following line 4 insert a new section as follows:

*Section 1. Section 2, chapter 209, Laws of 1975 1st ex. sess. and RCW 43.51.300 are each amended to read as follows:

The fee for the issuance of the special winter recreational area parking permit for each winter season commencing on October 1st of each year shall be five dollars annually (~~(-unless the person making application therefor is also the owner of a snowmobile registered pursuant to chapter 46.10 RCW, in which case there shall be no fee for the issuance of the permit)~~). All special winter recreational parking permits shall expire on the last day of September following the issuance of such permit."

Renumber the original section 1 as "Sec. 2."

POINT OF ORDER

Mr. Flanagan: "Mr. Speaker, I believe this amendment is beyond the scope and object of the bill."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that the decision is going to rest with the body as to whether or not this amendment is consistent or compatible with the original bill. It appears that it is broad enough to include the amendment although it is placing snowmobiles in the same category as other vehicles in recreational parking."

POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, I must protest these unequal rulings on points of order. I'm going to refer you to the ruling you made earlier today on Mr. King's objection to Mr. Flanagan's amendment and the entire amendment was in the same chapter—84.55 RCW. Now with Mr. Martinis' amendment—just because he happens to be a Democrat—you enter into RCW 43.51 when the original bill was RCW 46.61. I think that the Speaker should make rulings equal to both parties."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker: "It's like comparing apples with oranges. The first amendment you were questioning about would change the whole concept and place a referendum basis on material items. In the instant case it doesn't appear to be that material."

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

House Bill No. 230 was passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 323:

The House resumed consideration of the bill on second reading.

Mr. Berentson moved adoption of the following amendment:

On page 6, line 2 add a new section following section 13 as follows:

NEW SECTION. Sec. 14. The supervisor of banking or the supervisor of savings and loans, upon a complaint by a loan applicant, shall have exclusive jurisdiction to determine whether an unfair practice as defined in section 12 of this amendatory act has been engaged in by a financial institution under its jurisdiction.

Renumber the remaining sections consecutively.

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

On line 5 strike "under its jurisdiction" and insert "as defined in section 11 of this amendatory act"

Representatives Pardini and Berentson spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Berentson as amended.

Mr. Berentson spoke in favor of the amendment, and Mr. Eng spoke against it.

POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I would like to know how many complaints have the Supervisor of Banking or the Supervisor of Savings and Loan received in the past biennium and how many times have they ever interceded on behalf of the complainant?"

Mr. Berentson: "I'm told none."

Mr. Douthwaite spoke against the amendment as amended.

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

Representatives Knowles, Hurley (Margaret) and Lee spoke in favor of the amendment, and Representatives Sommers, Burns and Lux spoke against it.

Mr. Berentson closed debate, speaking again in favor of the amendment as amended.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Berentson as amended to Substitute House Bill No. 323, and the amendment was not adopted by the following vote: Yeas, 40; nays, 54; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Grier, Haley, Hansen, Hughes, Hurley M., Keller, Knowles, Leckenby, Lee, Martinis, McCormick, Nelson G. A., Newhouse, Oliver, Paris, Patterson, Polk, Sanders, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Maxie, May, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Not voting: Representatives Bond, Chandler, Schmitt, and Mr. Speaker.

Mr. Deccio moved adoption of the following amendment:

On page 4, line 20 strike "chapter" and insert "act"

Mr. Deccio spoke in favor of the amendment, and Mr. Eng spoke against it.

The amendment was not adopted.

Substitute House Bill No. 323 was ordered engrossed and passed to Committee on Rules for third reading.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 689 was rereferred from Committee on Judiciary to Committee on Social and Health Services.

Mr. Chandler moved that HOUSE BILL NO. 179 be rereferred from Committee on Elections and Governmental Ethics to Committee on Appropriations.

Mr. Chandler spoke in favor of the motion, and Mr. King spoke against it.

Mr. Chandler spoke again in favor of the motion, and the motion was lost.

RESOLUTION

HOUSE RESOLUTION NO. 77-11, by Representatives Burns, Lux, Nelson (Dick), Sherman, Vrooman, Pruitt, Eng, Charnley, Becker and Kilbury:

WHEREAS, The Washington State Utilities and Transportation Commission has heretofore been mandated by the superior court of the State of Washington to restrict the misuse of benefits flowing to utility companies by reason of charitable contributions; and

WHEREAS, The Washington State Utilities and Transportation Commission has disregarded both judicial decision and the precedents of tax law in dealing with the charitable contributions of utility companies by recently allowing substantial benefits to telephone company owners, which benefits are unobtainable by the individual wage earner; and

WHEREAS, Charitable contributions made by utility companies are actually paid by the customers through their utility bills; and

WHEREAS, Customers are the ones who should receive the tax deductions or credits for the money that the companies give as charitable contributions to foster community relations; and

WHEREAS, There is a gross inequity when the Utilities and Transportation Commission permits a utility to claim contributions as a cost of doing business while an individual or other business may take only a standard tax deduction after paying contributions from salary or business income;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Washington State Utilities and Transportation Commission be commended for any other action that it might take to encourage charitable contributions but that it be admonished for its discriminatory treatment in favor of utilities in recently allowing certain utilities to escape both the cost and the tax consequences which would be the responsibility of the stockholders of any other form of company making charitable contributions.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this resolution to each member of the Utilities and Transportation Commission.

MOTION

On motion of Mr. King, House Resolution No. 77-11 was referred to Committee on Energy and Utilities.

MOTION

On motion of Mr. King, the House adjourned until 1:15 p.m., Thursday, February 17, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-NINTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, February 17, 1977.

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Lee, Sanders and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joanne Jewell and Drew Pilant. Prayer was offered by 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.

MESSAGES FROM THE SENATE

February 16, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2064,
ENGROSSED SENATE BILL NO. 2190,
ENGROSSED SENATE BILL NO. 2325,
SENATE BILL NO. 2338,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 16, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 110,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 833, by Representatives Chandler, Thompson, Blair, Pardini, Patterson and Valle:

AN ACT Relating to public broadcasting; adding a new chapter to Title 28A RCW; repealing section 28A.91.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.010; repealing section 28A.91.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.020; repealing section 28A.91.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.030; repealing section 28A.91.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.040; repealing section 28A.91.050, chapter 223, Laws of 1969 ex. sess., section 70, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.91.050; repealing section 28A.91.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.060; making an appropriation; declaring an emergency; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 834, by Representatives Sommers, Shinpoch and Newhouse:

AN ACT Relating to public employment; amending section 4, chapter 80, Laws of 1947 as amended by section 1, chapter 17, Laws of 1975 1st ex. sess. and RCW 41.32.040; amending section 5, chapter 80, Laws of 1947 and RCW 41.32.050; amending section 6, chapter 80, Laws of 1947 as amended by section 89, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.32.060; amending section 3, chapter 274, Laws of 1947 as last amended by section 1, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.030; and amending section 5, chapter 274, Laws of 1947 as amended by section 90, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.40.050.

To Committee on Appropriations

HOUSE BILL NO. 835, by Representative Sommers:

AN ACT Relating to revenue and taxation; amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 8, chapter 123, Laws of 1975-'76 2nd ex. sess. and RCW 84.33.080; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 836, by Representatives Paris, Pruitt, Nelson (Gary), Taller and Zimmerman:

AN ACT Relating to nonpartisan primaries and elections; and adding a new section to chapter 29.21 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 837, by Representatives North, Knedlik, Chandler, Sherman and Fortson:

AN ACT Relating to the preservation of Mt. Si and Little Si; amending section 1, chapter 88, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.940; adding new sections to chapter 43.51 RCW; and repealing section 1, chapter 88, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.940.

To Committee on Parks and Recreation

HOUSE BILL NO. 838, by Representatives Blair and Warnke:

AN ACT Relating to private employment agencies; and amending section 2, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.020.

To Committee on Commerce

HOUSE BILL NO. 839, by Representatives Sommers, Taller, Becker, Berentson, Kilbury, Wilson, Craswell, Douthwaite, Grimm and Hurley (Margaret):

AN ACT Relating to state government; amending section 7, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.755; and prescribing an expiration date.

To Committee on Revenue

HOUSE BILL NO. 840, by Representatives Nelson (Dick) and Fuller:

AN ACT Relating to elections; and amending section 29.18.050, chapter 9, Laws of 1965 and RCW 29.18.050.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 841, by Representatives Nelson (Dick) and Fuller:

AN ACT Relating to elections; and amending section 29.80.050, chapter 9, Laws of 1965 as amended by section 3, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.050.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 842, by Representatives Thompson and Whiteside (by Secretary of State request):

AN ACT Relating to business corporations; amending section 13, chapter 53, Laws of 1965 as amended by section 1, chapter 190, Laws of 1967 and RCW 23A.08.100; amending section 16, chapter 53, Laws of 1965 as amended by section 5, chapter 264, Laws of 1975 1st ex. sess. and RCW 23A.08.130; amending section 51, chapter 53, Laws of 1965 as last amended by section 1, chapter 71, Laws of 1973 and RCW 23A.08.480; amending section 56, chapter 53, Laws of 1965 and RCW 23A.12.030; amending section 63, chapter 53, Laws of 1965 and RCW 23A.16.040; amending section 64, chapter 53, Laws of 1965 as amended by section 4, chapter 190, Laws of 1967 and RCW 23A.16.050; amending section 66, chapter 53, Laws of 1965 as amended by section 5, chapter 190, Laws of 1967 and RCW 23A.16.070; amending section 67, chapter 53, Laws of 1965 and RCW 23A.16.080; amending section 69, chapter 53, Laws of 1965 and RCW 23A.16.100; amending section 70, chapter 53, Laws of 1965 and RCW 23A.16.110; amending section 71, chapter 53, Laws of 1965 and RCW 23A.16.120; amending section 76, chapter 53, Laws of 1965 and RCW 23A.20.040; amending section 77, chapter 53, Laws of 1965 as amended by section 4, chapter 38, Laws of 1971 ex. sess. and RCW 23A.20.050; amending section 84, chapter 53, Laws of 1965 and RCW 23A.28.010; amending section 85, chapter 53, Laws of 1965 and RCW 23A.28.020; amending section 86, chapter 53, Laws of 1965 and RCW 23A.28.030; amending section 87, chapter 53, Laws of 1965 and RCW 23A.28.040; amending section 90, chapter 53, Laws of 1965 and RCW 23A.28.070; amending section 91, chapter 53, Laws of 1965 and RCW 23A.28.080; amending section 92, chapter 53, Laws of 1965 and RCW 23A.28.090; amending section 94, chapter 53, Laws of 1965 and RCW 23A.28.110; amending section 95, chapter 53, Laws of 1965 and RCW 23A.28.120; amending section 137, chapter 53, Laws of 1965 and RCW 23A.40.040; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 843, by Representatives Thompson and Whiteside (by Secretary of State request):

AN ACT Relating to business corporations; amending section 4, chapter 92, Laws of 1969 ex. sess. as last amended by section 1, chapter 36, Laws of 1975 1st ex. sess. and RCW 23A.40.075; adding a new section to chapter 23A.40 RCW; and prescribing an effective date.

To Committee on Commerce

HOUSE BILL NO. 844, by Representatives Amen and Patterson:

AN ACT Relating to libraries; amending section 2, chapter 119, Laws of 1935 as last amended by section 1, chapter 122, Laws of 1965 and RCW 27.12.010; amending section 1, chapter 59, Laws of 1955 as amended by section 3, chapter 42, Laws of 1970 ex. sess. and RCW 27.12.222; and adding new sections to chapter 27.12 RCW.

To Committee on Local Government

HOUSE BILL NO. 845, by Representatives Nelson (Dick), Kreidler, Knedlik and Valle:

AN ACT Relating to polling places; and adding a new section to chapter 29.51 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 846, by Representatives Becker, Knowles, Hanna, Maxie, Chandler and Deccio:

AN ACT Relating to motor vehicles; and amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 2, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.515.

To Committee on Social and Health Services

HOUSE BILL NO. 847, by Representatives Clemente, Winsley, Knowles, Knedlik and Smith:

AN ACT Relating to criminal procedure; and amending section 3, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.030.

To Committee on Judiciary

HOUSE BILL NO. 848, by Representatives Hanna, Adams, Deccio and Haley:

AN ACT Relating to state institutions; amending section 72.33.180, chapter 28, Laws of 1959 as last amended by section 1, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.180; amending section 1, chapter 141, Laws of 1967 and RCW 72.33.650; amending section 2, chapter 141, Laws of 1967 as amended by section 2, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.655; amending section 4, chapter 141, Laws of 1967 as amended by section 3, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.665; amending section 5, chapter 141, Laws of 1967 as amended by section 1, chapter 75, Laws of 1970 ex. sess. and RCW 72.33.670; and amending section 7, chapter 141, Laws of 1967 and RCW 72.33.680.

To Committee on Institutions

HOUSE BILL NO. 849, by Representatives Becker, Vrooman, Berentson and Moreau:

AN ACT Relating to the northern state hospital; and creating a new section.

To Committee on State Government

HOUSE BILL NO. 850, by Representative Nelson (Dick):

AN ACT Relating to political parties; amending section 29.42.020, chapter 9, Laws of 1965 as amended by section 1, chapter 45, Laws of 1972 ex. sess. and RCW 29.42.020; amending section 29.42.030, chapter 9, Laws of 1965 as last amended by section 1, chapter 85, Laws of 1973 and RCW 29.42.030; amending section 29.42.040, chapter 9, Laws of 1965 as amended by section 6, chapter 4, Laws of 1973 and RCW 29.42.040; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 7, chapter 4, Laws of 1973 and RCW 29.42.050; and amending section 1, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.070.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 851, by Representatives Erickson, Clemente, Smith and Kreidler:

AN ACT Relating to health care; and adding new sections to chapter 48.44 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 852, by Representatives Boldt, Berentson, Lysen, Schmitt and Kilbury:

AN ACT Relating to contracts for construction of nuclear projects by operating agencies; adding new sections to chapter 43.52 RCW; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 853, by Representatives Gaines, Douthwaite and Bender:

AN ACT Relating to the liquor board; amending section 64, chapter 62, Laws of 1933 ex. sess. as last amended by section 9, chapter 5, Laws of 1949 and RCW 66.08.014; adding a new section to chapter 66.08 RCW; declaring an emergency; and providing an effective date.

To Committee on Commerce

HOUSE BILL NO. 854, by Representatives Hanna, Adams, Kreidler, Deccio and Haley:

AN ACT Relating to state residential schools; amending section 72.33.240, chapter 28, Laws of 1959 as last amended by section 10, chapter 246, Laws of 1975 1st ex. sess. and RCW 72.33.240; and adding a new section to chapter 72.33 RCW.

To Committee on Institutions

HOUSE BILL NO. 855, by Representatives Hurley (George), Hanna, Pearsall and Heck:

AN ACT Relating to the certification of school personnel; and amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.005.

To Committee on Education

HOUSE BILL NO. 856, by Representatives Nelson (Dick) and Hurley (George):

AN ACT Relating to revenue and taxation; and amending section 28A.45.050, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 135, Laws of 1975 1st ex. sess. and RCW 28A.45.050.

To Committee on Revenue

HOUSE BILL NO. 857, by Representatives Keller, Hanna, Knowles, Pardini, Tilly, Deccio, Monohon, Kreidler and Clayton (by Board of Prison Terms and Paroles request):

AN ACT Relating to the board of prison terms and paroles; amending section 4, chapter 133, Laws of 1955 and RCW 9.95.030; repealing section 1, chapter 158, Laws of 1929 and RCW 9.95.031; and repealing section 2, chapter 158, Laws of 1929 and RCW 9.95.032.

To Committee on Judiciary

HOUSE BILL NO. 858, by Representatives Adams, Newhouse, Burns, Lux, Fischer, Clemente, Douthwaite, Pearsall and Blair:

AN ACT Relating to public health and safety; amending section 2, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.010; amending section 4, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.030; and adding a new section to chapter 70.38 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 859, by Representative Conner:

AN ACT Relating to transportation studies; creating a new section; making an appropriation; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 860, by Representatives Nelson (Dick), Hurley (George) and Hawkins:

AN ACT Relating to disclosure of campaign financing; amending section 6, chapter 1, Laws of 1973 as amended by section 4, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.060; amending section 9, chapter 1, Laws of 1973 as last amended by section 3, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.090; and adding a new section to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 861, by Representatives Nelson (Dick), Williams, Hurley (George) and Valle:

AN ACT Relating to revenue and taxation; amending section 3, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.385; and amending section 30, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38-.050.

To Committee on Revenue

HOUSE BILL NO. 862, by Representatives Heck, Clemente, Bauer, Whiteside, Dunlap, Barnes, Burns, Vrooman, Grimm, McKibbin, Enbody, Warnke, Boldt and Kreidler:

AN ACT Relating to education; setting forth "The Basic Program of Education Financial Equalization Act of 1977"; amending section 2, chapter 46, Laws of 1973 as last amended by section 1, chapter 211, Laws of 1975 1st ex. sess. and RCW 28A.41.130; amending section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145; amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 60, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.41.160; amending section 28A.44.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.040; amending section 28A.45.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.040; amending section 2, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 56, Laws of 1974 ex. sess. and RCW 28A.47.801; amending section 3, chapter 244, Laws of 1969 ex. sess. as amended by section 2, chapter 56, Laws of 1974 ex. sess. and RCW 28A.47.802; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapters 28A.02, 28A.41 and 28A.58 RCW; repealing section 28A.01.010, chapter 223, Laws of 1969 ex. sess., section 1, chapter 161, Laws of 1971 ex. sess. and RCW 28A.01.010; repealing section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140; and making effective dates.

To Committee on Education

HOUSE BILL NO. 863, by Representatives Kreidler and Adams:

AN ACT Relating to public assistance; amending section 4, chapter 172, Laws of 1969 ex. sess. and RCW 74.04.500; and repealing section 5, chapter 172, Laws of 1969 ex. sess. and RCW 74.04.505.

To Committee on Social and Health Services

HOUSE BILL NO. 864, by Representatives Knedlik, Eng, Shinoda, Salatino, Smith, Vrooman, Nelson (Dick), Lux, Maxie, Hanna, Blair, Grimm and Walk:

AN ACT Relating to the Washington public employees' retirement system; amending section 17, chapter 274, Laws of 1947 as last amended by section 4, chapter 155, Laws of 1965 and RCW 41.40.160; and adding a new section to chapter 41.40 RCW.

To Committee on Appropriations

HOUSE BILL NO. 865, by Representatives Sommers, Blair, Shinpoch, Wilson, Patterson, Hansen, Gilleland and Charnley:

AN ACT Relating to public employment; revising the public employees' retirement system with respect to persons entering as members on or after July 1, 1977; adding a new chapter to Title 41 RCW to be designated as chapter 41.40A RCW; adding a new section to chapter 41.40 RCW; defining crimes; providing penalties; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 866, by Representatives Sommers, Blair, Shinpoch, Wilson, Patterson, Hansen, Gilleland and Charnley:

AN ACT Relating to public employment; revising the teachers' retirement system with respect to persons entering as members on or after July 1, 1977; adding a new chapter to Title 41 RCW to be designated as chapter 41.32A RCW; adding a new section to chapter 41.32 RCW; defining crimes; providing penalties; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 867, by Representatives Sommers, Blair, Shinpoch, Wilson, Patterson, Hansen, Gilleland, Charnley and Barr:

AN ACT Relating to public employment; revising the law enforcement officers' and fire fighters' retirement system with respect to persons entering as members on or after July 1, 1977; adding a new chapter to Title 41 RCW to be designated as chapter 41.26A RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 51.52 RCW; defining crimes; providing penalties; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 868, by Representatives Sommers, Blair, Shinpoch and Gilleland:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.030; amending section 24, chapter 209, Laws of 1969 ex. sess. as last amended by section 13, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.240; amending section 3, chapter 257, Laws of 1971 ex. sess. as amended by section 8, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.045; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 10, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.120; amending section 13, chapter 209, Laws of 1969 ex. sess. as amended by section 8, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.130; amending section

14, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.140; amending section 15, chapter 209, Laws of 1969 ex. sess. as last amended by section 11, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.150; amending section 17, chapter 209, Laws of 1969 ex. sess. as last amended by section 5, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.160; adding new sections to chapter 41.26 RCW; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 869, by Representatives Sommers, Shinpoch, Newhouse and Gilleland:

AN ACT Relating to public employment; creating the Washington retirement system; adding a new chapter to Title 41 RCW; adding a new section to chapter 2.10 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 51.52 RCW; defining crimes; providing penalties; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 870, by Representative Sommers:

AN ACT Relating to revenue and taxation; and amending section 1, chapter ... (HB 178), Laws of 1977 and RCW 82.04.291.

To Committee on Revenue

HOUSE BILL NO. 871, by Representatives Charette, Ehlers and Monohon:

AN ACT Relating to cemetery authorities; and amending section 51, chapter 290, Laws of 1953 as amended by section 4, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.230.

To Committee on State Government

HOUSE BILL NO. 872, by Representatives Ehlers, Taller and Walk (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to travel expenses; and amending section 43.03.060, chapter 8, Laws of 1965 as last amended by section 95, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.060.

To Committee on State Government

HOUSE BILL NO. 873, by Representatives Vrooman, Martinis, Moreau, Schmitt and Hanna:

AN ACT Relating to forest products; amending section 3, chapter 47, Laws of 1967 ex. sess. and RCW 76.48.020; amending section 6, chapter 47, Laws of 1967 ex. sess. and RCW 76.48.050; amending section 7, chapter 47, Laws of 1967 ex. sess. and RCW 76.48.060; amending section 14, chapter 47, Laws of 1967 ex. sess. and RCW 76.48.130; adding a new section to chapter 76.48 RCW; defining crimes; and prescribing penalties.

To Committee on Natural Resources

HOUSE BILL NO. 874, by Representatives Salatino, Becker, Hanna, Hurley (George), Barr and Struthers:

AN ACT Relating to juvenile probation services; and amending section 5, chapter 165, Laws of 1969 ex. sess. as last amended by section 1, chapter 198, Laws of 1973 1st ex. sess. and RCW 13.06.050.

To Committee on Social and Health Services

HOUSE BILL NO. 875, by Representatives Gruger, Knowles, Hanna, Adams, Leckenby and Monohon:

AN ACT Relating to domestic relations; amending section 3, chapter 291, Laws of 1955 as last amended by section 26, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.030; amending section 6, chapter 291, Laws of 1955 and RCW 26.32.060; amending section 3, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.210; amending section 1, chapter 49, Laws of 1903 as last amended by section 34, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.37.010; amending section 12, chapter 291, Laws of 1955 and RCW 26.32.120; amending section 1, chapter 82, Laws of 1970 ex. sess. and RCW 26.36.050; adding a new chapter to Title 26 RCW; repealing section 8, chapter 134, Laws of 1973, section 35, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.37.015; repealing section 4, chapter 291, Laws of 1955, section 3, chapter 134, Laws of 1973, section 27, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.040; repealing section 5, chapter 291, Laws of 1955, section 4, chapter 134, Laws of 1973, section 28, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.050; repealing section 7, chapter 291, Laws of 1955, section 29, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.070; repealing section 8, chapter 291, Laws of 1955, section 5, chapter 134, Laws of 1973, section 30, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.080; repealing section 6, chapter 134,

Laws of 1973, section 31, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.085; repealing section 13, chapter 291, Laws of 1955 and RCW 26.32.130; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 876, by Representatives Conner, Fortson and Eng:

AN ACT Relating to naturopathic physicians; adding new sections to chapter 18.36 RCW; repealing section 13, chapter 36, Laws of 1919 and RCW 18.36.010; repealing section 12, chapter 36, Laws of 1919 and RCW 18.36.020; repealing section 8, chapter 36, Laws of 1919 and RCW 18.36.030; repealing section 3, chapter 36, Laws of 1919, section 39, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.36.040; repealing section 11, chapter 36, Laws of 1919, section 40, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.36.050; repealing section 4, chapter 36, Laws of 1919 and RCW 18.36.060; repealing section 6, chapter 36, Laws of 1919 and RCW 18.36.110; repealing section 1, chapter 83, Laws of 1953, section 7, chapter 266, Laws of 1971 ex. sess., section 41, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.36.115; repealing section 14, chapter 36, Laws of 1919 and RCW 18.36.120; repealing section 7, chapter 36, Laws of 1919 and RCW 18.36.130; repealing section 10, chapter 36, Laws of 1919 and RCW 18.36.140; repealing section 9, chapter 36, Laws of 1919 and RCW 18.36.150; repealing section 17, chapter 36, Laws of 1919 and RCW 18.36.165; repealing section 1, chapter 10, Laws of 1925 and RCW 18.36.170; repealing section 2, chapter 10, Laws of 1925 and RCW 18.36.200; repealing section 3, chapter 10, Laws of 1925 and RCW 18.36.210; repealing section 4, chapter 10, Laws of 1925 and RCW 18.36.220; repealing section 5, chapter 10, Laws of 1925 and RCW 18.36.230; repealing section 6, chapter 10, Laws of 1925 and RCW 18.36.240; repealing section 7, chapter 10, Laws of 1925 and RCW 18.36.245; and prescribing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 877, by Representatives Keller, Monohon and Charnley:

AN ACT Relating to planning commissions of cities and towns; and adding a new section to chapter 7, Laws of 1965 and to chapter 35.63 RCW.

To Committee on Local Government

HOUSE BILL NO. 878, by Representatives Schmitten, Heck, Boldt, Kilbury and Tilly:

AN ACT Relating to public utility districts; amending section 2, chapter 265, Laws of 1959 and RCW 54.40.010; amending section 3, chapter 265, Laws of 1959 and RCW 54.40.020; amending section 4, chapter 265, Laws of 1959 and RCW 54.40.030; amending section 5, chapter 265, Laws of 1959 and RCW 54.40.040; amending section 6, chapter 265, Laws of 1959 and RCW 54.40.050; amending section 7, chapter 265, Laws of 1959 and RCW 54.40.060; amending section 8, chapter 265, Laws of 1959 and RCW 54.40.070; and amending section 4, chapter 1, Laws of 1931 as last amended by section 1, chapter 106, Laws of 1969 and RCW 54.12.010.

To Committee on Energy and Utilities

HOUSE BILL NO. 879, by Representatives Conner, Gallagher and Bender (by Department of Highways request):

AN ACT Relating to motor vehicles; amending section 46.56.130, chapter 12, Laws of 1961 and RCW 46.61.670; and adding a new section to chapter 46.61 RCW.

To Committee on Transportation

HOUSE BILL NO. 880, by Representatives Bauer, Heck, Whiteside, Fortson and Clemente:

AN ACT Relating to education; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education

HOUSE BILL NO. 881, by Representatives Nelson (Dick) and Hurley (George):

AN ACT Relating to the support of elderly, poor, and infirm persons; authorizing a program of rental support; adding a new chapter to Title 36 RCW; and prescribing an effective date.

To Committee on Social and Health Services

HOUSE BILL NO. 882, by Representatives Hansen, Oliver, Lee, Fuller, Polk, Gilleland, Chandler, Dunlap and Fancher:

AN ACT Relating to education; defining the rights of parents of school children and the responsibilities of schools, their officials and personnel, as to curriculum, testing, pupil records, methods of instruction and pupil academic progress; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW; and prescribing penalties.

To Committee on Education

- HOUSE BILL NO. 883, by Representatives Ehlers, Taller and Walk (by Office of Program Planning and Fiscal Management request):
- AN ACT Relating to state government; and amending section 43.03.050, chapter 8, Laws of 1965 as last amended by section 94, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.050.
- To Committee on State Government
- HOUSE BILL NO. 884, by Representatives Douthwaite, Blair, Haley, Grier, Monohon, Knedlik, Erickson, Maxie, Keller, Becker and Salatino:
- AN ACT Relating to insurance; and adding a new chapter to Title 48 RCW.
- To Committee on Insurance
- HOUSE JOINT RESOLUTION NO. 40, by Representatives Patterson, Sommers and Oliver:
- Amending the Constitution to allow audits of the three branches of government.
- To Committee on Constitution
- HOUSE JOINT RESOLUTION NO. 41, by Representative Erickson:
- Amending the Constitution to permit an income tax and to revise the state tax system.
- To Committee on Revenue
- HOUSE JOINT RESOLUTION NO. 42, by Representatives Thompson and Kilbury:
- Amending the Constitution to authorize approval of special levies by majority vote and permitting a single election in each twelve month period.
- To Committee on Revenue
- HOUSE JOINT RESOLUTION NO. 43, by Representatives Sommers and Charnley:
- Authorizing a state income tax.
- To Committee on Revenue
- HOUSE JOINT RESOLUTION NO. 44, by Representatives Sommers, Nelson (Gary) and Wilson:
- Authorizing a flat rate state income tax with limitations upon other taxes.
- To Committee on Revenue
- HOUSE JOINT RESOLUTION NO. 45, by Representatives Sommers and Flanagan:
- Authorizing income tax with limitations upon other taxes.
- To Committee on Revenue
- HOUSE JOINT RESOLUTION NO. 46, by Representative Thompson:
- Amending Article VII of the state Constitution. (Title only)
- To Committee on Rules
- HOUSE JOINT RESOLUTION NO. 47, by Representative Sommers:
- Authorizing state income tax and revising existing tax structure.
- To Committee on Revenue
- HOUSE JOINT RESOLUTION NO. 48, by Representatives Sommers and Erickson:
- Authorizing state income tax with limitations upon other taxes.
- To Committee on Revenue
- HOUSE JOINT RESOLUTION NO. 49, by Representatives Hurley (George) and Nelson (Dick):
- Authorizing the granting of property tax relief to homeowners and lessees of residential property.
- To Committee on Revenue

HOUSE CONCURRENT RESOLUTION NO. 18, by Representatives Flanagan and Hansen:

Requesting that the next state ferry be named "Kittitas".

To Committee on Transportation

SENATE BILL NO. 2064, by Senators Clarke, Newschwander, Odegaard and Woody (by Legislative Budget Committee request):

Deleting inactive committee on public employee bargaining.

To Committee on Labor

ENGROSSED SENATE BILL NO. 2190, by Senators Rasmussen, Henry and Benitz:

Updating certain laws pertaining to veterans and veterans' affairs.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2325, by Senators Wilson, Talley, Sellar, Bluechel, Walgren, McDermott, Guess, North, Rasmussen, Bailey and Fleming:

Requiring the preparation of fiscal notes on proposed legislation relating to cities, towns, counties and other units of local government.

To Committee on Local Government

SENATE BILL NO. 2338, by Senators Walgren, Day and North:

Permitting additional cost factors to be considered when dealing with sheltered workshops.

To Committee on State Government

SENATE CONCURRENT RESOLUTION NO. 110, by Senators Walgren, Matson, Bailey, Clarke, Mardesich, Sandison and Newschwander:

Inviting the Western Conference of the Council of State Governments to hold its 1978 meeting in Washington.

MOTIONS

On motion of Mr. King, House Bill No. 849 was referred to Committee on Institutions instead of Committee on State Government.

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and passed to the committees designated with the exception of SENATE CONCURRENT RESOLUTION NO. 110.

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 110 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 110 was placed on final passage.

Representatives King and Berentson spoke in favor of the resolution.

Senate Concurrent Resolution No. 110 was adopted.

REPORTS OF STANDING COMMITTEES

February 15, 1977

HOUSE BILL NO. 4, Prime Sponsor: Representative Fischer, enacting a hazardous substance act. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Becker, Boldt, Flanagan.

MINORITY recommendation: Do not pass. Signed by Representatives Amen, Ranking Minority Member; Clayton, Fancher.

To Committee on Rules for second reading.

February 16, 1977

HOUSE BILL NO. 206, Prime Sponsor: Representative Warnke, making certain revisions in the laws relating to alcoholic beverage control. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Gallagher, Hansen, Owen, Shinoda, Struthers, Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Greengo, Ranking Minority Member; Paris.

To Committee on Rules for second reading.

February 17, 1977

HOUSE BILL NO. 225, Prime Sponsor: Representative Burns, granting resident status to immigrant refugees for college tuition. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 16, 1977

HOUSE BILL NO. 271, Prime Sponsor: Representative Adams, adopting procedures for the establishment of transfer and clinical training programs at the University of Washington school of medicine for Washington residents attending foreign medical schools. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 4 after "system" insert "with regard to the program"

On page 5, after line 27 insert a new section to read as follows:

"NEW SECTION. Sec. 6. There is added to chapter 28B.20 RCW a new section to read as follows:

The University of Washington is authorized to accept any federal funds pursuant to Public Law 94-484 to assist in the implementation of the transfer programs provided for in this act."

Renumber the remaining sections consecutively.

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, May, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

February 14, 1977

HOUSE BILL NO. 307, Prime Sponsor: Representative Hanna, providing funds for local criminal justice programs. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 194, by Committee on Financial Institutions (Originally sponsored by Representative Eng):

Extending the definition of the "funds" of a mutual savings bank.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 194, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Charette.

Not voting: Representatives Bond, Chandler, Lee, Oliver, Williams.

Substitute House Bill No. 194, having received the 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. 21, by Representatives Fortson, Patterson and Sommers (by State Auditor request):

Amending the Constitution to allow audits of the judicial branch.

The resolution was read the third time and placed on final passage.

Representatives Fortson and Patterson spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 21, and the resolution received the constitutional two-thirds majority, by the following vote: Yeas, 88; nays, 6; not voting, 4.

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

Voting nay: Representatives Boldt, Charette, Fancher, Pardini, Smith, Valle.

Not voting: Representatives Bond, Lee, Sanders, Williams.

House Joint Resolution No. 21, having received the constitutional two-thirds majority, was declared passed.

ENGROSSED HOUSE BILL NO. 285, by Representatives O'Brien and Hurley (Margaret):

Renaming Sun Lakes State Park to Victor Aloysius Meyers State Park.

The bill was read the third time and placed on final passage.

Representatives O'Brien, Hurley (Margaret), Berentson and Barr spoke in favor of the bill, and Representatives Tilly, Zimmerman, Struthers, Blair, Barnes and Flanagan spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 285, and the bill passed the House by the following vote: Yeas, 62; nays, 31; not voting, 5.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Fancher, Flanagan, Gilleland, Greengo, Haley, Hanna, Hansen, Leckenby, McKibbin, Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Schmitt, Shinoda, Smith, Struthers, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Bond, Enbody, Lee, Sanders, Williams.

Engrossed House Bill No. 285, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 146, by Representatives McKibbin, Zimmerman, Heck, Bauer, Boldt and Charnley:

Authorizing bus transit service by agreement with a public transportation agency of a contiguous state.

The bill was read the third time and placed on final passage.

Representatives McKibbin and Zimmerman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 146, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Bond, Deccio, Enbody, Lee, Sanders, Shinoda, Williams.

Engrossed House Bill No. 146, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to be recorded as voting "Aye" on Engrossed House Bill No. 146.

ALEX DECCIO, 14th District.

ENGROSSED HOUSE BILL NO. 275, by Representatives Martinis, Wilson and Moreau:

Prohibiting the application of the distribution percentage to fines and forfeitures transmitted to the director of game.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 275, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Ehlers, Lee, Sanders, Williams.

Engrossed House Bill No. 275, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 255, by Committee on Local Government (Originally sponsored by Representatives Newhouse and Thompson):

Granting irrigation and port districts the power to designate their own treasurers.

The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Thompson, would the funds of these particular bodies still be considered as public funds and be covered by Public Depository regulations?"

Mr. Thompson: "They would indeed, Representative Pardini."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 255 and the bill passed the House by the following vote: Yeas, 81; nays, 9; not voting, 8.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Endbody, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Schmitten, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Ehlers, Erickson, Gallagher, Grimm, Gruger, Hanna, Kilbury, Smith, Walk.

Not voting: Representatives Barnes, Barr, Bond, Lee, Polk, Salatino, Sanders, Williams.

Substitute House Bill No. 255, having received the 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. 45, by Representatives Flanagan, Hansen, Amen, Oliver and Patterson:

Extending the filing date of liens on crops.

The bill was read the third time and placed on final passage.

Representatives Flanagan and Hansen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 45, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bond, Grier, Lee, Lysen, Sanders, Williams.

House Bill No. 45, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 200, by Committee on State Government (Originally sponsored by Representatives Sommers, Nelson (Dick), Ehlers and Lux):

Increasing the petty cash account limit.

The bill was read the third time and placed on final passage.

Representatives Sommers and Taller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 200, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bond, Clayton, Lee, Lysen, Sanders, Williams.

Substitute House Bill No. 200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 208, by Representatives Smith, Salatino, Knedlik, Erickson, Nelson (Gary), North, Enbody and Leckenby:

Providing attorneys' fees for the prevailing party in contract and lease dispute.

The bill was read the third time and placed on final passage.

Representatives Smith 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. 208, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Hurley G. S.

Not voting: Representatives Bond, Kreidler, Lee, Nelson G. A., Sanders, Williams.

House Bill No. 208, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 229, by Representative Hurley (Margaret) – (by Parks and Recreation Commission request):

Permitting longer concessions and leases in state parks.

The bill was read the third time and placed on final passage.

Representatives Hurley (Margaret) and Craswell spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 229, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Charnley.

Not voting: Representatives Bond, Lee, Nelson G. A., Sanders, Williams.

House Bill No. 229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please indicate a "Yes" vote on third reading and final passage of House Bill No. 229.

GARY A. NELSON, 32nd District.

MOTION

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

SECOND READING

HOUSE BILL NO. 195, by Representatives Shipoch, Warnke, Charnley, Hughes and Knedlik (by Office of Program Planning and Fiscal Management request):

Extending time bonds of the Washington Futures Program of 1972 may be issued.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 71, by Representatives Sommers, Zimmerman, Burns, Charnley and Greengo (by Executive request of Governor Evans):

Authorizing property tax exemption for improvements to historic sites or structures.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 71 was substituted for House Bill No. 71, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 71 was read the second time.

Mr. Pardini moved adoption of the following amendment:

On page 1, section 2, line 21 after "ordinance" strike ", so long as such structure on the local governmental register meets the criteria necessary to appear on the state or national register"

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

Mr. Pardini spoke again in favor of the amendment, and Representatives Zimmerman and Flanagan spoke against it.

The amendment was not adopted.

Substitute House Bill No. 71 was passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 108, by Representatives Conner and McCormick (by Department of Motor Vehicles request):

Revising the special fuel tax laws.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 11, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

House Bill No. 108 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 38, by Representatives Hanna and Conner:

Including the Washington state patrol under the public employee collective bargaining laws.

The bill was read the second time.

Mr. Newhouse moved adoption of the following amendment:

On page 3, strike all of section 4

Representatives Newhouse, North, Blair, Owen and Clayton spoke in favor of the amendment, and Representatives King and Lux spoke against it.

Mr. King spoke again in opposition to the amendment.

POINT OF ORDER

Mr. Pardini: "The issue before us is an emergency clause on the bill, not testimony on organizing unions."

The Speaker (Mr. O'Brien presiding): "Continue, Representative King, and hold your remarks to the issue."

Mr. King continued his remarks against the amendment.

POINT OF ORDER

Mr. Newhouse: "He is talking about some other measure not yet even introduced and not about the emergency clause on this issue."

The Speaker (Mr. O'Brien presiding): "Of course there has to be some latitude when you strike a section of this nature. Representative King, I hope you will keep your remarks to this issue."

Mr. King concluded his remarks in opposition to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to House Bill No. 38, and the amendment was adopted by the following vote: Yeas, 53; nays, 38; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Gruger, Haley, Hansen, Hawkins, Hughes, Hurley M., Knedlik, Knowles, Leckenby, May, McCormick, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Schmitten, Shinoda, Shinpoch, Sommers, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Boldt, Burns, Charette, Clemente, Conner, Ehlers, Enbody, Erickson, Fischer, Gaines, Gallagher, Grier, Grimm, Hanna, Heck, Hurley G. S., Keller, Kilbury, King, Kreidler, Lux, Lysen, Martinis, Maxie, McKibbin, Monohon, O'Brien, Pearsall, Sherman, Smith, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Bauer, Bond, Lee, Moreau, Sanders, Williams, and Mr. Speaker.

On motion of Mr. Newhouse, the following amendment to the title was adopted:
Beginning on line 6 of the title strike "; and declaring an emergency"

House Bill No. 38 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 7, by Representatives King, Fortson, Charnley, Grier, Hughes, Knowles, Lee, Lux and McCormick:

Permitting constitutional amendments to include several sections within a single article, or several sections relating to one subject.

The resolution was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 35, by Representatives Heck, Hawkins, Zimmerman, Nelson (Dick) and Tilly:

Making the election of PUD commissioners conform more closely to regular nonpartisan election laws.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 9, 1977.)

On motion of Mr. Hawkins, the committee amendments were adopted.

Mr. Tilly moved adoption of the following amendment:
On page 2, line 9 after "elected to" insert "or to hold"

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

Mr. Tilly spoke again in favor of the amendment, and Mr. Hawkins spoke in opposition to it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to House Bill No. 35, and the amendment was not adopted by the following vote: Yeas, 31; nays, 61; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Clayton, Craswell, Deccio, Dunlap, Ehlers, Erickson, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Schmitten, Shinoda, Smith, Struthers, Taller, Tilly, Whiteside, Wilson.

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

Not voting: Representatives Bond, Chandler, Lee, Sanders, Williams, and Mr. Speaker.

The Clerk read the following amendment by Representative Tilly;
On page 2, line 13 after "voter" strike "of" and insert "(of) residing within"

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

On motion of Mr. Hawkins, the committee amendment to the title was adopted.

House Bill No. 35 was ordered engrossed and was passed to Committee on Rules for third reading.

HOUSE BILL NO. 427, by Representatives Berentson, Vrooman, Moreau and Gallagher:
Funding county operated ferries.

The bill was read the second time.

On motion of Mr. Conner, Substitute House Bill No. 427 was substituted for House Bill No. 427, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 427 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 199, by Representatives Sommers, Nelson (Dick), Knedlik and Lux:
Allowing the state fire marshal access to criminal offender record information.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

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

RESOLUTION

HOUSE RESOLUTION NO. 77-12, by Representatives Dunlap, Amen, Craswell, Berentson, Schmitten, Flanagan, Zimmerman, Winsley, Whiteside, Oliver, Wilson, Lee, Patterson, Polk, Tilly, Newhouse, Leckenby, Struthers, Taller, Clayton, Barr, Fuller, Deccio, Gilleland, Chandler, Paris, Craswell, Pardini and Dunlap:

WHEREAS, House Concurrent Resolution No. 15, introduced on February 7, 1977, with bipartisan sponsorship, recognized that the Northwest faced the potential of the worst water shortage in its history; that water was vital to the maintenance of our agricultural industry, electric supply and jobs, that the shortage is critical and a present emergency exists and urged the Governor to take immediate emergency action in concert with the State Energy Advisory Council and plan to avert the crisis and implement conservation measures; and

WHEREAS, House Bill 783 introduced on February 14 would establish the emergency powers identical to the 1973 powers granted by this Legislature and House Bill 772 introduced on the same date would reestablish statutorily the State Energy Advisory Council and strengthen the Governor's emergency powers under RCW Chapter 43.21G; and

WHEREAS, House Concurrent Resolution 15 has not been acted upon in the House Energy and Utilities Committee and there is no indication that action will be taken by the Committee in the immediate future on the resolution or House Bill 772 and House Bill 783; and

WHEREAS, On this date, Governor Dixy Lee Ray recognized that a severe water shortage exists and urged the Legislature to grant her the same powers as granted to the Governor by the Legislature in 1973 and enumerated a number of other specific proposals for action;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Energy and Utilities Committee of the House immediately schedule for consideration and action all bills now before the Committee dealing with this emergency crisis and report to the House on the earliest possible date when such hearings and executive sessions will be held.

BE IT FURTHER RESOLVED, That Governor Dixy Lee Ray be lauded for recognizing the crisis at hand and assured that the Legislature stands ready to grant her the necessary emergency powers to accomplish the task of alleviating the present and anticipated crisis relating to the 1977 drought.

BE IT FURTHER RESOLVED, That Governor Dixy Lee Ray be urged to immediately request that President Jimmy Carter declare Washington State a disaster area so federal emergency funds can be available to assist in the alleviation of the irrigation water shortage in Eastern Washington.

MOTION

Mr. King moved that House Resolution No. 77-12 be referred to Committee on Energy and Utilities.

Mr. King spoke in favor of the motion, and Mr. Berentson spoke against it.

ROLL CALL

The Clerk called the roll on the motion by Representative King to refer House Resolution No. 77-12 to Committee on Energy and Utilities, and the motion was carried by the following vote: Yeas, 64; nays, 29; not voting, 5.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Schmitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Maxie, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Shinoda, Struthers, Taller, Tilly, Wilson, Zimmerman.

Not voting: Representatives Bond, Lee, Sanders, Williams, and Mr. Speaker.

MOTION

Mr. Charette moved that HOUSE BILL NO. 443 be rereferred from Committee on Parks and Recreation to Committee on Energy and Utilities.

POINT OF ORDER

Representative Hurley (Margaret): "He didn't move to suspend the rules and the bill is not before us."

The Speaker (Mr. O'Brien presiding): "Mr. Charette, I want to know the basic reason why you want to remove this bill from this committee to another committee that doesn't have jurisdiction over this subject matter."

Mr. Charette: "Mr. Speaker, I, like you, learn by listening. A few years ago when you were here, you appreciated the remarks that were made by the Honorable Warren Magnuson when he visited with us, and his comment was, that if you have the votes you don't need a speech and if you need the speech you don't have the votes."

Representative Hurley (Margaret) spoke against the motion.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Reed's Rule 225 states in part, 'The duty of the presiding officer in cases where debate and parliamentary motions are employed to create disorder and impede business—the presiding officer should pay close attention to the debate, so as to be ready at all times to interpose for the preservation of order.' In my opinion, this is a frivolous motion, but I'm going to put it."

Representatives Polk and Lysen spoke against the motion.

POINT OF ORDER

Mr. Berentson: "Representative Lysen is impugning our motives in introducing a meritorious piece of legislation in the form of the resolution. That resolution spoke to some very important issues that are before us: Emergency powers—"

POINT OF ORDER

Mr. King: "Mr. Speaker, the motion before us is the rereferral of the bill that is in Parks and Recreation Committee, not the resolution, and his remarks are not germane."

The motion was lost.

MOTION

On motion of Mr. King, the House adjourned until 2:15 p.m., Friday, February 18, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTIETH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, February 18, 1977.

The House was called to order at 2:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond, Lee and Smith, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Phoebe Sutton and John Newhouse. Prayer was offered by Reverend Weldon P. DeMeuers of the First Baptist Church of Camas.

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

REPORT OF CONFERENCE COMMITTEE

February 18, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2056 as amended by the House, implementing constitutional amendment permitting school district levies for two-year periods, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to propose an amendment.

Signed by Senators Odegaard, Gould, McDermott; Representatives Sommers, Amen, Bauer.

MOTION

On motion of Ms. Sommers, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

February 17, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2180,

SENATE BILL NO. 2230,

SENATE BILL NO. 2341,

ENGROSSED SENATE BILL NO. 2385,

and the same are herewith transmitted.

William M. Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 885, by Representative Blair:

AN ACT Relating to the public employees' retirement system; amending section 13, chapter 274, Laws of 1947 as last amended by section 6, chapter 33, Laws of 1975 and RCW 41.40.120; amending section 1, chapter 68, Laws of 1970 ex. sess. as last amended by section 1, chapter 14, Laws of 1973 2nd ex. sess. and RCW 41.40.195; amending section 19, chapter 274, Laws of 1947 as last amended by section 7, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.180; amending section 1, chapter 274, Laws of 1947 as last amended by section 2, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.010; amending section 5, chapter 151, Laws of 1972 ex. sess. as amended by section 8, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.185; amending section 20, chapter 274, Laws of 1947 as last amended by section 9, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.190; amending section 18, chapter 274, Laws of 1947 as last amended by section 14, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.170; amending section 21, chapter 274, Laws of 1947 as last amended by section 5, chapter 277, Laws of 1955 and RCW 41.40.200; amending section 22, chapter 274, Laws of 1947 as amended by section 8, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.210; amending section 23,

chapter 274, Laws of 1947 as last amended by section 9, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.220; amending section 24, chapter 274, Laws of 1947 as last amended by section 9, chapter 128, Laws of 1969 and RCW 41.40.230; amending section 10, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.235; amending section 26, chapter 274, Laws of 1947 as last amended by section 11, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.250; adding new sections to chapter 41.40 RCW; prescribing an effective date; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 886, by Representatives Charnley, Douthwaite, Hurley (George), Sherman, Nelson (Dick), Bender, Williams and Lux:

AN ACT Relating to state government; amending section 8, chapter 216, Laws of 1961 as amended by section 1, chapter 26, Laws of 1970 ex. sess. and RCW 19.86.080; amending section 11, chapter 216, Laws of 1961 as amended by section 4, chapter 26, Laws of 1970 ex. sess. and RCW 19.86.110; amending section 12, chapter 216, Laws of 1961 as amended by section 5, chapter 26, Laws of 1970 ex. sess. and RCW 19.86.120; amending section 2, chapter 67, Laws of 1969 and RCW 19.94.020; amending section 43.10.030, chapter 8, Laws of 1965 as last amended by section 5, chapter 40, Laws of 1975 and RCW 43.10.030; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; amending section 4, chapter 49, Laws of 1974 ex. sess. and RCW 70.106.040; amending section 5, chapter 211, Laws of 1973 1st ex. sess. and RCW 70.110.050; adding a new chapter to Title 43 RCW; declaring an emergency; and providing an effective date.

To Committee on Commerce

HOUSE BILL NO. 887, by Representatives Lysen, Clemente, Eng, Fortson, North, Hurley (Margaret), Gallagher, Maxie, O'Brien and Lux:

AN ACT Relating to education; making an appropriation; and declaring an emergency.

To Committee on Education

HOUSE BILL NO. 888, by Representative Hanna:

AN ACT Relating to the administrative procedure act; and amending section 15, chapter 234, Laws of 1959 as last amended by section 17, chapter 57, Laws of 1971 ex. sess. and RCW 34.04.150.

To Committee on Institutions

HOUSE BILL NO. 889, by Representative Hanna:

AN ACT Relating to human services; and adding a new chapter to Title 43 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 890, by Representatives Becker, Kilbury, Boldt, Monohon, Fancher, Shinoda and Vrooman:

AN ACT Relating to nondairy products; adding a new chapter to Title 15 RCW; and prescribing penalties.

To Committee on Agriculture

HOUSE BILL NO. 891, by Representatives Nelson (Dick), Valle, Charnley, Taller, Hurley (George), Chandler, Pruitt, Douthwaite, Blair and Lux:

AN ACT Relating to recycled and reclaimed paper products; and adding a new chapter to Title 70 RCW.

To Committee on Ecology

HOUSE BILL NO. 892, by Representatives Becker, Blair and Hawkins:

AN ACT Relating to retirement systems; amending section 9, chapter 274, Laws of 1947 as last amended by section 4, chapter 128, Laws of 1969 and RCW 41.40.080; amending section 8, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 103, Laws of 1973 1st ex. sess. and RCW 2.10.080; amending section 7, chapter 209, Laws of 1969 ex. sess. as last amended by section 2, chapter 103, Laws of 1973 1st ex. sess. and RCW 41.26.070; amending section 34, chapter 274, Laws of 1947 as last amended by section 12, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.330; amending section 43.43.220, chapter 8, Laws of 1965 as amended by section 2, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.220; adding a new section to chapter 41.50 RCW; repealing section 3, chapter 216, Laws of 1971 ex. sess., section 5, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.085; repealing section 41, chapter 80, Laws of 1947, section 19, chapter 274, Laws of 1955, section 12, chapter 14, Laws of 1963 ex. sess., section 13, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.410; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 893, by Representative Gallagher, Grimm and Walk:

AN ACT Relating to revenue and taxation; amending section 42, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.130; adding new sections to chapter 84.48 RCW; and repealing section 8, chapter 288, Laws of 1971 ex. sess., section 100, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.48.085.

To Committee on Revenue

HOUSE BILL NO. 894, by Representatives Gruger, Knowles, Hanna, Adams and Monohon:

AN ACT Relating to domestic relations; amending section 3, chapter 291, Laws of 1955 as last amended by section 26, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.030; amending section 4, chapter 291, Laws of 1955 as last amended by section 27, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.040; amending section 5, chapter 291, Laws of 1955 as last amended by section 28, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.050; amending section 6, chapter 291, Laws of 1955 and RCW 26.32.060; amending section 7, chapter 291, Laws of 1955 as amended by section 29, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.070; amending section 8, chapter 291, Laws of 1955 as last amended by section 30, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.080; amending section 9, chapter 291, Laws of 1955 as amended by section 1, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.090; amending section 3, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.210; amending section 1, chapter 150, chapter 251, Laws of 1935 as last amended by section 1, chapter 251, Laws of 1951 and RCW 26.36.010; amending section 1, chapter 49, Laws of 1903 as last amended by section 34, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.37.010; amending section 12, chapter 291, Laws of 1955 and RCW 26.32.120; amending section 1, chapter 82, Laws of 1970 ex. sess. and RCW 26.36.050; adding new sections to chapter 26.32 RCW; adding a new section to chapter 13.04 RCW; repealing section 6, chapter 134, Laws of 1973, section 31, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.32.085; repealing section 13, chapter 291, Laws of 1955 and RCW 26.32.130; repealing section 8, chapter 134, Laws of 1973, section 35, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.37.015; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 895, by Representatives Fortson, May, Hurley (George), Lysen, Lux, North and Hughes:

AN ACT Relating to public utilities; and amending section 80.28.010, chapter 14, Laws of 1961 and RCW 80.28.010.

To Committee on Energy and Utilities

HOUSE BILL NO. 896, by Representatives Gallagher, Grimm and Walk:

AN ACT Relating to revenue and taxation; amending section 42, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.130; and adding a new section to chapter 84.48 RCW.

To Committee on Revenue

HOUSE BILL NO. 897, by Representatives Thompson, King, Walk, Keller, Pardini, Pruitt, Kreidler, Ehlers, Hurley (George), Gaines, Burns, Conner, Nelson (Dick), Maxie, Valle, Fischer, Kilbury, Enbody, Grimm, Pearsall, Monohon, Heck, Vrooman, Grier, Becker, Moreau, Sherman, Erickson, Knowles, Knedlik, Salatino, Chandler, Zimmerman, Charette, Williams, Lee, Warnke, Hawkins and Taller:

AN ACT Relating to state employees' insurance and health care; amending section 4, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.040; amending section 5, chapter 39, Laws of 1970 ex. sess. as last amended by section 4, chapter 106, Laws of 1975-'76 2nd ex. sess. and RCW 41.05.050; amending section 7, chapter 39, Laws of 1970 ex. sess. as amended by section 5, chapter 106, Laws of 1975-'76 2nd ex. sess. and RCW 41.05.070; amending section 8, chapter 39, Laws of 1970 ex. sess. as last amended by section 6, chapter 106, Laws of 1975-'76 2nd ex. sess. and RCW 41.05.080; adding new sections to chapter 41.05 RCW; repealing section 2, chapter 39, Laws of 1970 ex. sess., section 1, chapter 147, Laws of 1973 1st ex. sess., section 85, chapter 34, Laws of 1975-'76 2nd ex. sess., section 3, chapter 106, Laws of 1975-'76 2nd ex. sess., section 1, chapter ... (HB 173), Laws of 1977 and RCW 41.05.020; and prescribing effective dates.

To Committee on State Government

HOUSE BILL NO. 898, by Representatives Bauer, Clemente, Erickson, Berentson, Clayton, Patterson and Whiteside:

AN ACT Relating to broadcasting by radio or television, including instructional and public broadcasting; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW as a new chapter thereof; repealing section 28A.91.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.010; repealing section 28A.91.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.020; repealing section 28A.91.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.030; repealing section 28A.91.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.040; repealing

section 28A.91.050, chapter 223, Laws of 1969 ex. sess., section 70, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.91.050; repealing section 28A.91.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.060; making an appropriation; and making an effective date.

To Committee on State Government

HOUSE BILL NO. 899, by Representatives McCormick, Knowles, Grier, Martinis and Adams:

AN ACT Relating to mutual savings banks; amending section 32.16.010, chapter 13, Laws of 1955 and RCW 32.16.010; amending section 32.16.040, chapter 13, Laws of 1955 as amended by section 4, chapter 55, Laws of 1969 and RCW 32.16.040; amending section 32.16.070, chapter 13, Laws of 1955 and RCW 32.16.070; and adding a new section to chapter 13, Laws of 1955 and to chapter 32.16 RCW.

To Committee on Financial Institutions

HOUSE BILL NO. 900, by Representatives Valle, Chandler, Gruger, Hawkins, Burns, Clayton, Douthwaite, Hughes, Blair, Sommers and Charnley:

AN ACT Relating to smoking; adding new sections to chapter 43.20 RCW; defining crimes; and providing penalties.

To Committee on Ecology

HOUSE BILL NO. 901, by Representatives Lux and Clemente:

AN ACT Relating to wage claims; establishing a wage claim fund; imposing an employer assessment; amending section 1, chapter 96, Laws of 1935 and RCW 49.48.040; amending section 3, chapter 96, Laws of 1935 as amended by section 4, chapter 55, Laws of 1971 ex. sess. and RCW 49.48.060; and adding new sections to chapter 49.48 RCW.

To Committee on Labor

HOUSE BILL NO. 902, by Representative Sommers:

AN ACT Relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 130, Laws 1975-'76 2nd ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.020; amending section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14-.030; adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW; and creating a new section.

To Committee on Revenue

HOUSE BILL NO. 903, by Representatives Paris, McKibbin, May and Fuller (by Joint Board of Ethics request):

AN ACT Relating to ethics and disclosure; amending section 4, chapter 1, Laws of 1973 as amended by section 3, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.040; amending section 9, chapter 1, Laws of 1973 as last amended by section 3, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.090; reenacting and amending section 24, chapter 1, Laws of 1973 as last amended by section 1, chapter 104, Laws of 1975-'76 2nd ex. sess. and by section 7, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.240; amending section 8, chapter 150, Laws of 1965 ex. sess. and RCW 42.21-.080; adding new sections to chapter 42.17 RCW; adding a new section to chapter 42.21 RCW; and defining crimes.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 904, by Representatives Hurley (Margaret) and May:

AN ACT Relating to toll bridges; adding new sections to chapter 47.56 RCW; and making an appropriation.

To Committee on Transportation

HOUSE BILL NO. 905, by Representatives Hawkins, Barnes, Becker, Owen, Hurley (George) and Nelson (Dick):

AN ACT Relating to public disclosure; amending section 2, chapter 1, Laws of 1973 as amended by section 2, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.020; amending section 16, chapter 1, Laws of 1973 as amended by section 9, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.160; amending section 17, chapter 1, Laws of 1973 as amended by section 10, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.170; and adding a new section to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 906, by Representatives Hansen, Flanagan, Fortson and Bauer:
AN ACT Relating to water pollution control; and adding a new section to chapter 90.48 RCW.

To Committee on Agriculture

HOUSE BILL NO. 907, by Representatives Bauer, Barr, Hansen, Chandler, Boldt, Amen,
Thompson and Zimmerman:

AN ACT Relating to agriculture; adding a new chapter to Title 19 RCW; and prescribing penalties.

To Committee on Agriculture

HOUSE BILL NO. 908, by Representative Warnke:

AN ACT Relating to business inspections; creating new sections; and declaring an emergency.

To Committee on Commerce

HOUSE BILL NO. 909, by Representatives Lee, Hurley (Margaret), Gruger, Nelson (Dick),
Charnley and Maxie:

AN ACT Relating to hostels; and adding new sections to chapter 70.54 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 910, by Representatives Gallagher, McCormick and Salatino:

AN ACT Relating to television; providing for the regulation of community antenna television systems; creating new sections; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 911, by Representatives Douthwaite, Erickson and Haley:

AN ACT Relating to health care service contract insurance coverage; amending section 2, chapter 97, Laws of 1974 ex. sess. and RCW 18.25.130; amending section 2, chapter 48, Laws of 1973 and RCW 18.53-.170; amending section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 9, Laws of 1973 1st ex. sess. and RCW 28A.58.420; amending and reenacting section 28B.10-.660, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 9, Laws of 1973 1st ex. sess. and by section 4, chapter 147, Laws of 1973 1st ex. sess. and RCW 28B.10.660; amending section 1, chapter ... (HB 173), Laws of 1977 and RCW 41.05.020; adding new sections to chapter 48.44 RCW; and repealing section 1, chapter 143, Laws of 1969 and RCW 48.44.025.

To Committee on Insurance

HOUSE BILL NO. 912, by Representatives Lee, North, Whiteside and Paris:

AN ACT Relating to lost and unclaimed personal property; adding a new chapter to Title 63 RCW; repealing section 3266, Code of 1881 and RCW 63.20.010; repealing section 3270, Code of 1881 and RCW 63.20.020; repealing section 3267, Code of 1881 and RCW 63.20.030; repealing section 3268, Code of 1881 and RCW 63.20.040; repealing section 3269, Code of 1881 and RCW 63.20.050; repealing section 1, chapter 100, Laws of 1925 ex. sess., section 1, chapter 148, Laws of 1939, section 1, chapter 44, Laws of 1973 1st ex. sess. and RCW 63.32.010; repealing section 2, chapter 100, Laws of 1925 ex. sess. and RCW 63.32.020; repealing section 3, chapter 100, Laws of 1925 ex. sess., section 2, chapter 148, Laws of 1939 and RCW 63.32.030; repealing section 4, chapter 100, Laws of 1925 ex. sess., section 3, chapter 148, Laws of 1939 and RCW 63.32.040; repealing section 2, chapter 289, Laws of 1959, section 2, chapter 44, Laws of 1973 1st ex. sess., section 1, chapter 28, Laws of 1975 1st ex. sess. and RCW 63.36.010; repealing section 3, chapter 289, Laws of 1959, section 3, chapter 44, Laws of 1973 1st ex. sess., section 2, chapter 28, Laws of 1975 1st ex. sess. and RCW 63.36.020; repealing section 4, chapter 289, Laws of 1959, section 3, chapter 28, Laws of 1975 1st ex. sess. and RCW 63.36.030; repealing section 1, chapter 104, Laws of 1961, section 4, chapter 44, Laws of 1973 1st ex. sess. and RCW 63.40.010; repealing section 2, chapter 104, Laws of 1961 and RCW 63.40.020; repealing section 3, chapter 104, Laws of 1961 and RCW 63.40.030; repealing section 4, chapter 104, Laws of 1961 and RCW 63.40.040; and repealing section 5, chapter 104, Laws of 1961 and RCW 63.40.050.

To Committee on Commerce

HOUSE BILL NO. 913, by Representative Blair:

AN ACT Relating to the teachers' retirement system; amending section 1, chapter 80, Laws of 1947 as last amended by section 149, chapter 275, Laws of 1975 1st ex. sess. and RCW 41.32.010; amending section 48, chapter 80, Laws of 1947 as last amended by section 2, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.480; amending section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 3, chapter 199, Laws of 1974 ex. sess. and RCW 41.32.497; amending section 3, chapter 189, Laws of 1973 1st ex. sess. as amended by section 4, chapter 199, Laws of 1974 ex. sess. and RCW 41.32.498; amending section 9, chapter 189, Laws of 1973 1st ex. sess. as amended by section 1, chapter 32, Laws of 1973 2nd ex. sess. and RCW 41.32.499; amending section 52, chapter 80, Laws of 1947 as last

amended by section 5, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.520; adding new sections to chapter 41.32 RCW; prescribing an effective date; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 914, by Representatives Oliver, Sommers, Taller, Pearsall and Fuller:

AN ACT Relating to revenue and taxation; adding a new section to chapter 84.36 RCW; and adding a new chapter to Title 84 RCW.

To Committee on Revenue

HOUSE BILL NO. 915, by Representatives Nelson (Dick), Hurley (George) and Lux:

AN ACT Relating to fair campaign practices; adding new sections to chapter 1, Laws of 1973 and to chapter 42.17 RCW; and creating new sections.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 916, by Representatives Kilbury, Winsley, Ehlers, Nelson (Dick), Valle, Hawkins, Erickson, Williams, Lee and Douthwaite:

AN ACT Relating to property taxes; and amending section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 1st ex. sess. and RCW 84.55.010.

To Committee on Revenue

HOUSE BILL NO. 917, by Representatives Lee, Hurley (Margaret), Craswell and Paris:

AN ACT Relating to outdoor recreation; and adding new sections to chapter 43.99 RCW.

To Committee on Parks and Recreation

HOUSE BILL NO. 918, by Representatives Hurley (George), Nelson (Dick) and Lux:

AN ACT Relating to public disclosure; amending section 2, chapter 1, Laws of 1973 as amended by section 2, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.020; and adding a new section to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 919, by Representative Lux:

AN ACT Relating to local improvements; adding a new section to chapter 35.43 RCW; prescribing penalties; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 920, by Representatives Burns, King, Erickson, Nelson (Gary), Moreau, Valle, Nelson (Dick), Fischer, Douthwaite, Eng, Bender and Lux:

AN ACT Relating to higher education; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 212, Laws of 1975 1st ex. sess. and RCW 28B.10.400; making an appropriation; prescribing an effective date; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 921, by Representatives Schmittens, Clayton, Fancher, Conner, Whiteside, Oliver, Struthers, Tilly and Hansen:

AN ACT Relating to fork lifts; amending section 46.16.010, chapter 12, Laws of 1961 as last amended by section 2, chapter 17, Laws of 1973 1st ex. sess. and RCW 46.16.010; 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.

To Committee on Transportation

HOUSE BILL NO. 922, by Representatives Hansen, Burns and Sherman:

AN ACT Relating to the urban arterial board; amending section 35.77.010, chapter 7, Laws of 1965 as last amended by section 1, chapter 215, Laws of 1975 1st ex. sess. and RCW 35.77.010; amending and reenacting section 36.81.121, chapter 4, Laws of 1963 as last amended by section 3, chapter 21, Laws of 1975 1st ex. sess. and by section 2, chapter 215, Laws of 1975 1st ex. sess. and RCW 36.81.121; amending section 21, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.150; amending section 22, chapter 83, Laws of 1967 ex. sess. as amended by section 1, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.160; amending section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 2, chapter 126, Laws of 1973 1st ex. sess. and RCW 47.26.190; amending section 29, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.230; amending section 54, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.440; repealing section 10, chapter 195, Laws of 1971 ex. sess. and RCW 47.01.240; repealing

section 23, chapter 83, Laws of 1967 ex. sess., section 2, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.170; and repealing section 6, chapter 141, Laws of 1974 ex. sess. and RCW 47.26.315.

To Committee on Transportation

HOUSE BILL NO. 923, by Representatives Nelson (Dick), Blair, Eng and Lux:

AN ACT Relating to nominations other than by primary; amending section 29.24.010, chapter 9, Laws of 1965 and RCW 29.24.010; amending section 29.24.020, chapter 9, Laws of 1965 and RCW 29.24.020; amending section 29.24.030, chapter 9, Laws of 1965 and RCW 29.24.030; amending section 29.24.040, chapter 9, Laws of 1965 and RCW 29.24.040; amending section 29.24.050, chapter 9, Laws of 1965 and RCW 29.24.050; amending section 29.24.060, chapter 9, Laws of 1965 and RCW 29.24.060; and amending section 29.24.080, chapter 9, Laws of 1965 and RCW 29.24.080.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 924, by Representative Martinis:

AN ACT Relating to revenue and taxation; adding a new chapter to Title 82 RCW; and providing an effective date.

To Committee on Energy and Utilities

HOUSE BILL NO. 925, by Representatives Deccio, Shinoda and Moreau:

AN ACT Relating to state government; and amending section 43.78.030, chapter 8, Laws of 1965 as amended by section 114, chapter 81, Laws of 1971 and RCW 43.78.030.

To Committee on State Government

HOUSE BILL NO. 926, by Representatives Gallagher and Wilson:

AN ACT Relating to the salaries of public officials; adding new sections to chapter 43.03 RCW; and providing an effective date contingent upon amending the Constitution.

To Committee on State Government

HOUSE BILL NO. 927, by Representatives Flanagan, Hansen and Oliver:

AN ACT Relating to state institutions of higher education; and amending section 4, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.040.

To Committee on Higher Education

HOUSE BILL NO. 928, by Representatives Lysen, Sherman, King, Kilbury, O'Brien, Charnley, Gruger, Pruitt, Gallagher, Boldt, McCormick, Hawkins, Nelson (Dick), Bauer, Gaines, Clemente and Leckenby (by Executive request of Governor Ray):

AN ACT Relating to energy; amending section 1, chapter 186, Laws of 1969 ex. sess. as amended by section 26, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.06.200; amending section 2, chapter 186, Laws of 1969 ex. sess. as amended by section 27, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.06.210; amending section 5, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.050; amending section 7, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.070; amending section 16, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.020; amending section 18, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.040; adding a new section to chapter 43.06 RCW; adding new sections to chapter 43.21G RCW; adding a new section to chapter 43.21F RCW; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 929, by Representatives Erickson, Oliver, Grimm and Heck:

AN ACT Relating to community colleges; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

To Committee on Higher Education

HOUSE BILL NO. 930, by Representatives Knedlik, Enbody, Lysen, Nelson (Dick), Smith, Boldt and North:

AN ACT Relating to campaign funds; amending section 12, chapter 1, Laws of 1973 as amended by section 8, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.120; and adding a new section to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 931, by Representatives McKibbin, Paris, May and Fuller (by Joint Board of Ethics request):

AN ACT Relating to legislative ethics; amending and reenacting section 24, chapter 1, Laws of 1973 as last amended by section 1, chapter 104, Laws of 1975-'76 2nd ex. sess. and by section 7, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.240; amending section 1, chapter 150, Laws of 1967 ex. sess. and RCW 44.60.010; amending section 2, chapter 150, Laws of 1967 ex. sess. and RCW 44.60.020; amending section 5, chapter 150, Laws of 1967 ex. sess. as amended by section 135, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 44.60.050; amending section 7, chapter 150, Laws of 1967 ex. sess. and RCW 44.60.060; amending section 6, chapter 150, Laws of 1967 ex. sess. and RCW 44.60.070; and adding new sections to chapter 44.60 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 932, by Representative Fischer:

AN ACT Relating to the support of cultural facilities; creating new sections; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 933, by Representatives Charnley and Conner:

AN ACT Relating to highway signs; amending section 2, chapter 96, Laws of 1961 as last amended by section 1, chapter 80, Laws of 1974 ex. sess. and RCW 47.42.020; adding a new section to chapter 96, Laws of 1961 and to chapter 47.42 RCW; and creating a new section.

To Committee on Transportation

HOUSE BILL NO. 934, by Representatives Blair, Barr and Gilleland:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.030; amending section 8, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.080; amending section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.090; amending section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 3, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.100; amending section 11, chapter 209, Laws of 1969 ex. sess. as last amended by section 9, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.110; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 10, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.120; amending section 13, chapter 209, Laws of 1969 ex. sess. as amended by section 8, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.130; amending section 14, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.140; amending section 15, chapter 209, Laws of 1969 ex. sess. as last amended by section 11, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.150; amending section 24, chapter 209, Laws of 1969 ex. sess. as last amended by section 13, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.240; adding new sections to chapter 41.26 RCW; prescribing an effective date; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 935, by Representatives Smith and Craswell:

AN ACT Relating to shoreline management; and amending section 3, chapter 286, Laws of 1971 ex. sess. as last amended by section 1, chapter 182, Laws of 1975 1st ex. sess. and RCW 90.58.030.

To Committee on Natural Resources

HOUSE BILL NO. 936, by Representatives Owen and Patterson:

AN ACT Relating to public libraries; amending section 2, chapter 119, Laws of 1935 as last amended by section 1, chapter 122, Laws of 1965 and RCW 27.12.010; and adding new sections to chapter 27.12 RCW.

To Committee on Local Government

HOUSE BILL NO. 937, by Representative Fischer:

AN ACT Relating to telephone and telegraph companies; and adding a new section to chapter 80.36 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 938, by Representatives Nelson (Dick) and Vrooman:

AN ACT Relating to elections; adding a new section to chapter 29.85 RCW; and providing penalties.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 939, by Representative Fischer:

AN ACT Relating to pharmacy; amending section 2, chapter 98, Laws of 1935 as last amended by section 40, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.64.003; amending section 3, chapter 98, Laws of 1935 as last amended by section 2, chapter 18, Laws of 1973 1st ex. sess. and RCW 18.64.005; amending section 1, chapter 82, Laws of 1969 ex. sess. and RCW 18.64.009; amending section 1, chapter 38, Laws of 1963 and RCW 18.64.011; amending section 1, chapter 121, Laws of 1899 and RCW 18.64.020; amending section 10, chapter 121, Laws of 1899 as last amended by section 1, chapter 201, Laws of 1971 ex. sess. and RCW 18.64.040; amending section 12, chapter 213, Laws of 1909 as last amended by section 2, chapter 201, Laws of 1971 ex. sess. and RCW 18.64.043; amending section 5, chapter 153, Laws of 1949 as last amended by section 3, chapter 201, Laws of 1971 ex. sess. and RCW 18.64.045; amending section 16, chapter 121, Laws of 1899 as last amended by section 4, chapter 201, Laws of 1971 ex. sess. and RCW 18.64.047; amending section 1, chapter 9, Laws of 1972 ex. sess. and RCW 18.64.080; amending section 11, chapter 121, Laws of 1899 as last amended by section 6, chapter 201, Laws of 1971 ex. sess. and RCW 18.64.140; amending section 10, chapter 213, Laws of 1909 as amended by section 10, chapter 38, Laws of 1963 and RCW 18.64.160; amending section 15, chapter 38, Laws of 1963 and RCW 18.64.165; amending section 1, chapter 28, Laws of 1939 and RCW 18.64.245; amending section 13, chapter 121, Laws of 1899 as last amended by section 12, chapter 38, Laws of 1963 and RCW 18.64.250; adding new sections to chapter 18.64 RCW; repealing section 9, chapter 180, Laws of 1923, section 8, chapter 38, Laws of 1963 and RCW 18.64.110; and defining crimes.

To Committee on Commerce

HOUSE BILL NO. 940, by Representative Heck:

AN ACT Relating to motorcycles; amending section 46.16.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 118, Laws of 1975 1st ex. sess. and RCW 46.16.060; amending section 50, chapter 145, Laws of 1967 ex. sess. and RCW 46.20.505; and amending section 82.44.020, chapter 15, Laws of 1961 as amended by section 2, chapter 199, Laws of 1963 and RCW 82.44.020.

To Committee on Transportation

HOUSE BILL NO. 941, by Representatives McKibbin and Blair:

AN ACT Relating to public employment; amending section 17, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.170; amending section 24, chapter 209, Laws of 1969 ex. sess. as last amended by section 13, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.240; amending section 9, chapter 189, Laws of 1973 1st ex. sess. as amended by section 1, chapter 32, Laws of 1973 1st ex. sess. and RCW 41.32.499; amending section 1, chapter 68, Laws of 1970 ex. sess. as last amended by section 1, chapter 14, Laws of 1973 2nd ex. sess. and RCW 41.40.195; amending section 43.43.260, chapter 8, Laws of 1965 as last amended by section 3, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.260; adding a new section to chapter 41.04 RCW; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 942, by Representative Keller:

AN ACT Relating to property taxes; and adding a new section to chapter 84.64 RCW.

To Committee on Revenue

HOUSE BILL NO. 943, by Representatives Fischer, McCormick and Pearsall:

AN ACT Relating to savings and loan associations; amending section 74, chapter 235, Laws of 1945 as last amended by section 6, chapter 280, Laws of 1959 and RCW 33.24.170; amending section 7, chapter 49, Laws of 1967 as amended by section 24, chapter 130, Laws of 1973 and RCW 33.24.230; amending section 8, chapter 49, Laws of 1967 and RCW 33.24.240; amending section 27, chapter 130, Laws of 1973 and RCW 33.24.295; adding a new section to chapter 33.48 RCW; and repealing section 30, chapter 235, Laws of 1945 and RCW 33.12.020.

To Committee on Financial Institutions

HOUSE BILL NO. 944, by Representatives Sommers and O'Brien:

AN ACT Relating to state government; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; and adding a new chapter to Title 43 RCW.

To Committee on State Government

HOUSE BILL NO. 945, by Representatives Nelson (Dick), Enbody and Hanna:

AN ACT Relating to the restoration of civil rights; amending section 3, chapter 26, Laws of 1929 as amended by section 2, chapter 19, Laws of 1931 and RCW 9.96.020; and amending section 1, chapter 187, Laws of 1961 and RCW 9.96.050.

To Committee on Judiciary

HOUSE BILL NO. 946, by Representatives Kreidler and Keller:

AN ACT Relating to vocational-technical education; providing for a study; and creating new sections.

To Committee on Higher Education

HOUSE BILL NO. 947, by Representatives Kilbury, Hansen, Flanagan, Oliver and Boldt:

AN ACT Relating to irrigation districts; and amending section 39, page 692, Laws of 1889-90 as last amended by section 2, chapter 163, Laws of 1975 1st ex. sess. and RCW 87.03.460.

To Committee on Local Government

HOUSE BILL NO. 948, by Representative Gallagher:

AN ACT Relating to the state environmental policy act; amending section 2, chapter 109, Laws of 1971 ex. sess. and RCW 43.21C.020; and amending section 3, chapter 109, Laws of 1971 ex. sess. and RCW 43.21C.030.

To Committee on Ecology

HOUSE BILL NO. 949, by Representatives McKibbin, Blair and Shinpoch:

AN ACT Relating to public employment; amending section 3, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.030; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.030; amending section 3, chapter 189, Laws of 1973 1st ex. sess. as amended by section 4, chapter 199, Laws of 1974 ex. sess. and RCW 41.32.498; amending section 1, chapter 274, Laws of 1947 as last amended by section 2, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.010; amending section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.120; adding a new section to chapter 41.32 RCW; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 950, by Representatives Gruger, Erickson, Hanna, Salatino, Maxie, Bender and Heck:

AN ACT Relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW.

To Committee on Education

HOUSE BILL NO. 951, by Representative Gallagher:

AN ACT Relating to unemployment compensation; and amending section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090.

To Committee on Labor

HOUSE BILL NO. 952, by Representatives Conner, Gilleland and Gallagher:

AN ACT Relating to motor vehicle equipment; amending section 46.37.010, chapter 12, Laws of 1961 as amended by section 1, chapter 154, Laws of 1963 and RCW 46.37.010; amending section 46.37.020, chapter 12, Laws of 1961 as last amended by section 2, chapter 124, Laws of 1974 ex. sess. and RCW 46.37.020; amending section 46.37.030, chapter 12, Laws of 1961 and RCW 46.37.030; amending section 46.37.040, chapter 12, Laws of 1961 and RCW 46.37.040; amending section 46.37.050, chapter 12, Laws of 1961 as amended by section 3, chapter 154, Laws of 1963 and RCW 46.37.050; amending section 46.37.060, chapter 12, Laws of 1961 as amended by section 4, chapter 154, Laws of 1963 and RCW 46.37.060; amending section 46.37.070, chapter 12, Laws of 1961 as amended by section 5, chapter 154, Laws of 1963 and RCW 46.37.070; amending section 46.37.080, chapter 12, Laws of 1961 as amended by section 6, chapter 154, Laws of 1963 and RCW 46.37.080; amending section 46.37.090, chapter 12, Laws of 1961 as amended by section 7, chapter 154, Laws of 1963 and RCW 46.37.090; amending section 46.37.110, chapter 12, Laws of 1961 and RCW 46.37.110; amending section 46.37.120, chapter 12, Laws of 1961 as amended by section 8, chapter 154, Laws of 1963 and RCW 46.37.120; amending section 46.37.140, chapter 12, Laws of 1961 as amended by section 9, chapter 154, Laws of 1963 and RCW 46.37.140; amending section 46.37.150, chapter 12, Laws of 1961 as amended by section 10, chapter 154, Laws of 1963 and RCW 46.37.150; amending section 46.37.160, chapter 12, Laws of 1961 as last amended by section 22, chapter 281, Laws of 1969 ex. sess. and RCW 46.37.160; amending section 46.37.170, chapter 12, Laws of 1961 as amended by section 12, chapter 154, Laws of 1963 and RCW 46.37.170; amending section 46.37.200, chapter 12, Laws of 1961 as amended by section 15, chapter 154, Laws of 1963 and RCW 46.37.200; amending section 46.37.210, chapter 12, Laws of 1961 as last amended by section 1, chapter 242, Laws of 1975 1st ex. sess. and RCW 46.37.210; amending section 46.37.220, chapter 12, Laws of 1961 and RCW 46.37.220; amending section 46.37.240, chapter 12, Laws of 1961 as amended by section 18, chapter 154, Laws of 1963 and RCW 46.37.240; amending section 46.37.260, chapter 12, Laws of 1961 and RCW 46.37.260; amending section 46.37.270, chapter 12, Laws of 1961 and RCW 46.37.270; amending section 46.37.280, chapter 12, Laws of 1961 as amended by section 19, chapter 154, Laws of 1963 and RCW 46.37.280; 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; amending section 46.37.360, chapter 12, Laws of 1961 and RCW 46.37.360; amending section 24, chapter 154, Laws of 1963 and RCW 46.37.365; amending section 46.37.380, chapter 12, Laws of 1961 and RCW 46.37.380; amending section 46.37.390, chapter 12, Laws of 1961 as last amended by section 1, chapter 135, Laws of 1972 ex. sess. and RCW 46.37.390; amending section 46.37.400, chapter 12, Laws of 1961 as amended by section 25, chapter 154, Laws of 1963 and RCW 46.37.400; amending section 46.37.410, chapter 12, Laws of 1961 and RCW 46.37.410; amending section 2, chapter 77, Laws of 1971 and RCW 46.37.424; amending section 3, chapter 77, Laws of 1971 and RCW 46.37.425; amending section 46.37.440, chapter 12, Laws of 1961 as amended by section 1, chapter 97, Laws of 1971 ex. sess. and RCW 46.37.440; amending section 1, chapter 117, Laws of 1963 and RCW 46.37.510; adding new sections to chapter 46.37 RCW; repealing section 46.37.250, chapter 12, Laws of 1961 and RCW 46.37.250; repealing section 46.37.370, chapter 12, Laws of 1961, section 23, chapter 154, Laws of 1963 and RCW 46.37.370; and providing penalties.

To Committee on Transportation

HOUSE BILL NO. 953, by Representatives Conner, Gilleland and Douthwaite:

AN ACT Relating to motor vehicle safety certification; adding new sections to chapter 46.32 RCW; repealing section 46.32.010, chapter 12, Laws of 1961, section 48, chapter 32, Laws of 1967 and RCW 46.32.010; repealing section 46.32.020, chapter 12, Laws of 1961 and RCW 46.32.020; repealing section 46.32.030, chapter 12, Laws of 1961 and RCW 46.32.030; repealing section 46.32.040, chapter 12, Laws of 1961 and RCW 46.32.040; repealing section 46.32.050, chapter 12, Laws of 1961 and RCW 46.32.050; repealing section 46.32.060, chapter 12, Laws of 1961 and RCW 46.32.060; repealing section 46.32.070, chapter 12, Laws of 1961 and RCW 46.32.070; providing penalties; declaring an emergency; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 954, by Representative Blair:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system.

To Committee on Rules

HOUSE BILL NO. 955, by Representative Blair:

AN ACT Relating to the public employees' retirement system.

To Committee on Rules

HOUSE BILL NO. 956, by Representative Blair:

AN ACT Relating to the teachers' retirement system.

To Committee on Rules

HOUSE BILL NO. 957, by Representative Blair (by Department of Retirement Systems request):

AN ACT Relating to public retirement systems.

To Committee on Rules

HOUSE BILL NO. 958, by Representative Blair (by Department of Retirement Systems request):

AN ACT Relating to state retirement systems.

To Committee on Rules

HOUSE BILL NO. 959, by Representatives Boldt, Kilbury and Oliver:

AN ACT Relating to toll bridges.

To Committee on Rules

HOUSE BILL NO. 960, by Representative Clemente:

AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 961, by Representative Clemente:

AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 962, by Representative Clemente:
AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 963, by Representative Clemente:
AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 964, by Representative Clemente:
AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 965, by Representative Conner:
AN ACT Relating to motor vehicles.

To Committee on Rules

HOUSE BILL NO. 966, by Representative Conner:
AN ACT Relating to aviation.

To Committee on Rules

HOUSE BILL NO. 967, by Representative Conner:
AN ACT Relating to aviation.

To Committee on Rules

HOUSE BILL NO. 968, by Representative Conner:
AN ACT Relating to public transportation.

To Committee on Rules

HOUSE BILL NO. 969, by Representative Conner:
AN ACT Relating to public transportation.

To Committee on Rules

HOUSE BILL NO. 970, by Representative Conner:
AN ACT Relating to marine transportation.

To Committee on Rules

HOUSE BILL NO. 971, by Representative Conner:
AN ACT Relating to motor vehicles.

To Committee on Rules

HOUSE BILL NO. 972, by Representative Conner:
AN ACT Relating to transportation taxation.

To Committee on Rules

HOUSE BILL NO. 973, by Representative Conner:
AN ACT Relating to transportation taxation.

To Committee on Rules

HOUSE BILL NO. 974, by Representative Conner:
AN ACT Relating to motor vehicle fuel taxes.

To Committee on Rules

HOUSE BILL NO. 975, by Representative Conner:
AN ACT Relating to transportation.

To Committee on Rules

HOUSE BILL NO. 976, by Representative Conner:

AN ACT Relating to transportation.

To Committee on Rules

HOUSE BILL NO. 977, by Representative Conner:

AN ACT Relating to transportation studies.

To Committee on Rules

HOUSE BILL NO. 978, by Representative Conner:

AN ACT Relating to highways.

To Committee on Rules

HOUSE BILL NO. 979, by Representative Conner:

AN ACT Relating to highways.

To Committee on Rules

HOUSE BILL NO. 980, by Representative Conner:

AN ACT Relating to marine transportation.

To Committee on Rules

HOUSE BILL NO. 981, by Representative Ehlers (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to state government.

To Committee on Rules

HOUSE BILL NO. 982, by Representative Ehlers (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to travel expenses.

To Committee on Rules

HOUSE BILL NO. 983, by Representative Ehlers (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to travel expenses.

To Committee on Rules

HOUSE BILL NO. 984, by Representative Eng:

AN ACT Regulating mortgages and deeds of trust.

To Committee on Rules

HOUSE BILL NO. 985, by Representative Erickson (by Executive request of Governor Ray):

AN ACT Relating to tuition and fees of the state institutions of higher education.

To Committee on Rules

HOUSE BILL NO. 986, by Representative Erickson:

AN ACT Relating to the council for post secondary education.

To Committee on Rules

HOUSE BILL NO. 987, by Representatives Gaines and Warnke:

AN ACT Relating to barbering and men's hair styling.

To Committee on Rules

HOUSE BILL NO. 988, by Representative Hawkins:

AN ACT Relating to scenic rivers.

To Committee on Rules

HOUSE BILL NO. 989, by Representative Hurley (Margaret):

AN ACT Relating to outdoor recreation.

To Committee on Rules

HOUSE BILL NO. 990, by Representative Hurley (Margaret):

AN ACT Relating to parks and recreation.

To Committee on Rules

HOUSE BILL NO. 991, by Representative Hurley (Margaret):

AN ACT Relating to parks and recreation.

To Committee on Rules

HOUSE BILL NO. 992, by Representative Hurley (Margaret):

AN ACT Relating to the interagency committee on outdoor recreation.

To Committee on Rules

HOUSE BILL NO. 993, by Representative Kilbury:

AN ACT Relating to consumer interests.

To Committee on Rules

HOUSE BILL NO. 994, by Representative Kilbury:

AN ACT Relating to consumer interests.

To Committee on Rules

HOUSE BILL NO. 995, by Representative Kilbury:

AN ACT Relating to consumer interests.

To Committee on Rules

HOUSE BILL NO. 996, by Representative Kilbury:

AN ACT Relating to agriculture.

To Committee on Rules

HOUSE BILL NO. 997, by Representative Kilbury:

AN ACT Relating to agriculture.

To Committee on Rules

HOUSE BILL NO. 998, by Representative Kilbury:

AN ACT Relating to water.

To Committee on Rules

HOUSE BILL NO. 999, by Representative Kilbury:

AN ACT Relating to water.

To Committee on Rules

HOUSE BILL NO. 1000, by Representative Kilbury:

AN ACT Relating to agriculture.

To Committee on Rules

HOUSE BILL NO. 1001, by Representative Lysen:

AN ACT Relating to energy conservation.

To Committee on Rules

HOUSE BILL NO. 1002, by Representative Lysen:

AN ACT Relating to electricity.

To Committee on Rules

HOUSE BILL NO. 1003, by Representative Lysen:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1004, by Representative McCormick:

AN ACT Relating to transportation.

To Committee on Rules

HOUSE BILL NO. 1005, by Representative McCormick:

AN ACT Relating to outdoor advertising.

To Committee on Rules

HOUSE BILL NO. 1006, by Representative Patterson:

AN ACT Relating to powers and duties of the state board for community college education.

To Committee on Rules

HOUSE BILL NO. 1007, by Representative Patterson:

AN ACT Relating to powers and duties of the state board for community college education.

To Committee on Rules

HOUSE BILL NO. 1008, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1009, by Representative Sommers:

AN ACT Relating to revenue and taxation.

To Committee on Rules

HOUSE BILL NO. 1010, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1011, by Representative Sommers:

AN ACT Relating to revenue and taxation.

To Committee on Rules

HOUSE BILL NO. 1012, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1013, by Representative Valle:

AN ACT Relating to solid waste.

To Committee on Rules

HOUSE BILL NO. 1014, by Representative Valle:

AN ACT Relating to shoreline management.

To Committee on Rules

HOUSE BILL NO. 1015, by Representative Warnke:

AN ACT Relating to the licensing of professions and occupations.

To Committee on Rules

HOUSE BILL NO. 1016, by Representatives Kreidler and Adams:

AN ACT Relating to public welfare.

To Committee on Rules

HOUSE BILL NO. 1017, by Representative Kreidler:

AN ACT Relating to health.

To Committee on Rules

HOUSE BILL NO. 1018, by Representative Adams:

AN ACT Relating to drug abuse.

To Committee on Rules

HOUSE BILL NO. 1019, by Representatives Adams and Kreidler:

AN ACT Relating to public health and welfare.

To Committee on Rules

HOUSE BILL NO. 1020, by Representatives Adams and Kreidler:

AN ACT Relating to public health.

To Committee on Rules

HOUSE BILL NO. 1021, by Representative Ehlers:

AN ACT Relating to state government.

To Committee on Rules

HOUSE BILL NO. 1022, by Representative Ehlers:

AN ACT Relating to state government.

To Committee on Rules

HOUSE BILL NO. 1023, by Representatives Hawkins, Becker and Paris:

AN ACT Relating to post-retirement adjustments of retirement allowances paid by retirement systems created under the general laws of the state of Washington.

To Committee on Rules

HOUSE BILL NO. 1024, by Representative Hansen (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to revenue.

To Committee on Rules

HOUSE BILL NO. 1025, by Representative Douthwaite (by Office of Insurance Commissioner request):

AN ACT Relating to readability and disclosure of insurance.

To Committee on Rules

HOUSE BILL NO. 1026, by Representative Hurley (George):

AN ACT Relating to childrens services.

To Committee on Rules

HOUSE BILL NO. 1027, by Representative Hurley (George):

AN ACT Relating to criminal justice planning.

To Committee on Rules

HOUSE BILL NO. 1028, by Representative Hurley (George):

AN ACT Relating to developmental disabilities.

To Committee on Rules

HOUSE BILL NO. 1029, by Representative Hurley (George):

AN ACT Relating to mental health.

To Committee on Rules

HOUSE BILL NO. 1030, by Representative McKibbin:
AN ACT Relating to personal service contracts for state agencies.

To Committee on Rules

HOUSE BILL NO. 1031, by Representative Struthers:
AN ACT Relating to drug offenses.

To Committee on Rules

HOUSE BILL NO. 1032, by Representative Hurley (George):
AN ACT Relating to juvenile probation.

To Committee on Rules

HOUSE BILL NO. 1033, by Representative Shinpoch:
AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1034, by Representative Shinpoch:
AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1035, by Representative Shinpoch:
AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1036, by Representative Shinpoch:
AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1037, by Representative Eng:
AN ACT Relating to financial institutions.

To Committee on Rules

HOUSE BILL NO. 1038, by Representative Eng:
AN ACT Relating to financial institutions.

To Committee on Rules

HOUSE BILL NO. 1039, by Representative Eng:
AN ACT Relating to financial institutions.

To Committee on Rules

HOUSE BILL NO. 1040, by Representative Lux:
AN ACT Relating to labor.

To Committee on Rules

HOUSE BILL NO. 1041, by Representative Lux:
AN ACT Relating to unemployment compensation.

To Committee on Rules

HOUSE BILL NO. 1042, by Representative Shinpoch:
AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1043, by Representative Hurley (George):
AN ACT Relating to juvenile justice.

To Committee on Rules

HOUSE BILL NO. 1044, by Representative Hanna:

AN ACT Relating to treatment and rehabilitation.

To Committee on Rules

HOUSE BILL NO. 1045, by Representatives Gaines and Warnke:

AN ACT Relating to fire safety education.

To Committee on Rules

HOUSE BILL NO. 1046, by Representative Eng:

AN ACT Relating to home warranties.

To Committee on Rules

HOUSE BILL NO. 1047, by Representative Eng:

AN ACT Relating to the uniform commercial code.

To Committee on Rules

HOUSE BILL NO. 1048, by Representative Shinpoch:

AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1049, by Representative Shinpoch:

AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1050, by Representative Shinpoch:

AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1051, by Representative Shinpoch:

AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1052, by Representative Hanna:

AN ACT Relating to state investigation, enforcement, and prosecution of crime and corruption.

To Committee on Rules

HOUSE BILL NO. 1053, by Representative McKibbin:

AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 1054, by Representatives Haley, Barnes and Monohon:

AN ACT Relating to damages for personal injuries.

To Committee on Rules

HOUSE BILL NO. 1055, by Representatives Maxie and Douthwaite:

AN ACT Relating to mortgage insurance.

To Committee on Rules

HOUSE BILL NO. 1056, by Representative Eng:

AN ACT Relating to joint tenancies with the right of survivorship.

To Committee on Rules

HOUSE BILL NO. 1057, by Representative Warnke:

AN ACT Relating to contractor registration.

To Committee on Rules

HOUSE BILL NO. 1058, by Representative Lux:

AN ACT Relating to unemployment compensation.

To Committee on Rules

HOUSE BILL NO. 1059, by Representative Lux:

AN ACT Relating to workers' compensation.

To Committee on Rules

HOUSE BILL NO. 1060, by Representative McKibbin:

AN ACT Relating to communications.

To Committee on Rules

HOUSE BILL NO. 1061, by Representative Douthwaite:

AN ACT Relating to cities of the first class; and adding a new section to Title 35 RCW.

To Committee on Rules

HOUSE BILL NO. 1062, by Representative Thompson:

AN ACT Relating to the regulation of the sale of lands.

To Committee on Rules

HOUSE BILL NO. 1063, by Representative Thompson:

AN ACT Relating to growth policy.

To Committee on Rules

HOUSE BILL NO. 1064, by Representative Thompson:

AN ACT Relating to zoning.

To Committee on Rules

HOUSE BILL NO. 1065, by Representative Thompson:

AN ACT Relating to annexation.

To Committee on Rules

HOUSE BILL NO. 1066, by Representative Douthwaite:

AN ACT Relating to cities of the first class; and adding a new section to Title 35 RCW.

To Committee on Rules

HOUSE BILL NO. 1067, by Representatives Nelson (Dick) and Sommers:

AN ACT Relating to open space taxation.

To Committee on Rules

HOUSE BILL NO. 1068, by Representative Douthwaite:

AN ACT Relating to cities of the first class; and adding a new section to Title 35 RCW.

To Committee on Rules

HOUSE BILL NO. 1069, by Representative Gaines:

AN ACT Relating to alcoholic beverage control.

To Committee on Rules

HOUSE BILL NO. 1070, by Representative Thompson:

AN ACT Relating to lands of state-wide significance.

To Committee on Rules

HOUSE BILL NO. 1071, by Representative Thompson:

AN ACT Relating to governmental utilities and improvements.

To Committee on Rules

HOUSE BILL NO. 1072, by Representative Erickson:

AN ACT Relating to services and activities fees charged at institutions of higher education.

To Committee on Rules

HOUSE BILL NO. 1073, by Representative Erickson:

AN ACT Relating to community colleges.

To Committee on Rules

HOUSE BILL NO. 1074, by Representative Erickson:

AN ACT Relating to community colleges.

To Committee on Rules

HOUSE BILL NO. 1075, by Representative Burns:

AN ACT Relating to higher education.

To Committee on Rules

HOUSE BILL NO. 1076, by Representatives Nelson (Dick) and Becker:

AN ACT Relating to part time permanent employment opportunities in selected state agencies.

To Committee on Rules

HOUSE BILL NO. 1077, by Representative Shinpoch:

AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1078, by Representative Bauer:

AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 1079, by Representative Bauer:

AN ACT Relating to local government.

To Committee on Rules

HOUSE BILL NO. 1080, by Representative Bauer:

AN ACT Relating to revenue.

To Committee on Rules

HOUSE BILL NO. 1081, by Representative Douthwaite:

AN ACT Relating to financial responsibility for motor vehicles; and amending chapter 46.29 RCW.

To Committee on Rules

HOUSE BILL NO. 1082, by Representative Douthwaite:

AN ACT Relating to escrow; and amending Title 18 RCW.

To Committee on Rules

HOUSE BILL NO. 1083, by Representative Douthwaite:

AN ACT Relating to insurance and municipal corporations; and amending chapter 4.96 RCW.

To Committee on Rules

HOUSE BILL NO. 1084, by Representative Douthwaite:

AN ACT Relating to insurance and liability limitations of municipal corporations; and amending chapter 4.96 RCW.

To Committee on Rules

HOUSE BILL NO. 1085, by Representative Blair:

AN ACT Relating to the Washington state patrol retirement system.

To Committee on Rules

HOUSE BILL NO. 1086, by Representative Thompson:
AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1087, by Representative Hurley (George):
AN ACT Relating to public utilities; and adding a new section to Title 80 RCW.

To Committee on Rules

HOUSE BILL NO. 1088, by Representative Douthwaite:
AN ACT Relating to public corporations; and adding a new section to Title 37 RCW.

To Committee on Rules

HOUSE BILL NO. 1089, by Representative Douthwaite:
AN ACT Relating to municipal courts; and adding a new section to Title 35 RCW.

To Committee on Rules

HOUSE BILL NO. 1090, by Representative Thompson:
AN ACT Relating to agricultural lands.

To Committee on Rules

HOUSE BILL NO. 1091, by Representative Thompson:
AN ACT Relating to activities of state-wide significance.

To Committee on Rules

HOUSE BILL NO. 1092, by Representative Thompson:
AN ACT Relating to local government.

To Committee on Rules

HOUSE BILL NO. 1093, by Representative Thompson:
AN ACT Relating to shoreline management.

To Committee on Rules

HOUSE BILL NO. 1094, by Representative Thompson:
AN ACT Relating to local government.

To Committee on Rules

HOUSE BILL NO. 1095, by Representative Thompson:
AN ACT Relating to local government.

To Committee on Rules

HOUSE BILL NO. 1096, by Representative Thompson:
AN ACT Relating to plats and subdivisions.

To Committee on Rules

HOUSE BILL NO. 1097, by Representative Thompson:
AN ACT Relating to plats and subdivisions.

To Committee on Rules

HOUSE BILL NO. 1098, by Representative Thompson:
AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1099, by Representative Thompson:
AN ACT Relating to planning.

To Committee on Rules

HOUSE BILL NO. 1100, by Representative Thompson:

AN ACT Relating to benefit assessments.

To Committee on Rules

HOUSE BILL NO. 1101, by Representative Thompson:

AN ACT Relating to plats and subdivisions.

To Committee on Rules

HOUSE BILL NO. 1102, by Representative Burns:

AN ACT Relating to postsecondary education.

To Committee on Rules

HOUSE BILL NO. 1103, by Representative Hanna:

AN ACT Relating to financial institutions who have the authority for demand checking accounts and regulating the opening of such accounts; the data system for closed accounts and establishing a fee system.

To Committee on Rules

HOUSE BILL NO. 1104, by Representative Erickson:

AN ACT Relating to postsecondary education.

To Committee on Rules

HOUSE BILL NO. 1105, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1106, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1107, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1108, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Rules

HOUSE BILL NO. 1109, by Representative Sommers:

AN ACT Relating to revenue and taxation.

To Committee on Rules

HOUSE BILL NO. 1110, by Representative Erickson:

AN ACT Relating to elected county officials.

To Committee on Rules

HOUSE BILL NO. 1111, by Representative Valle:

AN ACT Relating to scenic rivers.

To Committee on Rules

HOUSE BILL NO. 1112, by Representative Valle:

AN ACT Relating to agricultural operations.

To Committee on Rules

HOUSE BILL NO. 1113, by Representative Martinis:

AN ACT Relating to food fish and shellfish management.

To Committee on Rules

HOUSE BILL NO. 1114, by Representative Valle:

AN ACT Relating to shorelines management.

To Committee on Rules

HOUSE BILL NO. 1115, by Representative Valle:

AN ACT Relating to air pollution.

To Committee on Rules

HOUSE BILL NO. 1116, by Representatives Kreidler and Eng:

AN ACT Relating to residential reserve accounts.

To Committee on Rules

HOUSE BILL NO. 1117, by Representatives Hurley (Margaret), Lysen, Barnes, Paris and North:

AN ACT Relating to medical treatment; and creating a new section.

To Committee on Rules

HOUSE BILL NO. 1118, by Representative Martinis:

AN ACT Relating to food fish and shellfish management.

To Committee on Rules

HOUSE BILL NO. 1119, by Representative Martinis:

AN ACT Relating to food fish and shellfish management.

To Committee on Rules

HOUSE BILL NO. 1120, by Representative Valle:

AN ACT Relating to water rights; and enacting an alternative to Initiative 59.

To Committee on Rules

HOUSE BILL NO. 1121, by Representative Valle:

AN ACT Relating to beverage container control.

To Committee on Rules

HOUSE BILL NO. 1122, by Representative Valle:

AN ACT Relating to environmentally hazardous substances.

To Committee on Rules

HOUSE BILL NO. 1123, by Representative Valle:

AN ACT Relating to water rights.

To Committee on Rules

HOUSE BILL NO. 1124, by Representative Valle:

AN ACT Relating to environmental policy.

To Committee on Rules

HOUSE BILL NO. 1125, by Representative Valle:

AN ACT Relating to water resource management.

To Committee on Rules

HOUSE BILL NO. 1126, by Representative Fischer:

AN ACT Relating to the support of emergency medical services.

To Committee on Rules

HOUSE BILL NO. 1127, by Representative Smith:

AN ACT Relating to child support collections.

To Committee on Rules

HOUSE BILL NO. 1128, by Representative Smith:

AN ACT Relating to Intelligence records.

To Committee on Rules

HOUSE BILL NO. 1129, by Representative Fortson:

AN ACT Relating to senior citizens.

To Committee on Rules

HOUSE BILL NO. 1130, by Representative Conner:

AN ACT Relating to the aircraft fuel excise tax; amending section 2, chapter 10, Laws of 1967 ex. sess. as amended by section 2, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.020; and amending section 7, chapter 10, Laws of 1967 ex. sess. as amended by section 4, chapter 156, Laws of 1971 ex. sess. and RCW 82.42.070.

To Committee on Transportation

HOUSE BILL NO. 1131, by Representatives Clayton, Amen, Barr, Hansen, Oliver, Newhouse, Kilbury, Boldt and Flanagan:

AN ACT Relating to agricultural commodities; amending section 1, chapter 124, Laws of 1963 as last amended by section 19, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.010; amending section 4, chapter 124, Laws of 1963 as amended by section 21, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.040; amending section 5, chapter 124, Laws of 1963 and RCW 22.09.050; and amending section 13, chapter 124, Laws of 1963 and RCW 22.09.130.

To Committee on Agriculture

HOUSE BILL NO. 1132, by Representative Conner:

AN ACT Relating to motor vehicles; and amending section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 1, chapter 37, Laws of 1973 1st ex. sess. and RCW 46.52.130.

To Committee on Insurance

HOUSE BILL NO. 1133, by Representatives Conner, Kilbury, Gallagher, Knowles, McCormick, Hanna, Grier, Struthers, Fuller and Gaines:

AN ACT Relating to gambling; amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020; amending section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.030; creating a new section; and providing penalties.

To Committee on Commerce

HOUSE BILL NO. 1134, by Representative Shinoda:

AN ACT Relating to state government; creating the state game and fish commission to administer the game, game fish, and fisheries resources of the state; defining the powers and duties of the commission; providing for certain duties and powers of the commission and the director of game and fish; amending section 75.04.010, chapter 12, Laws of 1955 as amended by section 2, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.04.010; amending section 75.04.020, chapter 12, Laws of 1955 and RCW 75.04.020; amending section 1, chapter ... (HB 174), Laws of 1977 and RCW 43.17.010; amending section 2, chapter ... (HB 174), Laws of 1977 and RCW 43.17.020; adding a new chapter to Title 77 RCW; repealing section 77.04.010, chapter 36, Laws of 1955 and RCW 77.04.010; repealing section 77.04-.020, chapter 36, Laws of 1955 and RCW 77.04.020; repealing section 77.04.030, chapter 36, Laws of 1955 and RCW 77.04.030; repealing section 77.04.040, chapter 36, Laws of 1955 and RCW 77.04.040; repealing section 77.04.050, chapter 36, Laws of 1955 and RCW 77.04.050; repealing section 77.04-.060, chapter 36, Laws of 1955, section 1, chapter 352, Laws of 1955, section 9, chapter 307, Laws of 1961, section 175, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 77.04.060; repealing section 77.04.080, chapter 36, Laws of 1955 and RCW 77.04.080; prescribing an effective date; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 1135, by Representatives Pardini and O'Brien:

AN ACT Relating to the support of state and local government; providing for the planning, acquisition, construction, remodeling, improvement, excavation, conservation, restoration, preservation, and redevelopment of state-wide visual and performing arts and museum facilities, and preservation of historical features, including grants therefor; providing for the financing thereof by the issuance of bonds and anticipation notes; authorizing certain charges against state agencies, occupants, or users of such facilities; and adding a new chapter to Title 43 RCW.

To Committee on State Government

HOUSE BILL NO. 1136, by Representative Hurley (George):

AN ACT Relating to pharmacists' assistants; and adding a new chapter to Title 18 RCW.

To Committee on Commerce

HOUSE BILL NO. 1137, by Representatives Valle, Becker, Hanna, Haley, Eng and Gruger:

AN ACT Relating to state government; and adding new sections to chapter 43.20A RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1138, by Representative Clemente:

AN ACT Relating to pharmacists' assistants; and adding a new chapter to Title 18 RCW.

To Committee on Commerce

HOUSE BILL NO. 1139, by Representatives Nelson (Dick), Becker and Lux:

AN ACT Relating to part time permanent employment opportunities in selected state agencies; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 1140, by Representative Kilbury:

AN ACT Relating to railroads; adding a new section to chapter 81.44 RCW; prescribing penalties; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1141, by Representatives Kilbury, Flanagan, Hansen and Polk:

AN ACT Relating to water resources; adding a new chapter to Title 90 RCW; and declaring an emergency.

To Committee on Agriculture

HOUSE BILL NO. 1142, by Representatives Knowles and Smith:

AN ACT Relating to judgments and sentences; and amending section 136, page 123, Laws of 1854 as last amended by section 1114, Code of 1881 and RCW 10.64.010.

To Committee on Judiciary

HOUSE BILL NO. 1143, by Representative Clemente:

AN ACT Relating to education; and amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010.

To Committee on Education

HOUSE BILL NO. 1144, by Representatives Charnley, Sommers, Burns and Lux:

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.020; amending section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030; amending section 8, chapter 169, Laws of 1974 ex. sess. as amended by section 17, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.470; adding a new title to the Revised Code of Washington; adding a new section to chapter 15, Laws of 1961 and to chapter 84.52 RCW; creating new sections; repealing section 82.04.220, chapter 15, Laws of 1961 and RCW 82.04.220; repealing section 82.04.230, chapter 15, Laws of 1961, section 7, chapter 149, Laws of 1967 ex. sess., section 33, chapter 262, Laws of 1969 ex. sess., section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230; repealing section 82.04.240, chapter 15, Laws of 1961, section 5, chapter 173, Laws of 1965 ex. sess., section 8, chapter 149, Laws of 1967 ex. sess., section 34, chapter 262, Laws of 1969 ex. sess., section 3, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.240; repealing section 82.04.250, chapter 15, Laws of 1961, section 9, chapter 149, Laws of 1967 ex. sess., section 35, chapter 262, Laws of 1969 ex. sess., section 2, chapter 186, Laws of 1971 ex. sess., section 4, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.250; repealing section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; repealing section 82.04.260, chapter 15, Laws of 1961, section 6, chapter 173, Laws of 1965 ex. sess., section 10, chapter 149, Laws of 1967 ex. sess., section 36, chapter 262, Laws of 1969 ex. sess., section 3, chapter 186, Laws of 1971 ex. sess., section 5, chapter 281, Laws of 1971 ex. sess., section 7, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.260; repealing section 82.04.270, chapter 15, Laws of 1961, section 11, chapter 149, Laws of 1967 ex. sess., section 37, chapter 262, Laws of 1969 ex. sess., section 4, chapter 186, Laws of 1971 ex. sess., section 6, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.270; repealing section 82.04.275, chapter 15, Laws of 1961, section 12, chapter 149, Laws of 1967 ex. sess. and RCW

82.04.275; repealing section 2, chapter 8, Laws of 1970 ex. sess., section 7, chapter 281, Laws of 1971 ex. sess., section 5, chapter 299, Laws of 1971 ex. sess., section 3, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.280; repealing section 82.04.290, chapter 15, Laws of 1961, section 2, chapter 28, Laws of 1963 ex. sess., section 14, chapter 149, Laws of 1967 ex. sess., section 39, chapter 262, Laws of 1969 ex. sess., section 4, chapter 65, Laws of 1970 ex. sess., section 8, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.290; repealing section 82.04.300, chapter 15, Laws of 1961, section 3, chapter 293, Laws of 1961, section 41, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.300; repealing section 82.04.310, chapter 15, Laws of 1961 and RCW 82.04.310; repealing section 82.04.320, chapter 15, Laws of 1961 and RCW 82.04.320; repealing section 82.04.330, chapter 15, Laws of 1961, section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330; repealing section 1, chapter 145, Laws of 1965 ex. sess. and RCW 82.04.335; repealing section 82.04.340, chapter 15, Laws of 1961 and RCW 82.04.340; repealing section 82.04.350, chapter 15, Laws of 1961 and RCW 82.04.350; repealing section 82.04.360, chapter 15, Laws of 1961 and RCW 82.04.360; repealing section 82.04.370, chapter 15, Laws of 1961, section 4, chapter 293, Laws of 1961 and RCW 82.04.370; repealing section 82.04.380, chapter 15, Laws of 1961 and RCW 82.04.380; repealing section 3, chapter 81, Laws of 1970 ex. sess., section 1, chapter 134, Laws of 1972 ex. sess. and RCW 82.04.385; repealing section 82.04.390, chapter 15, Laws of 1961 and RCW 82.04.390; repealing section 3, chapter 101, Laws of 1970 ex. sess. and RCW 82.04.405; repealing section 82.04.410, chapter 15, Laws of 1961, section 15, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.410; repealing section 10, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.415; repealing section 1, chapter 156, Laws of 1969 ex. sess. and RCW 82.04.417; repealing section 82.04.420, chapter 15, Laws of 1961 and RCW 82.04.420; repealing section 82.04.425, chapter 15, Laws of 1961, section 9, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.425; repealing section 82.04.430, chapter 15, Laws of 1961, section 5, chapter 293, Laws of 1961, section 11, chapter 173, Laws of 1965 ex. sess., section 5, chapter 65, Laws of 1970 ex. sess., section 2, chapter 101, Laws of 1970 ex. sess., section 1, chapter 13, Laws of 1971 and RCW 82.04.430; repealing section 17, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.432; repealing section 26, chapter 173, Laws of 1965 ex. sess., section 1, chapter 89, Laws of 1967 ex. sess., section 1, chapter 257, Laws of 1969 ex. sess., section 6, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.435; repealing section 82.04.440, chapter 15, Laws of 1961, section 12, chapter 173, Laws of 1965 ex. sess., section 16, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.440; repealing section 2, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.442; repealing section 4, chapter 169, Laws of 1974 ex. sess., section 8, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.443; repealing section 5, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.444; repealing section 6, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.445; repealing section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400; repealing section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1145, by Representatives Becker, Charette, Blair, Tilly and Knedlik:

AN ACT Relating to child custody jurisdiction; enacting the uniform child custody jurisdiction act; and adding a new chapter to Title 26 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1146, by Representatives Conner and Gaines:

AN ACT Relating to common carriers; amending section 81.80.010, chapter 14, Laws of 1961 as amended by section 1, chapter 69, Laws of 1967 and RCW 81.80.010; amending section 81.80.020, chapter 14, Laws of 1961 and RCW 81.80.020; amending section 81.80.100, chapter 14, Laws of 1961 and RCW 81.80.100; amending section 81.80.200, chapter 14, Laws of 1961 and RCW 81.80.200; amending section 81.80.230, chapter 14, Laws of 1961 and RCW 81.80.230; amending section 81.80.280, chapter 14, Laws of 1961 and RCW 81.80.280; amending section 81.80.312, chapter 14, Laws of 1961 as last amended by section 16, chapter 210, Laws of 1969 ex. sess. and RCW 81.80.312; amending section 81.80.318, chapter 14, Laws of 1961 as last amended by section 3, chapter 170, Laws of 1967 and RCW 81.80.318; amending section 81.80.330, chapter 14, Laws of 1961 and RCW 81.80.330; adding new sections to chapter 81.28 RCW; adding a new section to chapter 81.80 RCW; and providing penalties.

To Committee on Commerce

HOUSE BILL NO. 1147, by Representatives Hughes, Lee, Hurley (Margaret), Fischer, Blair, Bauer, Fortson, Erickson, Walk, McCormick, Knowles, O'Brien, Gallagher, May, Salatino, Knedlik, Sherman, Valle, Grier, Taller and Vrooman:

AN ACT Relating to education; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and making an effective date.

To Committee on Education

HOUSE BILL NO. 1148, by Representatives Haley, Grimm, Chandler, Erickson and Burns:

AN ACT Relating to institutions of higher education; amending section 29, chapter 261, Laws 1969 ex. sess. as last amended by section 2, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.520; amending section 11, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.530; and creating a new section.

To Committee on Higher Education

HOUSE BILL NO. 1149, by Representative Ehlers:

AN ACT Relating to state government; amending section 43.19.010, chapter 8, Laws of 1965 as amended by section 1, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.010; amending section 43.19.030, chapter 8, Laws of 1965 as amended by section 7, chapter 40, Laws of 1975 and RCW 43.19.030; amending section 43.19.1906, chapter 8, Laws of 1965 as amended by section 8, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1906; amending section 43.19.1919, chapter 8, Laws of 1965 as amended by section 11, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1919; amending section 43.19.1923, chapter 8, Laws of 1965 as last amended by section 12, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1923; amending section 43.19.1925, chapter 8, Laws of 1965 as last amended by section 8, chapter 40, Laws of 1975 and RCW 43.19.1925; amending section 43.19.1927, chapter 8, Laws of 1965 and RCW 43.19.1927; amending section 43.19.1935, chapter 8, Laws of 1965 as amended by section 9, chapter 40, Laws of 1975 and RCW 43.19.1935; amending section 43.17.100, chapter 8, Laws of 1965 as amended by section 6, chapter 40, Laws of 1975 and RCW 43.17.100; amending section 10, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.600; amending section 11, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.605; amending section 13, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.615; amending section 3, chapter 295, Laws of 1961 and RCW 81.77.020; and adding new sections to chapter 43.19 RCW.

To Committee on State Government

HOUSE BILL NO. 1150, by Representatives Gaines, Lux, Grier and Pearsall:

AN ACT Relating to gambling; amending section 1, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 259, Laws of 1975 1st ex. sess. and RCW 9.46.010; amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020; amending section 4, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 12, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.040; amending section 7, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.070; amending section 12, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.120; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 1151, by Representatives Lux, Pruitt, Kreidler, Barr and Haley:

AN ACT Relating to state government; amending section 2, chapter 189, Laws of 1971 ex. sess. as amended by section 98, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.20A.360; and adding new sections to chapter 43.20A RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1152, by Representatives Williams, Wilson, Ehlers and Shinpoch:

AN ACT Relating to public contracts; amending section 35.23.352, chapter 7, Laws of 1965 as last amended by section 2, chapter 74, Laws of 1974 ex. sess. and RCW 35.23.352; amending section 36.32.250, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1975 1st ex. sess. and RCW 36.32.250; adding a new chapter to Title 39 RCW; and prescribing penalties.

To Committee on State Government

HOUSE BILL NO. 1153, by Representatives Adams, Pruitt, Lux, Kreidler, Barr and Haley:

AN ACT Relating to employment; and adding a new section to chapter 50.12 RCW.

To Committee on Labor

HOUSE BILL NO. 1154, by Representatives Smith and Hawkins:

AN ACT Relating to revenue and taxation; amending section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 1st ex. sess. and RCW 84.55.010; amending section 21, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.020; and adding a new section to chapter 288, Laws of 1971 ex. sess. and to chapter 84.55 RCW.

To Committee on Revenue

HOUSE BILL NO. 1155, by Representatives Smith, Becker, Knowles, Blair, Douthwaite, Hanna, Charnley, Grier, Erickson, Knedlik, Nelson (Dick), Nelson (Gary), Burns, Lux and Moreau:

AN ACT Relating to crimes; amending section 31, chapter 1, Laws of 1973 as last amended by section 5, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.310; amending section 2, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.705; amending section 3, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.710; amending section 7, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.730; amending section 23, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.810; adding a new chapter to Title 10 RCW; defining crimes; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 1156, by Representative Gaines:

AN ACT Relating to gambling; amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020; amending section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.030; creating a new section; and providing penalties.

To Committee on Commerce

HOUSE BILL NO. 1157, by Representatives Hansen, Pardini, McKibben, Eng, Owen, Blair, Vrooman, Bender, Zimmerman, Amen, Shinpoch, Sommers, Polk, Whiteside, May, Sherman, Gallagher, Moreau, Deccio, Patterson, Barnes, Chandler, Gilleland, Hawkins, Sanders and Toller:

AN ACT Relating to retirement systems; amending section 18, chapter 209, Laws of 1969 ex. sess. as amended by section 13, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.190; amending section 26, chapter 80, Laws of 1947 as last amended by section 2, chapter 199, Laws of 1974 ex. sess. and RCW 41.32.260; amending section 18, chapter 274, Laws of 1947 as last amended by section 14, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.170; amending section 43.43.260, chapter 8, Laws of 1965 as last amended by section 3, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.260; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 1158, by Representatives Nelson (Dick), Eng and Knedlik:

AN ACT Relating to for hire vehicles; amending section 46.72.050, chapter 12, Laws of 1961 as last amended by section 2, chapter 15, Laws of 1973 and RCW 46.72.050; adding a new section to chapter 12, Laws of 1961 and to chapter 46.32 RCW; adding new sections to chapter 12, Laws of 1961 and to chapter 46.72 RCW; and prescribing penalties.

To Committee on Insurance

HOUSE BILL NO. 1159, by Representative Blair:

AN ACT Relating to investments of insurers; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.13 RCW.

To Committee on Insurance

HOUSE BILL NO. 1160, by Representatives Smith, Enbody, Knedlik, Hurley (George), Erickson and Nelson (Dick):

AN ACT Relating to the death penalty; amending section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.040; adding a new chapter to Title 10 RCW; prescribing penalties; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1161, by Representatives Lux and Burns:

AN ACT Relating to motor vehicles; adding a new chapter to Title 46 RCW; adding a new section to chapter 169, Laws of 1963 and to chapter 46.29 RCW; making an appropriation; and providing an effective date.

To Committee on Insurance

HOUSE BILL NO. 1162, by Representatives Blair and Warnke (by Insurance Commissioner request):

AN ACT Relating to products liability; adding a new chapter to Title 4 RCW; and repealing section 1, chapter 138, Laws of 1973 1st ex. sess. and RCW 4.22.010.

To Committee on Insurance

HOUSE BILL NO. 1163, by Representative Kilbury:

AN ACT Relating to revenue and taxation, providing for the taxation of certain thermal electric generating facilities and the distribution of moneys received therefrom; and adding a new chapter to Title 82 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1164, by Representative Smith:

AN ACT Relating to motor vehicles; amending section 1, chapter 1, Laws of 1969 as amended by section 4, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.20.308; and amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 2, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.515.

To Committee on Judiciary

HOUSE BILL NO. 1165, by Representatives Sommers, Burns, Adams, Hanna, Haley and Newhouse:

AN ACT Relating to taxes; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030; and amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 11, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.12.030.

To Committee on Revenue

HOUSE BILL NO. 1166, by Representatives Douthwaite, Lux, Adams, Haley and Newhouse:

AN ACT Relating to insurance; and adding new sections to chapter 48.18 RCW.

To Committee on Insurance

HOUSE BILL NO. 1167, by Representatives Clemente, Barnes and Hanna:

AN ACT Relating to education; amending section 6, chapter 50, Laws of 1970 ex. sess. and RCW 72.40-.031; and amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010.

To Committee on Education

HOUSE BILL NO. 1168, by Representatives Becker, Blair, Thompson, Shinpoch, Douthwaite and Hansen:

AN ACT Relating to revenue; amending section 16, chapter 47, Laws of 1971 ex. sess. as amended by section 11, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.110; repealing section 22, chapter 47, Laws of 1971 ex. sess., section 15, chapter 153, Laws of 1972 ex. sess., section 3, chapter 144, Laws of 1974 ex. sess., section 1, chapter 34, Laws of 1975 1st ex. sess. and RCW 46.09.170; and repealing section 2, chapter 34, Laws of 1975 1st ex. sess. and RCW 46.09.175.

To Committee on Revenue

HOUSE BILL NO. 1169, by Representatives Adams, Kreidler, Hanna and Haley:

AN ACT Relating to domestic relations; amending sections 13 and 14, page 83, Laws of 1866 as last amended by section 29, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.04.210; amending section 419, chapter 249, Laws of 1909 and RCW 26.04.250; repealing section 1, chapter 174, Laws of 1909, section 1, chapter 16, Laws of 1909 ex. sess., section 1, chapter 149, Laws of 1959, section 27, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.04.030; and repealing section 2, chapter 174, Laws of 1909, section 2, chapter 16, Laws of 1909 ex. sess., section 2, chapter 149, Laws of 1959, section 28, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.04.040.

To Committee on Social and Health Services

HOUSE BILL NO. 1170, by Representatives Adams, Pearsall, Lux, Fortson, Hanna, Haley and Gallagher:

AN ACT Relating to public health and safety; amending section 2, chapter 110, Laws of 1975 1st ex. sess. and RCW 70.92.110; and amending section 4, chapter 110, Laws of 1975 1st ex. sess. and RCW 70.92.130.

To Committee on Social and Health Services

HOUSE BILL NO. 1171, by Representatives Martinis, Enbody, McKibbin, Bauer and Zimmerman:

AN ACT Relating to licensing by the game department; amending section 77.08.010, chapter 36, Laws of 1955 and RCW 77.08.010; and amending section 77.32.010, chapter 36, Laws of 1955 as amended by section 1, chapter 245, Laws of 1959 and RCW 77.32.010.

To Committee on Natural Resources

HOUSE BILL NO. 1172, by Representatives Keller and Kreidler:

AN ACT Relating to state government; making appropriations; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 1173, by Representatives Gruger, Hanna, Deccio, Charnley, Greengo and Bender:

AN ACT Relating to corrections; and adding new sections to chapter 72.01 RCW.

To Committee on Institutions

HOUSE BILL NO. 1174, by Representatives Gruger, Heck, Grier, Barnes, Valle, Erickson and Blair:

AN ACT Relating to education; amending section 2, chapter 78, Laws of 1975 1st ex. sess. and RCW 28A.03.310; amending section 9, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.070; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; and making an appropriation.

To Committee on Education

HOUSE BILL NO. 1175, by Representatives Valle and Douthwaite:

AN ACT Relating to dam safety; adding a new chapter to Title 90 RCW; and prescribing penalties.

To Committee on Ecology

HOUSE BILL NO. 1176, by Representatives Valle, Pruitt, Erickson, Winsley, Haley, Barnes and Hawkins:

AN ACT Relating to revenue and taxation; and adding a new section to chapter 82.04 RCW.

To Committee on Revenue

HOUSE BILL NO. 1177, by Representatives Conner, Wilson and Owen:

AN ACT Relating to energy facilities; and amending section 9, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.090.

To Committee on Energy and Utilities

HOUSE BILL NO. 1178, by Representatives McKibbin, Zimmerman, Bauer and Heck:

AN ACT Relating to property taxation; exempting the property of certain nonprofit corporations and associations from taxation; adding new sections to chapter 84.36 RCW; prescribing effective dates; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1179, by Representatives Lysen, Charnley, Kilbury, Sherman, Grimm and Pearsall (by Executive request of Governor Ray):

AN ACT Relating to energy facility sites; amending section 2, chapter 45, Laws of 1970 ex. sess. as amended by section 30, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.020; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 31, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.030; amending section 6, chapter 45, Laws of 1970 ex. sess. as amended by section 34, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.060; amending section 8, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.080; amending section 9, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.090; amending section 10, chapter 45, Laws of 1970 ex. sess. as amended by section 36, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.100; amending section 11, chapter 45, Laws of 1970 ex. sess. as amended by section 37, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.110; amending section 15, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.150; adding new sections to chapter 80.50 RCW; repealing section 5, chapter 45, Laws of 1970 ex. sess., section 33, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.050; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1180, by Representatives Warnke and Lee:

AN ACT Relating to the state patrol retirement system; amending section 43.43.260, chapter 8, Laws of 1965 as last amended by section 3, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.260; amending section 4, chapter 180, Laws of 1973 1st ex. sess. as amended by section 3, chapter 14, Laws of 1973 2nd ex. sess. and RCW 43.43.270; making an appropriation; providing an effective date; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1181, by Representatives Chandler, Smith, Wilson and Hawkins:

AN ACT Relating to the death penalty; amending section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.040; amending section 1, chapter 9, Laws of 1975-'76 2nd ex. sess. and RCW 9A.32.045; adding a new chapter to Title 10 RCW; repealing section 2, chapter 9, Laws of 1975-'76 2nd ex. sess. and RCW 9A.32.046; defining crimes; prescribing penalties; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1182, by Representatives Hughes, Lee, Hurley (Margaret), Fischer, Fortson, Blair, Erickson, Walk, Bauer, McCormick, Knowles, O'Brien, Gallagher, May, Salatino, Knedlik, Sherman, Grier, Taller, Schmitt and Vrooman:

AN ACT Relating to education; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and making an effective date.

To Committee on Education

HOUSE BILL NO. 1183, by Representatives Martinis, Moreau, Gilleland, McCormick, O'Brien, Charnley, Shinpoch, Hurley (George), Kilbury, Fischer, Berentson, Fuller, Wilson, Schmitt, Taller, Haley, Greengo, Sherman, Fortson, King, Walk, Knedlik, Ehlers, Burns, North, Erickson, Valle, Nelson (Dick), Becker, Keller, Pruitt, Gallagher, Knowles, Kreidler, McKibben, Bauer, Clemente, Chandler and Grimm (by Executive request of Governor Ray):

AN ACT Relating to the department of fisheries; making appropriations and authorizing expenditures for capital improvements relating to the salmon enhancement program; and authorizing certain projects.

To Committee on Natural Resources

HOUSE BILL NO. 1184, by Representatives Martinis, Moreau, Kilbury, Smith, Boldt, Owen, Vrooman, Grier, Adams, Burns, Schmitt, Taller, Wilson, Zimmerman, Haley, Greengo, Lux, Fortson, Walk, Knedlik, Becker, Berentson, Chandler and Grimm (by Executive request of Governor Ray):

AN ACT Relating to the support of state government; providing for salmon enhancement facilities; providing for the financing thereof by the issuance of bonds and anticipation notes; adding a new chapter to Title 75 RCW; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 1185, by Representatives Martinis, Moreau, Kilbury, Smith, Haley, Greengo, Schmitt, Taller, Boldt, Burns, Becker, Berentson, Wilson and Chandler (by Executive request of Governor Ray):

AN ACT Relating to food fish and shellfish; amending section 75.18.080, chapter 12, Laws of 1955 as amended by section 1, chapter 283, Laws of 1971 ex. sess. and RCW 75.18.080; amending section 1, chapter 90, Laws of 1969 as amended by section 15, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.095; amending section 75.28.130, chapter 12, Laws of 1955 as last amended by section 7, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.130; amending section 75.28.140, chapter 12, Laws of 1955 as last amended by section 8, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.140; amending section 75.28.190, chapter 12, Laws of 1955 as last amended by section 9, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.190; amending section 75.28.220, chapter 12, Laws of 1955 as last amended by section 10, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.220; and prescribing an effective date.

To Committee on Natural Resources

HOUSE BILL NO. 1186, by Representatives Martinis, Moreau, Kilbury, Greengo, Smith, Haley, Wilson, Schmitt, Berentson, Taller, Boldt, Burns, Becker and Chandler (by Executive request of Governor Ray):

AN ACT Relating to food fish and shellfish; adding a new section to chapter 12, Laws of 1955 and to chapter 75.08 RCW; adding new sections to chapter 75.28 RCW; prescribing penalties; providing effective dates; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 1187, by Representatives Martinis, Moreau, Kilbury, Greengo, Smith, Haley, Wilson, Berentson, Taller, Schmitten, Boldt, Burns, Becker and Chandler (by Executive request of Governor Ray):

AN ACT Relating to food fish and shellfish; amending section 75.32.030, chapter 12, Laws of 1955 as last amended by section 1, chapter 10, Laws of 1963 ex. sess. and RCW 75.32.030; amending section 13, chapter 212, Laws of 1955 and RCW 75.32.051; amending section 75.32.080, chapter 12, Laws of 1955 and RCW 75.32.080; amending section 75.32.090, chapter 12, Laws of 1955 as last amended by section 1, chapter 193, Laws of 1967 and RCW 75.32.090; adding new sections to chapter 75.32 RCW; repealing section 75.32.070, chapter 12, Laws of 1955, section 2, chapter 10, Laws of 1963 ex. sess., section 1, chapter 63, Laws of 1973 1st ex. sess. and RCW 75.32.070; and providing an effective date.

To Committee on Natural Resources

HOUSE BILL NO. 1188, by Representatives Martinis, Moreau, Kilbury, Greengo, Smith, Wilson, Schmitten, Taller, Boldt, Owen, Burns, Becker, Berentson and Chandler (by Executive request of Governor Ray):

AN ACT Relating to food fish and shellfish; and amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 1, chapter 223, Laws of 1975 1st ex. sess. and RCW 75.08.230.

To Committee on Natural Resources

HOUSE BILL NO. 1189, by Representatives Fortson, Shinpoch, Haley, Newhouse, Adams, Hanna, Whiteside and Lux:

AN ACT Relating to nursing homes; adding new sections to chapter 74.09 RCW; and providing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 1190, by Representatives Thompson, Valle, Sherman and Burns:

AN ACT Relating to local government; amending section 11, chapter 189, Laws of 1967 as amended by section 42, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.93.110; and amending section 18, chapter 189, Laws of 1967 and RCW 36.93.180.

To Committee on Local Government

HOUSE BILL NO. 1191, by Representatives Charnley, Haley, Chandler, Hawkins, Blair, Boldt, Valle, Ehlers, Hanna, Zimmerman and Nelson (Dick):

AN ACT Relating to scenic rivers; and adding a new chapter to Title 79 RCW.

To Committee on Natural Resources

HOUSE BILL NO. 1192, by Representatives Craswell, Smith, Greengo, Nelson (Gary), Wilson and Vrooman:

AN ACT Relating to shellfish; amending section 1, chapter 253, Laws of 1969 ex. sess. and RCW 75.24.100; amending section 6, chapter 309, Laws of 1959 as amended by section 6, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.087; amending section 4, chapter 253, Laws of 1969 ex. sess. and RCW 75.28.287; adding new sections to chapter 253, Laws of 1969 ex. sess. and to chapter 75.28 RCW; and prescribing penalties.

To Committee on Natural Resources

HOUSE BILL NO. 1193, by Representative Conner:

AN ACT Relating to the aircraft fuel excise tax; amending section 2, chapter 10, Laws of 1967 ex. sess. as amended by section 2, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.020; amending section 7, chapter 10, Laws of 1967 ex. sess. as amended by section 4, chapter 156, Laws of 1971 ex. sess. and RCW 82.42.070; and repealing section 3, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.030.

To Committee on Transportation

HOUSE BILL NO. 1194, by Representatives Adams, Lux, Pruitt, Whiteside, Barr and Haley:

AN ACT Relating to prophylactic vendors; amending section 4, chapter 192, Laws of 1939 as amended by section 7, chapter 201, Laws of 1971 ex. sess. and RCW 18.81.040; and prescribing a penalty.

To Committee on Social and Health Services

HOUSE JOINT RESOLUTION NO. 50, by Representatives Nelson (Dick) and Vrooman:

Removing certain constitutional disqualifications of voters.

To Committee on Elections and Governmental Ethics

HOUSE JOINT RESOLUTION NO. 51, by Representatives Valle, Fortson and Burns:

Proposing constitutional amendment not allowing discrimination because of age in education.

To Committee on Constitution

HOUSE JOINT RESOLUTION NO. 52, by Representatives Craswell, Struthers, Taller, Schmitten, Fancher, Shinoda, Fuller, Clayton, Winsley, Barr and Oliver:

Amending the Constitution to limit bill introduction to ten for each representative and twenty for each senator as prime sponsor.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 53, by Representatives Valle and Lux:

Authorizing income tax at percentage of federal tax liability.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 54, by Representatives Vrooman, Burns, Knedlik, Salatino, Pruitt, Nelson (Dick), Hughes, Enbody, Monohon, Grier, Pearsall, Walk, Grimm, Heck, Kreidler and Schmitten:

Carrying over bills between sessions of the same legislature.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 55, by Representatives Conner and Gaines:

Permitting the legislature to establish reasonable rates, whether maximum or minimum for transportation.

To Committee on Transportation

HOUSE JOINT RESOLUTION NO. 56, by Representatives Conner and Gaines:

Removing the constitutional requirement prohibiting short-haul differential.

To Committee on Transportation

HOUSE JOINT RESOLUTION NO. 57, by Representatives Conner and Gaines:

Removing the Constitutional prohibition against combinations by carriers.

To Committee on Transportation

HOUSE JOINT RESOLUTION NO. 58, by Representative Ehlers:

Amending the Constitution (Title only)

To Committee on Rules

HOUSE JOINT RESOLUTION NO. 59, by Representative Fortson:

Amending the Constitution. (Title only)

To Committee on Rules

HOUSE JOINT RESOLUTION NO. 60, by Representative Fortson:

Amending the Constitution. (Title only)

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 19, by Representatives Pardini, Oliver, Whiteside, Tilly, Sanders, Nelson (Gary), Barnes, Amen, Zimmerman, Chandler, Lee, Deccio, Shinoda, Struthers, Taller, Schmitten, Clayton, Dunlap, Fuller, Greengo, Fancher, Wilson, Haley, Newhouse, Gilleland, Craswell and Winsley:

Exempting energy bills from the cut-off dates generally applying to other legislation.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 20, by Representatives Charette and Sommers:

Establishing the Legislative Administrative Review Committee.

To Committee on State Government

HOUSE CONCURRENT RESOLUTION NO. 21, by Representatives Clemente and Fischer:

Providing for a study on labor-management alcoholism counselling programs.

To Committee on Social and Health Services

HOUSE CONCURRENT RESOLUTION NO. 22, by Representatives Clemente and Heck:

Providing for a study on matters relating to career education in the common schools.

To Committee on Education

SENATE BILL NO. 2180, by Senators Bottiger and Benitz (by Utilities and Transportation Commission request):

Increasing the maximum limit for revenue of small water companies not subject to regulation.

To Committee on Engery and Utilities

SENATE BILL NO. 2230, by Senators Marsh, Talley and Henry:

Authorizing cities, counties and/or public transportation agencies of contiguous states to enter into agreements for operation of bus services.

To Committee on Local Government

SENATE BILL NO. 2341, by Senators Peterson, Wanamaker and Talley (by Department of Game request):

Allowing the director of game to determine the time and place of the drawing in special hunting seasons.

To Committee on Natural Resources

ENGROSSED SENATE BILL NO. 2385, by Senators Henry, Beck and Clarke (by Department of Highways request):

Modifying the design procedure for limited access highways.

To Committee on Transportation

MOTIONS

Mr. King moved that all bills, memorials and resolutions listed on today's agenda be considered first reading under the fourth order of business and be referred to the committees designated with the exception of HOUSE BILL NO. 898, to be referred to Committee on Higher Education; HOUSE BILL NO. 912, to be referred to Committee on Local Government; and HOUSE BILL NO. 1191 to be referred to Committee on Ecology.

Mr. Pardini moved that Mr. King's motion be amended, and that HOUSE CONCURRENT RESOLUTION NO. 19 be retained on first reading.

Representatives Pardini, Berentson and Dunlap spoke in favor of the Pardini motion, and Representatives King and Lysen spoke against it.

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

Mr. Pardini closed debate, speaking again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Representative Pardini to amend the King motion and retain House Concurrent Resolution No. 19 on first reading, and the motion was lost by the following vote: Yeas, 36; nays, 58; not voting, 4.

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

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

Not voting: Representatives Bond, Lee, Pearsall, Smith.

The motion by Mr. King carried.

MESSAGE FROM THE SENATE

February 18, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2056, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2056 as amended by the House, implementing constitutional amendment permitting school district levies for two-year periods, have had the same under consideration, and we recommend that the House amendments be not adopted and that the bill be amended as follows:

On page 2, line 9 after "no" strike all language down to and including "period" on line 10 and insert "further additional tax levies for the support of the district for that period may be authorized except for expenditures attributable to an unanticipated increase in student enrollment and for the acquisition of motor vehicles for student transportation"

Signed by Senators Odegaard, Gould, McDermott; Representatives Sommers, Amen, Bauer.

MOTION

On motion of Ms. Sommers, the rules were suspended, and the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2056 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on final passage of Engrossed Substitute Senate Bill No. 2056 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

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

Voting nay: Representatives Gallagher, Pardini.

Not voting: Representatives Bond, Leckenby, Lee, Smith.

Engrossed Substitute Senate Bill No. 2056 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 assumed the Chair.

REPORTS OF STANDING COMMITTEES

February 17, 1977

HOUSE BILL NO. 50, Prime Sponsor: Representative Kilbury, requiring speedometers on locomotives. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Bender, Burns, Charnley, Clemente, Gaines, Gallagher, Grier, Martinis, McCormick, Sherman, Walk.

MINORITY recommendation: That the substitute bill do not pass. Signed by Representatives Gilleland, Ranking Minority Member; Berentson, Dunlap, Patterson, Wilson.

To Committee on Rules for second reading.

February 17, 1977

HOUSE BILL NO. 70, Prime Sponsor: Representative O'Brien, providing for an office and advisory council on archaeology and historic preservation. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), O'Brien, Salatino, Sherman, Sommers, Struthers.

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

To Committee on Rules for second reading.

February 17, 1977

HOUSE BILL NO. 240, Prime Sponsor: Representative King, regulating motor vehicles used by railroad companies to transport employees. Reported by Committee on Transportation.

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

To Committee on Rules for second reading.

February 18, 1977

HOUSE JOINT MEMORIAL NO. 9, Prime Sponsor: Representative Kilbury, requesting Congress to relieve economic pressure on cattle industry. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Boldt, Clayton, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

February 17, 1977

ENGROSSED SENATE BILL NO. 2021, Prime Sponsor: Senator Odegaard, permitting free passage on the Puget Island ferry when SR 4 is closed. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Charnley, Dunlap, Gaines, Gallagher, Grier, Lysen, Martinis, McCormick, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

February 17, 1977

ENGROSSED SENATE BILL NO. 2561, Prime Sponsor: Senator Donohue, providing for emergency cloud seeding. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Becker, Chandler, Charette, Deccio, Hawkins, Heck, Hughes, Keller, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Zimmerman.

MOTION

On motion of Mr. King, the rules were suspended, and Engrossed Senate Bill No. 2561 was advanced to second reading.

SECOND READING

ENGROSSED SENATE BILL NO. 2561, by Senators Donohue, Gaspard, Herr, Ridder, von Reichbauer, Bailey, Matson, Newschwander, Washington, Sandison, Clarke, Buffington, Hayner, Jones, Bluechel, Benitz, Odegaard, McDermott, Woody, Wojahn, Bausch, Goltz, Rasmussen, Wilson, Van Hollebeke, Guess, Gould, Morrison, Murray, Lewis, Sellar and Wanamaker:

Providing for emergency cloud seeding.

The bill was read the second time.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan and Hansen:

On page 1, line 23 after "RCW." insert "In addition, chapter 43.21C RCW shall not apply to weather modification activities undertaken by private persons under authority of a permit issued pursuant to chapter 43.37 RCW."

Representatives Flanagan and Hansen spoke in favor of the amendment, and it was adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2561 as amended by the House was placed on final passage.

Representatives Kilbury, Dunlap, Deccio, Haley and Berentson spoke in favor of passage of the bill, and Representative King spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2561 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 15; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Leckenby, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Shinoda, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Ehlers, Eng, Gaines, Hanna, Hawkins, King, Kreidler, Lux, Lysen, Monohon, Owen, Sherman, Shinpoch, Williams.

Not voting: Representatives Bond, Enbody, Lee, Smith.

Engrossed Substitute Senate Bill No. 2561 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1195, by Representative Lysen:

AN ACT Relating to energy emergency powers.

To Committee on Rules

HOUSE BILL NO. 1196, by Representatives Hurley (George) and Hanna:

AN ACT Relating to institutions.

To Committee on Rules

HOUSE BILL NO. 1197, by Representative Barr:

AN ACT Relating to the employment of children.

To Committee on Rules

HOUSE BILL NO. 1198, by Representatives Sommers, Newhouse, Charnley, Berentson, Deccio and Patterson:

AN ACT Relating to revenue and taxation; repealing section 6, chapter 134, Laws of 1972 ex. sess. and RCW 35.21.710; and repealing section 7, chapter 134, Laws of 1972 ex. sess. and RCW 35A.82.050.

To Committee on Rules

HOUSE BILL NO. 1199, by Representative Lysen:

AN ACT Relating to energy facility siting.

To Committee on Rules

HOUSE BILL NO. 1200, by Representative Warnke:

AN ACT Relating to commerce.

To Committee on Rules

HOUSE BILL NO. 1201, by Representative Warnke:

AN ACT Relating to commerce.

To Committee on Rules

HOUSE BILL NO. 1202, by Representative Warnke:

AN ACT Relating to commerce.

To Committee on Rules

HOUSE BILL NO. 1203, by Representative McKibbin:

AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 1204, by Representative Conner:

AN ACT Relating to gambling.

To Committee on Rules

HOUSE BILL NO. 1205, by Representative Gaines:

AN ACT Relating to gambling.

To Committee on Rules

HOUSE BILL NO. 1206, by Representative Knowles:

AN ACT Relating to courts.

To Committee on Rules

HOUSE BILL NO. 1207, by Representative Haley:

AN ACT Relating to prophylactic vendors.

To Committee on Rules

HOUSE BILL NO. 1208, by Representative Knowles:

AN ACT Relating to court reports.

To Committee on Rules

HOUSE BILL NO. 1209, by Representative Shinpoch:

AN ACT Relating to the Washington data processing authority.

To Committee on Rules

HOUSE BILL NO. 1210, by Representative Whiteside:

AN ACT Relating to the teachers' retirement system; and amending section 31, chapter 80, Laws of 1947 as last amended by section 1, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.310.

To Committee on Appropriations

HOUSE BILL NO. 1211, by Representatives Bauer, Zimmerman, Thompson, Whiteside, Pardini, Tilly, Becker, Amen and Charnley:

AN ACT Relating to land use planning; and amending section 36.70.570, chapter 4, Laws of 1963 and RCW 36.70.570.

To Committee on Local Government

HOUSE BILL NO. 1212, by Representatives Bender and King:

AN ACT Relating to consumer reporting agencies; and adding new sections to chapter 49.60 RCW.

To Committee on Financial Institutions

HOUSE BILL NO. 1213, by Representative Bender:

AN ACT Relating to housing authorities; amending section 35.82.020, chapter 7, Laws of 1965 and RCW 35.82.020; amending section 35.82.070, chapter 7, Laws of 1965 and RCW 35.82.070; amending section 35.82.080, chapter 7, Laws of 1965 and RCW 35.82.080; amending section 35.32.090, chapter 7, Laws of 1965 and RCW 35.82.090; amending section 35.82.130, chapter 7, Laws of 1965 and RCW 35.82.130; amending section 35.82.140, chapter 7, Laws of 1965 as last amended by section 45, chapter 56, Laws of 1970 ex. sess. and RCW 35.82.140; amending section 35.82.150, chapter 7, Laws of 1965 and RCW 35.82.150; amending section 35.82.210, chapter 7, Laws of 1965 and RCW 35.82.210; and amending section 35.82.220, chapter 7, Laws of 1965 and RCW 35.82.220.

To Committee on Local Government

HOUSE BILL NO. 1214, by Representatives Bender and Burns:

AN ACT Relating to public utilities; prescribing the rights of customers of public utilities; and adding a new chapter to Title 80 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1215, by Representative Leckenby:

AN ACT Relating to industrial insurance.

To Committee on Rules

HOUSE BILL NO. 1216, by Representative Bender:

AN ACT Relating to education.

To Committee on Rules

HOUSE BILL NO. 1217, by Representatives Leckenby and Oliver:

AN ACT Relating to environmental policy.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 23, by Representative King:

Rescheduling memorial services for deceased legislators.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 24, by Representatives Leckenby, O'Brien, Gilleland and Pruitt:

Naming the Seattle ferry terminal in honor of J.M. Colman.

To Committee on Transportation

MOTIONS

On motion of Mr. King, all bills listed on the supplemental introduction sheet were considered first reading under the fourth order of business, and were passed to the committees designated with the exception of House Concurrent Resolution No. 23.

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 23 was advanced to second reading.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 23, by Representative King:

Rescheduling memorial services for deceased legislators.

The resolution was read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 23 was placed on final passage.

Mr. King spoke in favor of the resolution, and it was adopted.

MESSAGES FROM THE SENATE

February 18, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2056, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

February 18, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2056,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was about to sign:

SUBSTITUTE SENATE BILL NO. 2056.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 130, by Representatives Erickson, Clemente, Lux, Chandler, Gaines, Grier, Grimm, Heck, Lee, Sherman and Walk:

Exempting fire districts from the 106 percent property tax limitation.

The bill was read the third time and placed on final passage.

Representatives Erickson, Owen, Chandler, Conner and Haley spoke in favor of passage of the bill, and Representatives Nelson (Gary), Hurley (George), Lysen and Hansen spoke against it.

Ms. Erickson spoke again in favor of the bill, and Representatives Hurley (George) and Lysen spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 130, and the bill passed the House by the following vote: Yeas, 62; nays, 32; not voting, 4.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Thompson, Vrooman, Walk, Warnke, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Berentson, Blair, Charnley, Craswell, Deccio, Eng, Flanagan, Fortson, Fuller, Gilleland, Greengo, Hansen, Hurley G. S., Hurley M., Leckenby, Lysen, Maxie, Nelson G. A., Oliver, Paris, Patterson, Polk, Sanders, Struthers, Tally, Valle, Whiteside, Williams, Wilson.

Not voting: Representatives Bond, Lee, Pardini, Smith.

House Bill No. 130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to change my vote on House Bill No. 130 to "Aye."

ALEX DECCIO, 14th District.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, by Committee on Financial Institutions (Originally sponsored by Representatives Sommers, Pardini, Eng, Polk, Burns, Deccio, Lux, Douthwaite, Taller, O'Brien and Maxie):

Regulating lending practices of financial institutions.

The bill was read the third time and placed on final passage.

Representatives Sommers, Maxie, Burns, Taller and Eng spoke in favor of passage of the bill, and Representatives Leckenby, Flanagan and Blair spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 323, and the bill passed the House by the following vote: Yeas, 60; nays, 31; not voting, 7.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Blair, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Knowles, Leckenby, McCormick, Nelson G. A., Newhouse, Patterson, Polk, Schmitten, Struthers, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Knowles, Leckenby, McCormick, Nelson G. A., Newhouse, Patterson, Polk, Schmitten, Struthers, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Chandler, Enbody, Keller, Lee, Oliver, Smith.

Engrossed Substitute House Bill No. 323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

My opposition to Engrossed Substitute House Bill No. 323, known as the "anti-redlining" bill is based on these points:

1. The problem has been greatly exaggerated and is vastly misunderstood.
2. The bill places enforcement and administration in the wrong agency. The Human Rights Commission is not familiar with the details of the financial industry.
3. The Human Rights Commission is overloaded with cases on the subject already.
4. The administration should be either in the Attorney General's Consumer Education Division or with Supervisor of Banking.
5. Section 12 is highly unworkable under our present economic system and strongly over-regulatory.
6. Various federal requirements already lie heavily on financial institutions and tend to run up costs of loans.
7. The bill is premature. If financial institutions can do the job on their own, they should; and they need some time to prove their good intentions.

HAL ZIMMERMAN, 17th District.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 102, by Committee on Revenue (Originally sponsored by Representatives McKibbin, Nelson (Gary) and Sommers):

Providing for highway permits and property taxes on mobile homes.

The bill was read the third time and placed on final passage.

Representatives McKibbin, Nelson (Gary) and Struthers 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. 102, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch,

Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Fuller, Lee, Oliver, Pardini, Smith.

Engrossed Substitute House Bill No. 102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 129, by Representatives Amen, Flanagan, Shinpoch, Tilly, Thompson, Polk, Knedlik, Bond, Clayton, Fuller, Greengo, Lee, Sanders, Taller and Zimmerman:

Requiring fiscal impact statements on proposed legislation.

The bill was read the third time and placed on final passage.

Representatives Amen and Shinpoch spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I, too, have been interested in seeing this happen, but I'm concerned about comments made by Representative Shinpoch that it requires OPP&FM to check on the accuracy of the fiscal notes which are forthcoming from the local government. Is that going to result in considerable cost to the state government?"

Mr. Amen: "I don't believe it should, Representative Douthwaite, because a lot of this is being done now by a Planning Community Affairs Agency and this would just coordinate under the OPP&FM. Really the cost should be very little, if any at all."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 129, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Bond, Deccio, Lee, Lux, Oliver, Salatino, Shinoda, Smith.

Engrossed 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.

STATEMENT FOR THE JOURNAL

Please show my vote as "Aye" on Engrossed House Bill No. 129.

ALEX DECCIO, 14th District.

HOUSE BILL NO. 135, by Representatives Amen, Shinpoch, Flanagan, Polk, Knedlik and Oliver (by Legislative Budget Committee request):

Repealing certain obsolete laws relating to reclamation.

The bill was read the third time and placed on final passage.

Mr. Amen spoke in favor 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, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Sommers,

Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Lee, Oliver, Pardini, Salatino, Smith.

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.

ENGROSSED HOUSE BILL NO. 414, by Representatives Tilly and Smith (by Judicial Council request):

Modifying the collection of jury costs.

The bill was read the third time and placed on final passage.

Mr. Tilly spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 414, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Lee, Oliver, Pardini, Smith.

Engrossed House Bill No. 414, having received the 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. 230, by Representatives North and Lee (by Parks and Recreation Commission request):

Revising the penalty for a winter recreational parking violation.

The bill was read the third time and placed on final passage.

Representatives North and Craswell spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 230, and the bill passed the House by the following vote: Yeas, 82; nays, 11; not voting, 5.

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

Voting nay: Representatives Blair, Boldt, Charette, Deccio, Douthwaite, Fischer, Gilleland, McKibbin, Newhouse, Thompson, Tilly.

Not voting: Representatives Bond, Lee, Oliver, Pardini, Smith.

House Bill No. 230, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 597 was rereferred from Committee on Institutions to Committee on Social and Health Services.

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1218, by Representatives Deccio, Patterson, Douthwaite, Shinpoch, Berentson, Tilly, Gaines, McCormick and Boldt:

AN ACT Relating to insurance; amending section 18.29, chapter 79, Laws of 1947 as amended by section 2, chapter 119, Laws of 1975-'76 2nd ex. sess. and RCW 48.18.290; amending section 19, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.291; amending section 20, chapter 241, Laws of 1969 ex. sess. as amended by section 3, chapter 152, Laws of 1973 1st ex. sess. and RCW 48.18.292; and adding new sections to chapter 48.18 RCW.

To Committee on Insurance

HOUSE BILL NO. 1219, by Representative Amen:

AN ACT Relating to corporate agriculture.

To Committee on Agriculture

HOUSE BILL NO. 1220, by Representatives Conner and McCormick:

AN ACT Relating to the state patrol; amending section 43.43.330, chapter 8, Laws of 1965 as amended by section 1, chapter 20, Laws of 1969 ex. sess. and RCW 43.43.330; and amending section 43.43.350, chapter 8, Laws of 1965 as amended by section 2, chapter 20, Laws 1969 ex. sess. and RCW 43.43.350.

To Committee on State Government

HOUSE BILL NO. 1221, by Representative Warnke:

AN ACT Relating to the state patrol; amending section 43.43.020, chapter 8, Laws of 1965 as amended by section 1, chapter 80, Laws of 1973 1st ex. sess. and RCW 43.43.020; amending section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.120; and amending section 43.43.130, chapter 8, Laws of 1965 and RCW 43.43.130.

To Committee on Appropriations

HOUSE BILL NO. 1222, by Representative McCormick:

AN ACT Relating to the Washington Criminal Code; amending section 9A.76.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.020; amending section 9A.76.180, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.180; and providing penalties.

To Committee on State Government

HOUSE BILL NO. 1223, by Representative Shinpoch:

AN ACT Relating to the legislature.

To Committee on Rules

HOUSE BILL NO. 1224, by Representatives Wilson, Sommers and Chandler:

AN ACT Relating to campaign financing; adding new sections to chapter 1, Laws of 1973 and to chapter 42.17 RCW; and providing for a referendum to the electorate.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1225, by Representatives Hurley (George) and Winsley:

AN ACT Relating to revenue.

To Committee on Rules

HOUSE JOINT RESOLUTION NO. 61, by Representative Shinpoch:

Amending Article II of the Constitution relating to the legislature.

To Committee on Rules

MESSAGES FROM THE SENATE

February 18, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2561, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 18, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2561,
SENATE CONCURRENT RESOLUTION NO. 110,
and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was about to sign:

SENATE BILL NO. 2561,
SENATE CONCURRENT RESOLUTION NO. 110.

MOTION

On motion of Mr. King, the House adjourned until 2:15 p.m., Monday, February 21, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, February 21, 1977.

The House was called to order at 2:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nancy Bauer and Dean Sleeper. Prayer was offered by Reverend Erich Sigmar of Messiah Lutheran Church of Auburn.

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

MESSAGE FROM THE SENATE

February 18, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2090,
ENGROSSED SENATE BILL NO. 2374,
SENATE BILL NO. 2384,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2090, by Senators Day, North, Goltz and McDermott:

Broadening the class of medical personnel authorized to write prescriptions.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2374, by Senators Guess and Peterson (by Department of Highways request):

Standardizing low clearance signing and increasing certain weight limits.

To Committee on Transportation

SENATE BILL NO. 2384, by Senators Marsh, Matson and Grant (by Department of Labor and Industries request):

Changing the time for renewal of registration certificates of contractors.

To Committee on Commerce

MOTION

On motion of Mr. King, the bills listed on today's agenda were considered first reading under the fourth order of business and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 17, 1977

HOUSE BILL NO. 282, Prime Sponsor: Representative Hawkins, establishing a presidential preference primary. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Becker, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Maxie, Tallor, Thompson, Valle, Vrooman.

To Committee on Rules for second reading.

February 18, 1977

HOUSE BILL NO. 306, Prime Sponsor: Representative Nelson (Gary), repealing comic book laws. Reported by Committee on Commerce.

MAJORITY RECOMMENDATION: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 313, Prime Sponsor: Representative Knowles, relieving from liability hospitals and certain professionals for withdrawing blood when so directed by law enforcement officer pursuant to implied consent law. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

February 17, 1977

HOUSE BILL NO. 391, Prime Sponsor: Representative Pearsall, regulating audiologists and speech pathologists. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 397, Prime Sponsor: Representative Tilly, implementing code of responsibility criteria in awarding reasonable attorney's fees in eminent domain cases. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 444, Prime Sponsor: Representative Conner, increasing parents' liability for property damage caused by their children to \$3,000. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

February 18, 1977

HOUSE BILL NO. 484, Prime Sponsor: Representative Sommers, regulating the retail sale of frozen fish and shellfish. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

February 18, 1977

HOUSE BILL NO. 500, Prime Sponsor: Representative Sommers, making general procedural and housekeeping changes in the excise tax laws. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Craswell, Erickson, Flanagan, Hurley (George), Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 501, Prime Sponsor: Representative Sommers, imposing personal liability on corporation officers and employees for collection of sales and use taxes. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Flanagan, Hurley (George), Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

February 18, 1977

HOUSE BILL NO. 503, Prime Sponsor: Representative Sommers, providing for the collection of use taxes on aircraft by the Department of Motor Vehicles. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Flanagan, Hurley (George), Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

February 18, 1977

HOUSE BILL NO. 613, Prime Sponsor: Representative Sommers, repealing property tax revaluation ratio procedures. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Flanagan, Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 635, Prime Sponsor: Representative Enbody, defining what persons are lawfully on the property of another for the purpose of determining liability for dog bites. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

February 18, 1977

HOUSE BILL NO. 661, Prime Sponsor: Representative Douthwaite, permitting policy owners to return disability insurance policies within ten days. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Douthwaite, Chairman; Haley, Ranking Minority Member; Barnes, Blair, Erickson, Knedlik, Monohon, Sanders, Taller.

To Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 585, by Representatives Erickson, Burns and Chandler:

Providing that each state college board of trustees have a treasurer who shall be bonded.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 110, by Representatives McCormick and Patterson (by Department of Motor Vehicles request):

Correcting the distribution provision for driver's license fees.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 33rd Day, February 11, 1977.)

On motion of Mrs. McCormick, the committee amendment was adopted.

House Bill No. 110 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 445, by Representatives Smith, Enbody and Leckenby:

Revising law relating to eminent domain.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 36th Day, February 14, 1977.)

Mr. Knowles moved adoption of the amendment, and spoke in favor of it.

POINT OF ORDER

Mr. Polk: "The committee amendment is not posted in the billbooks. I wonder if we could have a copy of that amendment before voting on it?"

The Speaker (Mr. O'Brien presiding): "We'll defer further consideration on this measure until the amendment is printed."

MOTION

On motion of Mr. Bender, further consideration of House Bill No. 445 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 376, by Representative Martinis:

Removing requirement that ocean fishing regulations for Washington be made jointly with Oregon and California.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 294, by Representatives Zimmerman, Heck and Bauer:

Authorizing historical buildings to be an exception to antipollution laws.

The bill was read the second time.

On motion of Mrs. Valle, Substitute House Bill No. 294 was substituted for House Bill No. 294, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 294 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 280, by Representatives Martinis, Wilson, Moreau, Hughes, North and Schmitten:

Prohibiting an owner or harbinger of dogs to permit such dogs to pursue or injure deer or elk.

The bill was read the second time.

MOTION

On motion of Mr. King, further consideration of the House Bill No. 280 was deferred and the bill was ordered placed at the bottom of today's second reading calendar following House Bill No. 445.

HOUSE BILL NO. 396, by Representatives Tilly and Smith (by Judicial Council request):

Pertaining to selection of jurors.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 396 was substituted for House Bill No. 396, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 396 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 235, by Representatives Shinpoch, Polk and Thompson (by Legislative Budget Committee to Implement Performance Audit Recommendation request):

Amending laws relating to public printing.

The bill was read the second time.

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

On page 3, line 8 after "higher" and before the comma strike "learning" and insert "(learning) education"

On page 3, line 24 after the period insert "When such printing and binding is complete the public printer shall deliver the material to the ordering authority unless the authority and printer agree that the authority shall take delivery at a place agreed to by the parties."

On page 3, line 36 after "(2)" and before the "The" insert "There is created in the state treasury a revolving fund to be known as the 'state printing plant revolving fund.'"

On page 4, strike all of lines 1 through and including line 3, and insert "in ((an account designated 'state printing plant revolving fund' in depositories approved by the state treasurer)) this revolving fund, and shall be disbursed by the ((public printer by check"

House Bill No. 235 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 338, by Representative Eng:

Providing for the removal of bank officers and bank cease and desist orders by the supervisor.

The bill was read the second time.

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

On page 7, following line 16 add a new subsection as follows:

"(4) Service of any notice or order required to be served under sections 1, 2, 5 or 6 of this 1977 amendatory act shall be accomplished in the same manner as required for the service of process of civil actions in superior courts of this state."

On page 8, line 4 after "shall" strike the remainder of the sentence and insert "upon conviction for a violation of any order, be guilty of a gross misdemeanor punishable as prescribed under chapter 9A.20 RCW, as now or hereafter amended."

House Bill No. 338 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 386, by Representatives Douthwaite and Grier:

Revising law relating to property insurance in connection with credit or a debt.

The bill was read the second time.

Committee on Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 2, 1977.)

On motion of Mr. Douthwaite, the committee amendments were adopted.

House Bill No. 386 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 186, by Representatives Keller, King, Kreidler, Smith, Burns, Owen and Vrooman:

Permitting public employees to participate in nonpartisan political campaigns as well as partisan campaigns.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 385, by Representatives Douthwaite, Burns and Grier:

Permitting life insurance purchaser to cancel without charge within ten days.

The bill was read the second time.

On motion of Mr. Douthwaite, Substitute House Bill No. 385 was substituted for House Bill No. 385, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 385 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 321, by Representatives Adams, Haley, Kreidler, Pruitt, Fischer and Lux:

Authorizing venereal disease case investigators to perform venipuncture under certain conditions.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 445:

The House resumed consideration of the bill on second reading.

The committee amendment was adopted.

House Bill No. 445 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 280:

The House resumed consideration of the bill on second reading.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, 26th Day, February 4, 1977.)

On motion of Mr. Moreau, the committee amendment was adopted.

Mrs. North moved adoption of the following amendment:

On line 8 strike "or elk" and insert ", elk or bear"

Mrs. North spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Martinis, I'm really asking about the effects of this amendment, too, but principally the previous amendment. When the word 'indirectly' is changed to 'negligently,' we have the words 'directly or negligently,' and I don't find those to be parallel words. The meaning is somewhat vague with those two words put together."

Mr. Martinis: "Representative Newhouse, the intent of that language is so that it would basically be a willful act by the person who had the control of the animal. Indirectly the person who had control of the animal could be held liable for just about anything, but if he negligently permits the dog to pursue or injure a deer or elk, then he would be held responsible. Granted, Representative Newhouse, either way it would be very difficult to prove."

Mrs. North spoke again in favor of her amendment, and Representatives Schmitt, Moreau, Barr and Martinis spoke against it.

The amendment was not adopted.

House Bill No. 280 was ordered engrossed and passed to Committee on Rules for third reading.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized in the south gallery, the 1976-77 Washington State Dairy Princess, Dorothy LaVonne Crask of Tacoma, and asked her and her mother to stand and be recognized.

THIRD READING

HOUSE BILL NO. 46, by Representatives Clemente, Lux and Fischer:

Authorizing adjustments of workmen's compensation payments.

The bill was read the third time and placed on final passage.

Representatives Clemente and Lux spoke in favor of the bill, and Mr. Bond spoke against it.

POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Patterson.

Mr. Patterson: "We've heard a lot of figures being bantered around, and I was just wondering, as the prime sponsor of this bill, could you identify the fiscal impact of this particular bill, and also exactly who is going to pay the bill? In other words, what kind of a tax arrangement are we going to have? I'd like to know who is going to pay for the extra benefits."

Mr. Clemente: "The exact fiscal impact—I heard \$88 million mentioned, and that is over a six year period, and any crystal ball is good for that. As to who pays, industry pays, labor and management, as you see in the language in the bill. An amount is deducted from the workman's pay and the employer makes an equal contribution and it goes into a special fund for this purpose."

Mr. Patterson: "So it is a 50/50 arrangement as far as the employer and the employee is concerned in billing this special benefit?"

Mr. Clemente: "That is correct."

Representatives Paris and Lux spoke in favor of the bill, and Mr. Pardini spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 46, and the bill passed the House by the following vote: Yeas, 76; nays, 20; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Blair, Bond, Clayton, Craswell, Dunlap, Fancher, Flanagan, Gilleland, Greengo, Hawkins, Leckenby, Newhouse, Pardini, Patterson, Polk, Schmitt, Struthers, Taller.

Not voting: Representatives Berentson, and Mr. Speaker.

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.

STATEMENT FOR THE JOURNAL

I was in a meeting with the Senate and missed the roll call on House Bill No. 46. Please record my vote as "Aye."

JOHN BAGNARIOL, 11th District.

MOTION

On motion of Mr. King, House Bill No. 46 was ordered transmitted immediately to the Senate.

ENGROSSED HOUSE BILL NO. 108, by Representatives Conner and McCormick (by Department of Motor Vehicles request):

Revising the special fuel tax laws.

The bill was read the third time and placed on final passage.

Representatives Conner and Gilleland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 108, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Heck, Kreidler, and Mr. Speaker.

Engrossed House Bill No. 108, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 195, by Representatives Shinpoch, Warnke, Charnley, Hughes and Knedlik (by Office of Program Planning and Fiscal Management request):

Extending time bonds of the Washington Futures Program of 1972 may be issued.

The bill was read the third time and placed on final passage.

POINT OF ORDER

Mr. Flanagan: "The nine percent debt limit requirement is that if the Legislature enacts a bond issue within that limit it requires a 60% vote. If they pass a bond issue that is referred to the people, it just requires a majority vote. Now this original issue was referred to the people with a time limit on it; therefore, it only required a majority vote of the Legislature, but this amendment is being put on here without being referred to the people and extending the time bond issue. I'm wondering whether it requires a 60% vote?"

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Article VIII, section 1, subsection 8 spells out rather clearly the 60% requirement, which is the purpose of a debt which might be contracted, so in this case we are just extending a date and there is no appropriation or incurring of additional debt relative to the bond issue."

Mr. Flanagan: "In the original incurring of the debt there was a date put on the bond issue that was referred to the people. Now we're extending the date, which the people did not vote on, and that's the reason I'm wondering if this is, in effect, extending a debt just by the Legislature and not by a vote of the people, and therefore might be considered subject to the 60% vote?"

The Speaker (Mr. O'Brien presiding): "It appears to the Speaker that your point has to be considered. What I think we should do is act on the bill and if it receives a 60% vote, then the question might be moot. I'm going to ask for an Attorney General's opinion on it, if someone wants to question it further. I think rather than to delay action this is the procedure to take."

Mr. Leckenby spoke against the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 195, and the bill passed the House by the following vote: Yeas, 81; nays, 17; not voting, 0.

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

Voting nay: Representatives Amen, Barr, Bond, Clayton, Craswell, Dunlap, Gilleland, Greengo, Leckenby, Nelson D., Newhouse, Oliver, Polk, Sanders, Schmitt, Struthers, Tilly.

House Bill No. 195, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 71, by Committee on Revenue (Originally sponsored by Representatives Sommers, Zimmerman Burns, Charnley and Greengo - by Governor Evans request):

Authorizing property tax exemption for improvements to historic sites or structures.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 71 was deferred and the bill was ordered held for the top of Wednesday's third reading calendar.

HOUSE JOINT RESOLUTION NO. 7, by Representatives King, Fortson, Charnley, Grier, Hughes, Knowles, Lee, Lux and McCormick:

Permitting constitutional amendments to include several sections within a single article, or several sections relating to one subject.

The resolution was read the third time and placed on final passage.

Representatives King and Patterson spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 7, and the resolution passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

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

Voting nay: Representatives Bond, Hurley M.

House Joint Resolution No. 7, having received the constitutional two-thirds majority, was declared passed.

ENGROSSED HOUSE BILL NO. 245, by Representative Hanna:

Allowing counties to establish biweekly pay periods.

The bill was read the third time and placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Hanna, under the proposal of paying every two weeks, conceivably there could be twenty-six paydays in a year; under the bimonthly arrangement there would be twenty-four paydays. Is there anything in this bill which is going to make an automatic pay increase in that there would be two extra pay periods?"

Mr. Hanna: "No, that is not the intent."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 245, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Engrossed House Bill No. 245, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 49, by Representatives Clemente, Lux, King, Gruger and Knedlik:

Changing the term "workman" to "worker" throughout the state industrial insurance laws.

The bill was read the third time and placed on final passage.

Representatives Clemente, Lux and Gruger spoke in favor of the bill, and Representatives Amen and Newhouse spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 49, and the bill passed the House by the following vote: Yeas, 75; nays, 23; not voting, 0.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Boldt, Bond, Clayton, Craswell, Dunlap, Fancher, Gilleland, McKibbin, Newhouse, Oliver, Paris, Patterson, Schmitt, Shinoda, Struthers, Taller, Vrooman, Wilson, Zimmerman, and Mr. Speaker.

House Bill No. 49, having received the 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. 49 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 148, by Representatives Enbody, Thompson and Conner:

Providing for the operation and maintenance of the Puget Island ferry.

The bill was read the third time and placed on final passage.

Representatives Enbody, Fuller and Hansen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 148, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

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

Voting nay: Representatives Bond, Grier, Nelson G. A., Pearsall.

House Bill No. 148, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 1146 was rereferred from Committee on Commerce to Committee on Transportation.

On motion of Mr. King, the House adjourned until 10:30 a.m., Tuesday, February 22, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 22, 1977.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Liz Taller and John Lavelle. Prayer was offered by Reverend David W. Kratz 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

February 21, 1977

Mr. Speaker:

The Senate has passed:

**SUBSTITUTE SENATE BILL NO. 2052,
ENGROSSED SENATE BILL NO. 2172,
ENGROSSED SENATE BILL NO. 2342,**

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 21, 1977

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 23,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was about to sign:

HOUSE CONCURRENT RESOLUTION NO. 23.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2052, by Committee on Transportation (Originally sponsored by Senators Odegaard, Wilson, Clarke and Guess):

Providing for highway permits and property taxes on mobile homes.

To Committee on Revenue

ENGROSSED SENATE BILL NO. 2172, by Senators Talley, Day and Buffington:

Licensing acupuncturists.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2342, by Senators Peterson, Wanamaker and Talley (by Department of Game request):

Prohibiting the acquisition or possession of a hunting or fishing license using false information or after revocation.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

February 18, 1977

HOUSE BILL NO. 92, Prime Sponsor: Representative Gaines, establishing a state lottery. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Gallagher, Hansen, Hawkins, Owen, Shinoda, Walk.

MINORITY report: Do not pass. Signed by Representatives Greengo, Ranking Minority Member; Paris, Struthers.

To Committee on Rules for second reading.

February 18, 1977

HOUSE BILL NO. 97, Prime Sponsor: Representative Warnke, prohibiting the sale of alcohol in seating areas at sports arenas. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

February 18, 1977

HOUSE BILL NO. 357, Prime Sponsor: Representative Gaines, requiring smoke detectors. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 459, Prime Sponsor: Representative Conner, affecting workmen's compensation where a change of circumstance has occurred. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8 after "therefor" strike the remainder of the bill and insert "~~((No increase or rearrangement shall be operative for any period prior to application therefor))~~ : PROVIDED, That when application is made for the reopening of an industrial insurance claim, compensation on such claim may not be paid for any period prior to the time when medical benefits were authorized for such changed circumstances."

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

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 495, Prime Sponsor: Representative Lux, modifying definitions under unemployment compensation law. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 26 after "cause." insert the following "No benefits shall be allowed for any week or weeks preceding the actual week of application unless the commissioner is satisfied that the claimant was free from disqualification and met all of the eligibility requirements for such week or weeks."

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman, Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 588, Prime Sponsor: Representative Hawkins, modifying the filling of U. S. Senate vacancies. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 after "three" strike "persons" and insert "qualified electors"

On page 1, line 16 after "senator." insert "Upon failure of the governor to make the appointment as required, the elector whose name appears first on the list shall be considered appointed."

Signed by Representatives Hawkins, Chairman; Nelson (Dick) Vice Chairman; Barnes, Blair, Grimm, Heck, Hughes, Hurley (Margaret).

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 598, Prime Sponsor: Representative Hawkins, giving political parties greater flexibility in organizational procedures. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 3 after "electors;" insert ")")" and strike all material down to and including "organization;" on line 4 and insert "and (((§))) perform all functions inherent in such an organization." and at the beginning of line 5 insert "(("

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

To Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 79, by Representatives Erickson and Knedlik:

Permitting large counties to have five county commissioners.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 79 was substituted for House Bill No. 79, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 79 was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the rules were suspended to allow additional members to sign on as sponsors of House Joint Resolution No. 6.

The following members signed as additional sponsors to House Joint Resolution No. 6: Representatives Douthwaite, Eng, Gaines, Gruger, Hawkins, Lysen, Nelson (Dick), North, Pruitt and Whiteside.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

JOINT SESSION

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

The Speaker requested the Sergeant at Arms to escort President John Cherberg, President Pro Tem Al Henry, and Vice President Pro Tem James Keefe to the rostrum.

The Speaker invited the Senators to seats within the bar of the House.

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

The Secretary of the Senate called the roll of the Senate, and all members were present except Senators Fleming, Grant and Woody, who were excused.

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

The President appointed Representatives Shinpoch, Blair and Kilbury and Senators Odegard, Lewis and Wilson as a special committee to advise Governor Dixy Lee Ray that the Joint Session was assembled and ready to receive her address.

The President appointed Representatives North, Monohon, Barr, McKibbin and Oliver, and Senators McDermott, Morrison, Ridder and Van Hollebeke to escort the Supreme Court Justices to seats within the bar of the House.

The President appointed Representatives Grimm, Winsley and Walk and Senators Goltz, Murray and Buffington to escort the state elected officials to seats within the bar of the House.

The Sergeants at Arms of the House and Senate announced the arrival of Governor Dixy Lee Ray at the bar of the House, and the President instructed the special committee to escort her to the rostrum.

The President: "Honored members of the Legislature, ladies and gentlemen: The purpose of the Joint Session today is to receive a message from Her Excellency, the Honorable Dixy Lee Ray, Governor of the State of Washington."

GOVERNOR'S BUDGET MESSAGE

Governor Ray: "Mr. President, Mr. Speaker, Ladies and Gentlemen of the Legislature:

"Today, it is my privilege to come before you and present the first fiscal message of my new administration. In developing this message, I have kept one thought foremost in my mind: We—this Legislature and this administration—you and I together, must take steps to solve some of the fiscal issues which have lingered unresolved in recent years and now press upon us with a growing sense of urgency.

"The issues are well known—school funding, tax reform, and pension reform, to name a few. It is solutions that have been elusive. But the time has come to confront these issues and to create workable solutions that do not borrow unreasonably against the future nor impose unfair burdens on our citizens. We owe the people of this state a fiscal plan that is both fair and workable.

"The 1977–79 biennium budget that I am proposing to you today totals \$8.1 billion of which \$5.2 billion is the General Fund portion. It represents an overall increase of 24.7 percent over the estimated expenditures for the current biennium.

"That's not the whole story. This proposal reflects the austerity era which I launched with a recent executive order and which I believe is essential for improving the financial condition of the state. It also reflects a reduction of \$235.5 million from the 1977–79 budget plan proposed by former Governor Dan Evans last month.

"I will discuss the specifics of my proposed reductions in a moment, but first, I must comment on taxes.

"During the past twelve years, this state government has followed a set of fiscal policies that have required a steady stream of tax increases. The retail sales and use tax has been increased three times—in 1965, in 1967, and again in 1976. The business and occupation tax was increased in 1976. Taxes on alcoholic beverages were increased in 1965, 1969, 1971 and 1973. The public utility tax was increased in 1971. State taxes on cigarettes and tobacco now stand at 45% of the wholesale price, having been increased in 1965 and again in 1971.

"True, some of the pressure for these increases has come from a tax structure that does not generate revenues in proportion to increases in state income levels, but there has also been an unprecedented expansion of state government during the past twelve years, and state spending has increased by 261% since 1965. This is an increase far beyond that necessary to accommodate inflationary pressures. We must now bring unrestricted growth under control. We must establish new fiscal policies that will keep state spending at a level that is within our ability to pay. We must learn to say no.

"In prosperous times we must avoid the temptation to spend all of our increased tax resources for expanding government services to a level which we are later unable to sustain without tax increases. In other words, if a program cannot be justified during periods of a stable economy or recession, it should not be funded during periods of prosperity. In this administration, I will do my best to accumulate surpluses during periods of economic expansion so that we may continue the essential programs during the periods of slowdown.

"We must also come to recognize that state government cannot be responsible for all of the problems which confront local governments. In the past 12 years the state has assumed responsibility for contributing to mass transit and for funding the Law Enforcement Officers' and Firefighters' Pension Systems. While the need for these programs cannot be disputed, it is irresponsible for the state to assume these additional burdens without either developing new sources of revenue or eliminating programs of comparable expenditure. These two programs alone now cost the state millions to finance—millions we do not have. This forces us to either increase taxes or curtail services in other areas.

"I am aware of similar bills before the Legislature this session. I will not oppose them so long as they provide for specific sources of additional revenues or for reductions—with which I agree—in other programs. However, I would prefer that additional taxing powers be extended to local governments so that those who benefit and must pay can better determine expenditure priorities.

"Increases in federal funding over the last 12 years have substantially contributed to the increased services the state now offers to its citizens. Unfortunately, federal funding is often contingent upon the development of new programs which may or may not be consistent with the

state's highest priorities. More important from a financial standpoint is the fact that such federal funds are too often later withdrawn, leaving the state with the obligation either to eliminate the programs or to fund them with state dollars. We all know how difficult it is to terminate a program once it is underway. It means discharging employees and often, it also means alienating large constituency groups that have become dependent on it. Consequently, this 'carrot approach' used by the federal government has led the state into funding and maintaining programs that are not necessarily consistent with our own priorities and our own funding limitations.

"It will be the policy of this administration to examine carefully all offers of federal assistance and determine before acceptance that the programs that we agree to sponsor are consistent with our own priorities. This administration will not be afraid to say no.

"Now, I want to talk about fiscal integrity.

"The fiscal policies of the prior administration not only resulted in continuous tax increases, but they have brought us dangerously close to being unable to redeem, with cash, the warrants we have issued.

"As of January 8, 1977, just four days before I assumed office, the General Fund cash deficit was \$158.7 million, an increase of approximately \$85 million since the same time one year ago. So far we have been able to avoid paying interest on warrants by borrowing from other state accounts which are not yet in a deficit position. This practice costs us at least five percent return on the amount borrowed. We cannot continue to rely on such borrowings from other accounts, nor can we allow the situation to grow worse. If we continue to meet our obligations in this manner, we will be forced to borrow from the banks. That would most likely cause the financial market to downgrade our financial rating resulting in higher interest rates for our bond issues. Adoption of my program will enable us to preserve our credit rating and avoid millions of dollars in increased interest charges.

"The difficulty we are experiencing in meeting our cash requirements without borrowing from other accounts has been caused mainly by accounting transactions which shifted revenue, but not cash, from future to current biennia. Accounting gimmicks like these have resulted in a General Fund deficit that now raises the possibility of the state being forced to issue registered warrants until the situation improves. This is our legacy from the last administration.

"I wish to make it known now that I do not like to use accounting gimmicks to balance the books. One of the goals of my administration will be to establish a sound fiscal basis for revenue collections, cash flow scheduling and expenditure controls that will improve the accounting integrity of our financial processes.

"Now, before turning to specific programs, I wish to comment briefly on the budget proposed by my predecessor and note some of our differences.

"The Evans' budget reflects the pattern of tax increases which characterized that administration. Specifically, the Evans' budget proposes that the state sales tax, one of the most regressive of personal taxes, be increased by one percent and that the B&O tax, one of the most regressive of all business taxes, be increased by twenty-five percent. Thus many of our citizens least able to pay were being asked to contribute an additional \$650 million each biennium. While this might have been somewhat justified if the new revenues were to be used entirely for common schools, thus reducing the amount of property taxes, that was not the case. Only a little more than \$200 million of the \$650 million was to be used for that purpose. The remaining \$450 million was required to finance program enhancements and growth in the cost of services. Unfortunately, even \$650 million is not sufficient to fund the proposed service level. The true figure is closer to \$700 million. Further, while the Evans' plan includes full funding for basic education only for the second year of the coming biennium, the requested tax increase covers twenty-five months. Obviously, in succeeding biennia we must fund both years and we cannot continue to do it simply by lengthening the biennial period for revenue purposes. Consequently, the Evans' budget lays the groundwork for even higher tax increases during the 1979-81 biennium in order to continue to meet our commitment to the common schools. When all of these conditions are recognized it becomes apparent that the Evans' budget proposal would commit the state to an expenditure level exceeding \$1 billion in new obligations during the 1979-81 biennium. That is equivalent to more than a two percent increase in the state sales tax.

"Unlike the previous governor, I propose no increase in the state sales tax nor in the business and occupation surtax. The present level of those regressive taxes is onerous enough. Instead, I intend to balance my budget proposal through the addition of \$112 million in one-time revenues, \$95 million through increasing the motor vehicle excise tax, \$11 million through

holding the inventory tax credit at forty percent for two years, \$17.5 million through certain fund transfers, and \$235.5 million in expenditure reductions.

"In addition to these specific expenditure reductions, each agency of state government must be committed to further cost reductions, to be achieved through improved efficiency and effectiveness of their operations. To this end, I will designate a subgroup of my cabinet to serve as a management committee. This management committee group will consist of department heads. Theirs will be the responsibility to evaluate and make recommendations on major improvements to increase the efficiency of state government.

"This committee will also be charged with maintaining public service levels within the reduced resources proposed by this budget. My administration will not tolerate the continuous proliferation of state government which marked the previous twelve years. Note again that while state spending has increased 261% since 1965, the total number of state agencies, boards, commissions has mushroomed to well over 350, and the total number of state employees has grown to more than 56,000. It is time to define just what limits there are on the role of state government. We must challenge not only the way we do things but why we do them. I am not suggesting that this task will be easy. It will not. It will require the complete dedication of the management team and all state employees, the people who are ultimately responsible for making anything work in state government.

"It would not be totally honest to imply that these proposals will solve our problems. For now, I am recommending the use of one time revenues to fund expenditure levels which will become a continuing requirement. Therefore, we will need additional taxes for the 1979-81 biennium.

"What I propose is this: A joint legislative-executive campaign to reform our regressive tax structure before 1979. I do not propose to continue balancing the state budget at the expense of those who can least afford to pay the increased taxes. Instead, I propose to work diligently during the coming year to explain our regressive tax structure to our citizens around our state and to caution them that, unless we can bring about a tax reform which includes some kind of graduated income tax within the next two years, we will be facing tax havoc in the spiraling discrimination of our sales and B&O taxes. Already we lead the nation with the most regressive state and local tax structure. I think the time has come to face up to this issue and to develop an equitable tax reform package that can be intelligently discussed with the citizens of our state. I am convinced that people will understand the urgency of tax reform if we establish controls on spending and reverse the continuous upward spiral of government costs, and if we provide a tax reform package that truly offers the kind of tax relief that is needed; one that distributes the tax burden equitably according to one's ability to pay. I believe that we can accomplish this needed reform if we work together to bring it about. I pledge my support to such a joint effort and I encourage you to join with me in this partnership. Together we can face up to these most pressing fiscal issues and begin to resolve our funding problems that have all but paralyzed this state government in recent years.

"I turn now to specific program highlights of my proposal.

COMMON SCHOOL EDUCATION

"Funding of the common schools is the top priority of this legislative session. The Thurston County Superior Court has ruled that special school levies must be used for special purposes only and that a contemporary education program must be funded by means other than special levies no later than July 1, 1979. This, of course, clearly means that the state must promptly assume the obligation of properly and appropriately funding a program of basic education for our children.

"Even without the added impetus of this court decision, the issue of properly funding the common schools is one requiring the concerted attention of this Legislature. For too long common school financing has had to rely on an annual property tax levy. This system of financing has thwarted proper planning, diverted attention from educational programs and left the individual district's programs unacceptably vulnerable.

"The issue of a simple common school financing is now squarely before us, and it is pointless to speculate as to whether it can be avoided. It cannot. This Legislature must commit itself to solving the levy problem which has plagued us for more than a decade, and to do it without sacrificing the quality of our educational programs.

"It is my objective to reduce and limit excess levies voted by the people to ten percent of total costs by the 1979-80 school year and to permit such levies to be used only for enhancement purposes, such as additional course offerings, class size reduction and other special programs. It should be clearly understood, however, that levy support must of necessity be a very

real component of financing the basic education program of our common schools until that time.

"The limitation on and reduction in school levies amount to a direct tax relief for the property owner. It also requires that other tax sources be found to replace lost revenue and that the new revenue be collected and distributed at the state level.

"The budget I am proposing includes approximately \$2.1 billion for common school education during the 1977-79 biennium. This level of support commits us to additional resources during the 1979-81 biennium. There can be no avenue of retreat.

"The budget I recommend provides the phase-in during the 1977-79 biennium necessary to accomplish full state funding of basic education by the first year of the following biennium. It thus conforms to the directive of the recent superior court decision. To accomplish this, I propose funding a formula essentially as proposed by the Superintendent of Public Instruction at 90% of the cost of basic education for the 1978-79 school year.

"The Thurston County Superior Court decision requires that the Legislature do 'basic education.' Once the Legislature has accomplished this, my goal will be to revise our regressive tax structure so that the state will be in a better position to increase its support of our public schools without adding the greatest part of the increased tax burden to those least able to afford it.

"I have included a salary increase for K-12 certified and classified employees equal to 5.5% the first year and an additional 2.5% each year to fund the cost of increments. Our teachers now enjoy salaries which rank them fourth in the nation and this proposal will maintain that level. The Legislature must, in turn, address the issue of locally negotiated salary levels. Without some constraints on salary levels, additional state support will not guarantee better educational programs.

"The state commitment to eliminate school district reliance on special levies for basic educational programs is, in fact, a recognition that a shifting of taxes is mandatory. The alternatives are limited. Either we adopt a constitutional amendment allowing for an income tax, or we will be forced to increase the state sales and B&O taxes substantially during the 1979-81 biennium.

STATE PENSION SYSTEMS

"I want to turn to another area of critical concern—that of our state pension systems. There have been times during the past several years when our pension systems have been used as a convenient means of balancing the state's constantly escalating budget. Such accounting manipulations have seriously jeopardized the security of members' benefits and, worse, the financial integrity of the pension systems. Moreover, certain provisions in the rules governing the systems have created glaring inequities. In some cases employees whose contributions have been minimal are able to reap windfall benefits. That this situation has been permitted to go on this long is morally irresponsible and fiscally reckless.

"As a first step toward responsible pension funding, I propose a reduction in the investment earning potential assumed in Evans' budget from 7% to 6.75%. This reduction which is prudent and proper will require the addition of \$24.3 million in state contributions during the 1977-79 biennium.

"This, however, is a first step only. The Legislature must now endeavor to place our pension systems on sound financial footing and resist the temptation to underfund them which, in any case, provides only temporary relief from a financial burden. To protect the pension systems from further erosion and abuse, and at the same time solve the problem of a growing unfunded liability, I strongly urge and support pension reform. But I want to make it clear right now that pension reform means substantive reform. I will veto any pension reform measure that is only cosmetic. Responsible pension reform should consider the following factors:

1. Establishment of social security payments as the first dollar benefit in determining final pension benefits.
2. Revision of present benefit formulas so that greater equity can be achieved between lower paid employees and higher paid employees.
3. Possible inclusion of a cost-of-living factor in benefit formulas to protect the purchasing power of an individual's pension even if the initial benefit entitlement must be less.
4. Revision of the length of employment required to qualify for a pension based on the state's overall personnel policies. The fundamental question is whether we should use the pension system to encourage early retirement.
5. Provisions for employees to transfer between present or future systems.

6. Finally, protection of the current retirement systems members' benefits since we have both a moral and a legal obligation to do so.

"This Legislature—in being asked to correct pension system abuses of many years standing and also provide ample funding for basic education—has before it a monumental task. The resolution of either issue could occupy the entire session. I can appreciate that possibility; however, I am committed to both of these issues. They must be resolved. Therefore, I propose that we jointly work toward pension reform. If the legislative leadership and I cannot agree upon a comprehensive pension reform bill within the next few days, we should defer the issue and I will pledge to submit a comprehensive pension reform proposal before August 31, 1977. We can then devote our complete attention to this vital issue during the 1978 special legislative session. This added time will also allow the general public to review my proposal before the 1978 session when pension reform will surely be the first item of concern.

STATE EMPLOYEES' SALARY INCREASES

"Our state employees deserve to be fairly compensated for the work they perform, and the inequities of current state salaries must be addressed in this legislative session. In 1975 the Legislature directed that a salary survey be conducted by an outside consultant in order to provide objective data upon which to base salary increases. The survey was conducted and presented to the 1976 Legislature for its consideration. The Legislature responded by implementing one-half of the 1975 survey findings effective July 1, 1976.

"Time and inflation continue to erode all salaries including those of state employees. Therefore, I am recommending implementation of the balance of the survey findings and further changes in salaries which will raise the total compensation increase to an average of ten percent for all classified employees. Further, I am recommending a ten percent increase for higher education faculty and a six percent increase for the State Patrol.

"I am aware of the controversies which have accompanied recent salary surveys and for that reason I support those specific portions of House Bill 602 and Senate Bill 2383 which provide legislative and executive branch guidance for the conduct of salary surveys, so we might be better able to understand and work with the results of the surveys.

"In addition to salaries, one area that is of concern to all state employees is the state's contribution to medical insurance. Since the \$35 a month rate was established in 1974, medical insurance premiums have increased drastically, yet the state's contribution remains unchanged.

"On the average, premiums have increased over 50% since 1974, and further increases can be expected during the next biennium. I am, therefore, requesting that the state contribution be increased to \$72.50 a month effective July 1. This increased contribution will reduce the employee's share of insurance premiums and encourage increased medical and life insurance coverage.

HUMAN RESOURCES

"As you well know, I am deeply concerned that we both adequately and efficiently provide for the genuine human needs of our citizens. In light of these concerns, I have appointed a select panel to study the organization and operation of the Department of Social and Health Services.

"In the meantime, some adjustments from the prior administration's budget are in order. For example, recent workload experience in the department suggests that original workload estimates were, in some cases, too high and that appropriate budget reductions are warranted.

"First caseloads in the major income maintenance programs continue to run below previous estimates; and for the most recent months, savings have been reflected in the medical assistance program as well. Accordingly, my budget recommendations for the coming biennium reflect these caseload changes. Secondly, the cost of continuing the 'current level' of spending for most major programs is less than was originally forecast, and some additional savings will result from the freeze on hiring. Therefore, my budget for the new biennium reflects a lower allowance for current spending levels.

"Additional savings are also being made by withholding support at the present time for many program enrichments which, although perhaps desirable, have not been sufficiently substantiated for me to recommend them as priority needs. I will be better able to identify the priorities after my select panel studying the organization of the department submits its report to me in June of this year.

"In total, my recommended state General Fund budget for the Department of Social and Health Services amounts to approximately \$936.4 million, an increase of \$95.2 million or 11.3 percent over current estimated state general fund expenditures of \$841.2 million. With the

addition of anticipated federal funds the department's total budget is approximately \$1.6 billion.

"Washington State offers a full range of public assistance and medical assistance benefits, ranking 15th among the fifty states in the level of income maintenance grants, and my recommendations will maintain this position.

"In the public assistance areas of income maintenance, social services and medical assistance, I am recommending vendor increases of \$67.5 million and caseload standard increases of \$58.2 million to cover the projected cost of inflation. An increase in state funding of \$18.2 million is also needed to offset a reduction in federal matching funds for these programs. I am also recommending that child care services be expanded to permit employment of welfare recipients, and that the demonstration project on aging be continued pending legislative review. In addition, I am recommending increased enforcement to collect delinquent child support payments and third party medical recovery costs.

"In Adult Corrections, I am recommending several major items to increase our capacity to handle the growing institutional populations. These include additional staffing at the correctional institutions, additional work release facilities for 150 persons and a new honor camp.

"For the Mental Health program, I am recommending expanded inpatient services for mentally ill children, and continuation of long term treatment and program improvements in the alcoholism program. I am also proposing funding adequate institutional staffing ratios to assure accreditation.

"For Developmental Disabilities, I am recommending both client caseload and program increases for group homes and developmental disabilities centers, additional funding and staff for case services, and \$3.4 million for the operation of three new residential training centers to be constructed during the coming year.

"Several other human resources programs require comment. I am recommending the transfer of both Comprehensive Health Planning and Drug Abuse Prevention Office from the Planning and Community Affairs Agency to the Department of Social and Health Services. These programs should be continued at current levels. I am also recommending inclusion in the Planning and Community Affairs Agency budget of the federally funded Comprehensive Employment and Training Act (CETA) program, which amounts to \$112 million. The remaining Planning and Community Affairs Agency programs should be continued at the current levels.

"The Human Rights Commission budget of \$2.9 million provides the \$1.1 million increase necessary to deal with a serious backlog of complaints and to reduce the processing delays which have contributed to this problem.

"For the Department of Veterans' Affairs, I am recommending continuation of the thirteen field service offices at approximately \$1.2 million and continuation of institutional and administrative programs.

HIGHER EDUCATION

"The operating budget I propose for our institutions of higher education totals \$1.2 billion, an increase of \$137 million over estimated expenditures for the current biennium. This budget will provide for the continuation of existing programs at the current level and for a modest amount of program enrichment.

"The growth of higher education in the State of Washington during the last fifteen years has been dramatic. Enrollment grew from just under 62,000 in the fall of 1962 to more than 236,000 in the fall of 1976, an increase of 283%.

"The years following World War II also brought about major growth in our community colleges, expanding them from eight campuses in 1945, when they were supported by local funds, to twenty-seven campuses today, supported since 1967 entirely by state funds and student fees. The combined enrollment of these institutions now stands at 158,000 students.

"I think we can now expect a stabilization of enrollment, although growth will occur in selected areas, such as continuing education and the vocationally oriented programs offered by our community colleges and vocational technical institutes. At the same time it appears that we may well see a decline in enrollment in some of our liberal arts programs.

"I have asked that our enrollment projections for these institutions of higher education be reevaluated in light of the latest fall quarter enrollment. This action may result in revised projections for both the four-year schools and the community colleges.

"The costs of higher education have increased substantially in recent years. The public cannot, and should not, be expected to absorb all of this increase. The extra burden should be borne, at least in part, by those who directly receive and benefit from these services. I have,

therefore, reluctantly recommended an increase in the operating fees paid by students. The fee increase that I recommend is in proportion to the cost of the educational services provided. It is the first such increase since 1971, and will generate approximately \$32 million during the ensuing biennium.

"It is not my intention to bar the student with limited financial resources from our institutions of higher learning. I am also proposing, therefore, to increase the amount of financial aid available to low income students. This amount will be equivalent to an additional three percent in tuition and fee waivers. This additional support, applied directly where the need exists, will make it possible both to increase the number of students served and to improve the capacity of each college and university to meet the individual needs of its students.

"I am sure you all share my firm belief that the student of exceptional potential should be encouraged to advance his or her education. I believe that the contributions to society made by these gifted individuals far outweigh the costs of assisting in their education. I am, therefore, proposing that institutions of higher education be authorized to use one-sixth of the existing three percent fee waiver for the purpose of encouraging students of high potential, without regard to their financial resources, to seek advanced education. This should result in fee waivers to approximately 600 to 700 students annually at a cost of \$380,000.

"The Legislature, in the development of its appropriations for institutions of higher education for the current biennium, proposed certain levels of support. I realize that these levels do not provide the quality of education that I would like to see available in our colleges and universities. I do believe, however, that given existing revenue constraints, these levels are realistic and reflect the funding priorities of our state as a whole. I am therefore proposing, in response to this dilemma, that approximately one-third of the additional revenue generated by my proposed fee increase be used to enhance educational programs. The remaining two-thirds is recommended to offset the added costs of inflation.

TRANSPORTATION

"To finance the proposed highway budget, the prior administration planned to issue \$30 million in bonds and to obtain an additional \$10 million in one-time receipts. Although I might be able to support such a plan if the need were temporary, I cannot recommend such a proposal when it is clear that the level of need expressed in the budget will be a continuing one. Historically, we have largely financed the highway systems from gas revenues, and I subscribe to this concept for a recurring level of need. Accordingly, I support the legislation which calls for a variable gas tax not to exceed twelve cents per gallon. This level of funding will allow us to preserve our investment in the highway system while stimulating the state economy and increasing employment. I also support use of the additional moneys to fund the deficit in the ferry system operations for the next biennium with no increase in ferry tolls. At the same time, as chairman of the Toll Bridge Authority, I intend to take a hard look at our water transportation system and to initiate improvements in this mode of transportation. We must begin to look at some new alternatives like passenger-only ferries and to develop cost effective approaches that will enable us to maintain service at levels users can afford.

"Finally, I have reviewed the Highway Commission's proposed construction budget for the next biennium and recommend full funding. It provides for completion of the interstate system and for other needed construction at a cost of \$419 million, approximately two-thirds of which will be federal money. It provides for replacement of obsolete Puget Sound ferries through construction of two 100-car vessels to be financed through a \$30 million bond issue. It also provides for restoration of an adequate program of highway maintenance. The total proposal represents a 26.7% increase over the present biennium.

CAPITAL BUDGET

"For the Capital Budget I propose \$237 million in reappropriations for continuation of projects currently under construction. I also recommend a moratorium on bond issues related to approximately \$150 million in capital projects until I have completed my detailed assessment of the priorities of the operating programs these projects support. The taxpayer should not be burdened either with the capital cost or the indefinite upkeep of facilities whose benefit may prove marginal. I note that unused Northern State Hospital costs a quarter of a million dollars a year just to maintain. I will not authorize the construction of new facilities until I am convinced that existing ones like Northern State Hospital are prudently utilized.

"I will support any new projects that can be proved to be essential for the health or safety of persons or for compliance with existing building codes. For example, I will support expansion of maximum security facilities to relieve the overcrowding problems in our state prisons. I

will further support capital projects shown to be essential for continuation of current services or for the preservation of existing structures. Renovation projects to conserve energy, improve space utilization, or provide access for the handicapped will be reviewed on an individual basis and will likely be supported.

SUMMARY

"To summarize, I am proposing a total budget of \$8.1 billion without calling for increases in either the state sales tax or the business and occupation tax.

"I am assuming receipt of federal Comprehensive Employment and Training Act (CETA) funds estimated at \$112 million—almost double those received in the current biennium. This estimate is based on announcements received on February 18 from the U.S. Department of Labor. No CETA funding was included in the prior administration's budget, an oversight which strikes me as a rather strange mixture of priorities given the desperate unemployment situation which now exists both here and across the nation.

"To balance this budget, I am calling for an overall reduction of \$235.5 million below the level proposed in the Evans' budget. This includes a 'tightening up' of approximately five percent within almost all state agencies. I will provide the details of my proposals for each state agency to the Legislature in the next few days.

"My proposal assumes continuation of the temporary 0.1% increase in the sales tax and the 6.0% B&O surtax that has been in effect since June 1976.

"I also propose holding the business inventory tax reduction at 40% for two years and will propose a transfer to the General Fund the unexpended and unneeded balances from the community college bond fund and from the Treasurer's revolving fund. These actions together will provide an estimated \$28.5 million in additional funds.

"I will propose legislation that will shift the collection of the state property taxes from twice a year to once a year. This one-time shift will not generate additional taxes but it will provide \$112 million in additional collections within the 1977-79 biennial period.

"Finally, I am proposing an increase in the Motor Vehicle Excise Tax rate from two to three percent. This tax, one of the least regressive in our tax structure, was last changed in 1959. This proposal will generate an additional \$95 million in new revenue.

"These recommendations, taken together, will result in revenues from state General Fund sources of \$4,178.6 million. I have proposed expenditures from state General Fund sources of \$4,157.5 million. My budget proposal, therefore, will yield a balance of \$21.1 million in state funds.

"I suggest that it is prudent and sensible to leave a small reserve for unforeseen contingencies. There is, after all, the immediate uncertainty as to what the final economic effects of our present drought condition may be. There is the further possibility that adverse shifts in our economic plan could occur and cause revenues to decline while expenditures grow in order to accommodate a rising caseload in our public assistance program.

"In closing, I want to thank each of you in this Legislature for the courtesies you have shown me during these opening days of my administration. It is my wish to work closely with you in the months ahead so that, together, we can take those steps that are so desperately needed in order to develop solutions and achieve reforms that truly address the crucial fiscal issues that confront us today. Thank you."

The President of the Senate instructed the special committee to escort Governor Dixy Lee Ray to her office.

The President instructed the committee to escort the state elected officials from the House Chamber.

The President instructed the committee to escort the Supreme Court Justices from the House Chamber.

MOTION

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

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort President John Cherberg, President Pro Tem Al Henry and Vice President Pro Tem James Keefe from the House Chamber.

MOTION

On motion of Mr. King, the House recessed until 1:15 p.m.

 AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker (Representative Conner presiding). The Clerk called the roll and all members were present except Representative Deccio, who was excused.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 21, 1977

HOUSE BILL NO. 23, Prime Sponsor: Representative Valle, establishing a dental disciplinary board. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill recommended by the Committee on Social and Health Services be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Chandler, Charette, Hawkins, Heck, Hughes, Polk, Valle, Vrooman, Warnke, Zimmerman.

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 183, Prime Sponsor: Representative Smith, establishing procedures for guardianship of disabled persons. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Monohon, Newhouse, Shinpoch, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 219, Prime Sponsor: Representative Hawkins, changing the dates for primary elections and for filing declarations of candidacy. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Grimm, Heck, Hughes, Hurley (Margaret).

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 573, Prime Sponsor: Representative Charette, appropriating funds for session law publication. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Polk, Tallor, Valle, Vrooman, Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

February 21, 1977

HOUSE BILL NO. 660, Prime Sponsor: Representative Thompson, establishing the LEAP committee. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice

Chairman; Blair, Ranking Minority Member; Amen, Bauer, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Polk, Taller, Valle, Vrooman, Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

MOTIONS

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

On motion of Mr. Bender, HOUSE BIL. NO. 874 and HOUSE BILL NO. 889 were rereferred from Committee on Social and Health Services to Committee on Institutions.

On motion of Mr. Bender, HOUSE BILL NO. 1145 was rereferred from Committee on Social and Health Services to Committee on Judiciary.

RESOLUTION

HOUSE RESOLUTION NO. 77-13, by Representatives O'Brien, Newhouse, Lux, Conner, Sommers, Leckenby, Hurley (Margaret) and Berentson:

We, the House of Representatives of the State of Washington, in the legislature assembled, respectfully represent as follows:

WHEREAS, Ross Cunningham, recently retired as editorial director of one of the large Metropolitan daily newspapers after a span of over fifty years of dedicated service in the media profession; and

WHEREAS, During this long period of significant public service, Ross Cunningham distinguished himself as an able and unbiased newspaperman who reported current news events in such an outstanding capacity that he has been recognized not only in the State of Washington, but nationally; and

WHEREAS, Such expertise, knowledge and understanding was recognized by legislative leaders from throughout the country when he was requested to serve on the Rutgers University, Eagleton Institute of Politics Committee for the primary purpose of offering assistance to new state legislative leaders; and

WHEREAS, Mr. Cunningham has left an everlasting indelible mark on the profession of news writing as a member of the American Society of Newspaper Editors Ethics Committee and as a juror for the Pulitzer Prize Selection Committee and he will be especially remembered for his thorough analysis and accurate reporting of civic, community and governmental affairs and remembrances of historic noteworthy occasions; and

WHEREAS, Someone who has made such a major contribution for the benefit, interest, information and overall well-being of the people of our state will be greatly and sorely missed, and Mr. Cunningham's public service will be hard to replace; and

NOW, THEREFORE, LET IT BE RESOLVED, That the House of Representatives of the Forty-fifth Legislature of the State of Washington convey to Ross Cunningham our best wishes and warmest regards on his retirement, that the remaining years of his life be spent in fond remembrances of the great and outstanding role he played in the reporting of news, and with the awareness that his many other humanitarian deeds will be long remembered by the people of the State of Washington;

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send a suitably inscribed copy of this resolution to Mr. Ross Cunningham.

On motion of Mr. O'Brien the resolution was adopted.

MOTION

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

Mr. O'Brien assumed the Chair.

SECOND READING

HOUSE JOINT RESOLUTION NO. 6, by Representatives King, Fortson, Burns, Charnley, Grier, Knowles, Lux, Maxie, McCormick, Douthwaite, Eng, Gaines, Gruger, Havens, Lysen, Nelson (Dick), North, Pruitt and Whiteside:

Placing a proposition for a constitutional convention before the voters.

The resolution was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 73, by Representatives Ehlers, Nelson (Gary), Bauer and Burns:

Implementing law relating to state agency housing.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, Thirty-first Day, February 9, 1977.)

On motion of Mr. Ehlers, the committee amendment was adopted.

House Bill No. 73 was ordered engrossed and passed to Committee on Rules for third reading.

THIRD READING

ENGROSSED HOUSE BILL NO. 35, by Representatives Heck, Hawkins, Zimmerman, Nelson (Dick) and Tilly:

Making the election of PUD commissioners conform more closely to regular nonpartisan election laws.

The bill was read the third time and placed on final passage.

Representative Heck spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 35, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

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

Voting nay: Representative Charette.

Not voting: Representatives Clemente, Deccio, Knowles, Martinis, McCormick, Newhouse, Pardini, Paris, Valle, and Mr. Speaker.

Engrossed 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.

SUBSTITUTE HOUSE BILL NO. 288, by Committee on Judiciary (Originally sponsored by Representatives Hanna, Knowles, Smith and Haley):

Changing certain terms and provisions of the civil commitment law.

The bill was read the third time and placed on final passage.

Representatives Hanna and Haley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 288, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini,

Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Ehlers.

Not voting: Representatives Deccio, Salatino, Valle.

Substitute House 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.

HOUSE BILL NO. 143, by Representatives Shinpoch, Flanagan, Polk and Taller (by Legislative Budget Committee request):

Deleting an obsolete restriction on employment of aliens.

The bill was read the third time and placed on final passage.

Representatives Shinpoch and Polk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 143, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

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

Voting nay: Representatives Bond, Pardini.

Not voting: Representatives Deccio, Salatino, Valle, and Mr. Speaker.

House Bill No. 143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF PERSONAL PRIVILEGE

Mr. Hurley (George): "This happens to be the 22nd of February, the Father of our country's birthday. I'm not the one that goes for a good deal of pomp and ceremony and I can see too many wagons in front of the King of England and others, and I think we overdo it. I think we overdo it in this House and other places, but George Washington does happen to be the Father of our country and he's the man we should be proud of. I do think we could take ten seconds to honor him and all the members of this House could stand for just ten seconds in honor of George Washington, our first President."

HOUSE BILL NO. 279, by Representatives Martinis, Wilson and Moreau:

Allowing the director of game to determine the time and place of the drawing in special hunting seasons.

The bill was read the third time and placed on final passage.

Representatives Moreau and Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 279, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

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

Voting nay: Representative Sanders.

Not voting: Representatives Deccio, Grier, Valle.

House Bill No. 279, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 413, by Representatives Knedlik, Knowles and Enbody (by Judicial Council request):

Increasing witness fees.

The bill was read the third time and placed on final passage.

Representatives Knedlik 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. 413, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Deccio, Pearsall, Salatino.

House Bill No. 413, having received the 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. 585, by Representatives Erickson, Burns and Chandler:

Providing that each state college board of trustees have a treasurer who shall be bonded.

The bill was read the third time and placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Erickson yielded to question by Mr. Blair.

Mr. Blair: "Representative Erickson, you said the bill allows colleges to do this. Does it allow them to do this or does it require them?"

Ms. Erickson: "It allows them to do it, Representative Blair. At the present time WSU and the University of Washington already have this authority. This would allow the four other schools to do it. Presumably Evergreen would not be as interested because it is right here, but the ones who have really wanted it have been Eastern and Central."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 585, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Deccio, Salatino.

House Bill No. 585, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 110, by Representatives McCormick and Patterson (by Department of Motor Vehicles request):

Correcting the distribution provision for drivers' license fees.

The bill was read the third time and placed on final passage.

Representatives McCormick and Dunlap spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 110, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

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

Voting nay: Representatives Nelson G. A., Oliver.

Not voting: Representatives Barnes, Deccio.

Engrossed House Bill No. 110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 280, by Representatives Martinis, Wilson, Moreau, Hughes, North and Schmitten:

Prohibiting an owner or harbinger of dogs to permit such dogs to pursue or injure deer or elk.

The bill was read the third time and placed on final passage.

Representatives Moreau and Schmitten spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 280, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Craswell, Deccio, Newhouse.

Engrossed House Bill No. 280, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 338, by Representative Eng:

Providing for the removal of bank officers and bank cease and desist orders by the supervisor.

The bill was read the third time and placed on final passage.

Mr. Eng spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 338, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

Engrossed House Bill No. 338, having received the 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. 186, by Representatives Keller, King, Kreidler, Smith, Burns, Owen and Vrooman:

Permitting public employees to participate in nonpartisan political campaigns as well as partisan campaigns.

The bill was read the third time and placed on final passage.

Representatives Keller and Hawkins spoke in favor of passage of the bill, and Mr. Barnes spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 186, and the bill passed the House by the following vote: Yeas, 72; nays, 25; not voting, 1.

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

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Clayton, Craswell, Dunlap, Fancher, Fuller, Gilleland, Greengo, Haley, Nelson G. A., Newhouse, Pardini, Patterson, Polk, Schmitten, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Deccio.

House Bill No. 186, having received the 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. 199, by Representatives Sommers, Nelson (Dick), Knedlik and Lux:

Allowing the state fire marshal access to criminal offender record information.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 199, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Deccio, Erickson, Lysen, Shinoda, Smith.

House Bill No. 199, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 385, by Committee on Insurance (Originally sponsored by Representatives Douthwaite, Burns and Grier):

Permitting life insurance purchaser to cancel without charge within ten days.

The bill was read the third time and placed on final passage.

Representatives Douthwaite and Haley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 385, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite,

Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Monohon.

Substitute House Bill No. 385, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 204, by Committee on Elections and Governmental Ethics (Originally sponsored by Representatives Hawkins, Heck, Barnes, Burns, Charnley and Sherman):

Making punchcard voting more efficient and certain.

The bill was read the third time and placed on final passage.

Representatives Hawkins, Barnes and Hurley (George) spoke in favor of passage of the bill, and Mr. Tilly spoke against it.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Amen.

Mr. Amen: "Representative Hawkins, in the digest that I have here it says, 'The bill requires that representatives of each major political party shall together stop at each designated polling place and pick up the sealed containers containing voter ballot cards for delivery to the counting center.' Is that the process that we are going to follow? That isn't the process that has been followed, is it?"

Mr. Hawkins: "That's a limited process for assuring security of the ballots."

Mr. Amen: "They pick them up and take them to the Auditor?"

Mr. Hawkins: "They don't collect them at each point. They collect them at each collection center and they would observe the integrity of the system."

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, 77; nays, 20; not voting, 1.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Clayton, Fancher, Fuller, Haley, Hurley M., Nelson G. A., Newhouse, Oliver, Patterson, Schmitten, Shinoda, Struthers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Deccio.

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.

SUBSTITUTE HOUSE BILL NO. 427, by Committee on Transportation (Originally sponsored by Representatives Berentson, Vrooman, Moreau and Gallagher):

Funding county operated ferries.

The bill was read the third time and placed on final passage.

Mr. Berentson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 427, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

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

Voting nay: Representatives Barr, Bond, Flanagan, Newhouse, Shinoda, Tilly.

Not voting: Representative Deccio.

Substitute House Bill No. 427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 235, by Representatives Shinpoch, Polk and Thompson (by Legislative Budget Committee to Implement Performance Audit Recommendations request):

Amending laws relating to public printing.

The bill was read the third time and placed on final passage.

Representatives Shinpoch and Polk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 235, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Deccio, Dunlap.

Engrossed House Bill No. 235, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 445, by Representatives Smith, Enbody and Leckenby:

Revising law relating to eminent domain.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 445, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Deccio, Dunlap.

Engrossed House Bill No. 445, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Charnley to preside.

SUBSTITUTE HOUSE BILL NO. 294, by Committee on Ecology (Originally sponsored by Representatives Zimmerman, Heck and Bauer):

Authorizing historical buildings to be an exception to antipollution laws.

The bill was read the third time and placed on final passage.

Mr. Zimmerman spoke in favor of passage of the bill, and Mr. Charette spoke against it.

POINT OF ORDER

Mr. Berentson: "He's impugning my motives. I would like to make this point: The bill as introduced by Representative Zimmerman has real merit and if you're going to disagree with it, then get to the point."

The Speaker (Mr. Charnley presiding): "Representative Berentson, that is not a point of order. Representative Charette, the Chair would like to ask you to confine your remarks to wood burning in historical buildings."

Mr. Charette continued his remarks against the bill.

Representatives Greengo and Zimmerman spoke in favor of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 294, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

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

Voting nay: Representatives Boldt, Charette, Salatino, and Mr. Speaker.

Not voting: Representative Deccio.

Substitute House Bill No. 294, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Pardini moved that the rules be suspended and HOUSE BILL NO. 443 be placed on the third reading calendar immediately following Substitute House Bill No. 396.

Representative Hurley (Margaret) spoke in favor of the motion.

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

ROLL CALL

The Clerk called the roll on the motion by Representative Pardini to suspend the rules and place House Bill No. 443 on the third reading calendar, and the motion was lost by the following vote: Yeas, 45; nays, 47; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Leckenby, Lux, Lysen, McCormick, Nelson D., Nelson G. A., North, Oliver, Paris, Patterson, Polk, Schmitt, Sherman, Shinpoch, Taller, Tilly, Warnke, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Fortson, Gallagher, Greengo, Grier, Grimm, Hansen, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Martinis, Maxie, May, McKibbin, Monohon, Newhouse, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sanders, Shinoda, Sommers, Struthers, Valle, Vrooman, Walk, Whiteside, and Mr. Speaker.

Not voting: Representatives Deccio, Enbody, Moreau, Smith, Thompson, Williams.

HOUSE BILL NO. 321, by Representatives Adams, Haley, Kreidler, Pruitt, Fischer and Lux:

Authorizing venereal disease case investigators to perform venipuncture under certain conditions.

The bill was read the third time and placed on final passage.

Representatives Adams and Whiteside spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Pardini.

Mr. Pardini: "Dr. Adams, does the patient have to give his consent?"

Mr. Adams: "Yes. The investigators have no legal authority otherwise."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 321, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

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

Voting nay: Representative Oliver.

Not voting: Representatives Clayton, Deccio, Nelson G. A.

House Bill No. 321, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 396, by Committee on Judiciary (Originally sponsored by Representatives Tilly and Smith - by Judicial Council request):

Pertaining to selection of jurors.

The bill was read the third time and placed on final passage.

Mr. Tilly spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 396, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Clayton, Deccio.

Substitute House Bill No. 396, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House adjourned until 2:15 p.m., Wednesday, February 23, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-FIFTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, February 23, 1977.

The House was called to order at 2:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Knowles, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Heidi Gahler and John Schoultz. Prayer was offered by Reverend David W. Kratz 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

February 22, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2175,
 ENGROSSED SENATE BILL NO. 2215,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2620,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2632,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 22, 1977

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 23,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE BILLS

ENGROSSED SENATE BILL NO. 2175, by Senator Rasmussen:

Allowing beer and wine to be served in containers other than glasses or bottles.

To Committee on Commerce

ENGROSSED SENATE BILL NO. 2215, by Senators Francis, Woody and Clarke:

Revising probate laws.

To Committee on Judiciary

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2620, by Committee on Ways and Means (Originally sponsored by Senators Benitz and Morrison):

Granting emergency powers to the department of ecology because of the impending drought.

To Committee on Agriculture

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2632, by Committee on Ways and Means (Originally sponsored by Senators Morrison and Benitz):

Authorizing construction of water withdrawal and distribution facilities.

To Committee on Agriculture

REPORTS OF STANDING COMMITTEES

February 23, 1977

HOUSE BILL NO. 4, Prime Sponsor: Representative Fischer, enacting a hazardous substance act. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 21, 1977

HOUSE BILL NO. 41, Prime Sponsor: Representative Hurley (Margaret), providing mounted rangers to two state parks. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass as amended by the Committee on Parks and Recreation. Signed by Representatives McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Chandler, Heck, Hughes, Lee, Taller, Valle, Vrooman, Warnke, Zimmerman.

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 92, Prime Sponsor: Representative Gaines, establishing a state lottery. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 21, 1977

HOUSE BILL NO. 155, Prime Sponsor: Representative Nelson (Dick), establishing open primaries, subject to a referendum. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Grimm, Heck, Hughes.

MINORITY recommendation: Do not pass. Signed by Representatives Blair, Hurley (Margaret).

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 206, Prime Sponsor: Representative Warnke, making certain revisions in the laws relating to alcoholic beverage control. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Revenue.

February 23, 1977

HOUSE BILL NO. 307, Prime Sponsor: Representative Hanna, providing funds for local criminal justice programs. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

February 22, 1977

HOUSE BILL NO. 346, Prime Sponsor: Representative Wilson, establishing a moratorium on and a study of certain clam harvesting. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Enbody, Gilleland, Greengo, Schmitten, Shinoda, Vrooman.

To Committee on Rules for second reading.

February 22, 1977

ENGROSSED SENATE BILL NO. 2164, Prime Sponsor: Senator Donohue, governing disposition of crops from state owned share crop lands and modifying livestock trespass. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

SPEAKER'S PRIVILEGE

The Speaker recognized in the gallery, Miss Laurel Hinricks, the 1977 Washington Wheat Queen and a student at Washington State University, and asked her to stand and be recognized.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 71, by Committee on Revenue (Originally sponsored by Representatives Sommers, Zimmerman, Burns, Charnley and Greengo - by Governor Evans request):

Authorizing property tax exemption for improvements to historic sites or structures.

The bill was read the third time and placed on final passage.

MOTION

On motion of Mr. King, the rules were suspended, and Substitute House Bill No. 71 was placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 376, by Representative Martinis:

Removing requirement that ocean fishing regulations for Washington be made jointly with Oregon and California.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Berentson.

Mr. Berentson: "In your opinion, is this bill offered in any way to make the operation of the problems created by the Boldt decision any easier for the Director of Fisheries in that he could, in effect, curtail the troll fishery to the same extent as the gillnetter or the seiner or the reef netter or the Indian fishery? In your opinion does this bill address itself to that problem?"

Mr. Martinis: "In my opinion, Representative Berentson, it does not. What you are speaking to is allocation. That's a separate issue. Allocation is coming before this Legislature in the guise of optimum yield. Those bills will be in executive session before the House Natural Resources Committee. When the troll industry was in testifying on this bill, they continued to testify toward the allocation issue. This is not for that, because there have to be different regulations set for the fisheries south of Tillamook Head—for Southern Washington and California. That subspecies of Chinook and Coho have different migration patterns—they are a different type of fish and the season is open earlier; they are smaller fish, the minimum sizes have to be smaller, so with this proviso the problem here is that the state of Washington has to abide by those regulations that California has. It has nothing to do with allocations."

Mr. Berentson: "In effect though, by giving this authority to the Director of Fisheries here, it is allocation to a degree. I realize that under present statute we can allocate only for conservation purposes, but it seems to me that if you're not taking away from the force and effect of allocating for conservation purposes only, the effect of this would be to not allow the Director of Fisheries to shorten the troll season."

Mr. Martinis: "The effect of this bill would allow the Director of Fisheries to shorten the troll season. Let me pursue that further. The question here is whether we are going to harvest three or four pound Coho salmon or four to six pound Chinook salmon, or are we going to harvest six and eight pound Coho, or ten to fifteen to twenty pound Chinook salmon. That's what fisheries management is—to get the most out of your resources. The state is not allowed presently to manage this resource on its own. If the state of California has a more liberal season, and granted their fish are a smaller species than ours, then we now have to follow that. Basically, we are not able to manage our own fisheries; we have to adopt similar regulations to what they have south of Tillamook Head. Now again, you're addressing allocation. If the Director of Fisheries in the state of Washington is only allowed to allocate for conservation reasons, the only thing he can set a basis for or allocate among the groups, is for conservation. If the Director of Fisheries adopts regulations off the coast of the state of Washington for

allocating to the user groups for other than conservation reasons, he is prohibited—physically prohibited—by statute from doing that. The commercial fishermen have had this in the courts many, many times. If he does that to which you are speaking to and your fears, the troll industry has that recourse, to go to court, and it has been proven time and time again that these citations that have been issued where the Director of Fisheries has allocated for other than conservation reasons have been thrown out of court."

Mr. Berentson spoke against the bill, and Mr. Wilson spoke in favor of it.

POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Blair.

Mr. Blair: "I just wonder whether or not we are being a little hasty here. I see where we enacted this law in 1955 and that was only twenty-two years ago. I wonder whether we've really given Oregon and California a fair opportunity to come around to our way of thinking on this? Maybe we're just trying to rush things too much. Is it possible that they would be more cooperative if we gave them a little more time or do you really think we should rush ahead after only twenty-two years and rescind this measure?"

Mr. Wilson: "As Representative Martinis has already explained, the state was taken to court last year by the offshore troll fisheries to effectively deregulate themselves because the fishing regulations set by the other states were less stringent. Granted the regulations our Fisheries Director was setting out on the offshore trollers were quite strict. They cut the season in half and literally cut a month out of the middle of the season. I think they were unjust, but I think the method the troll fishery used was wrong. I think it's up to this state to control its fishery, and it's up to us to devise regulations with which to control our fishery, and not to depend on a loophole created by the lack of action for the broader seasons of another state to control our fisheries. This is our problem. I think we can handle it ourselves."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 376, and the bill passed the House by the following vote: Yeas, 80; nays, 14; not voting, 4.

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

Voting nay: Representatives Becker, Berentson, Charette, Conner, Craswell, Enbody, Fortson, Fuller, Hurley G. S., Nelson D., Owen, Polk, Vrooman, Williams.

Not voting: Representatives Knowles, Leckenby, Moreau, Whiteside.

House Bill No. 376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 386, by Representatives Douthwaite and Grier:

Revising law relating to property insurance in connection with credit or a debt.

The bill was read the third time and placed on final passage.

Representatives Douthwaite and Haley spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 386, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Knowles, Leckenby.

Engrossed House Bill No. 386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

MOTION

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

SECOND READING

HOUSE BILL NO. 409, by Representatives Knowles, Tilly and Smith (by Judicial Council request):

Eliminating exemptions from jury service.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, Twenty-ninth Day, February 7, 1977.)

On motion of Mr. Enbody the committee amendment was adopted.

House Bill No. 409 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 101, by Representatives Warnke, Fortson, Gallagher and Hansen:

Establishing a gambling areas within the state to be known as the Washington Bazaar.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 101 was substituted for House Bill No. 101, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 101 was read the second time.

POINT OF PARLIAMENTARY INQUIRY

Mrs. Fancher: "I would like to be excused from voting on any part of Substitute House Bill No. 101 or any amendments in view of the fact that my husband and I own property in the vicinity of both of the sites I understand are currently being considered."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Fancher, in connection with your conflict of interest, the bill at the present time is on second reading for the purpose of amendment. Also the Site Commission has to select a site and then later the Commission will have to come back to the Legislature and request an appropriation to purchase the site. It would appear to the Speaker that at that time, if your site were selected and you were immediately interested, then you should refrain from voting on the appropriation. At this time we are just going through the motions and we don't know whether your site is going to be chosen or not. If you knew then you'd have a real interest. The purpose of the Site Commission is to select a site and bring that back to the Legislature for appropriation in order that the site may be purchased. On that basis, I don't believe you have a conflict of interest and you should not be excused from voting when you are within the bar of the House."

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, carrying your logic a little further, do you believe it would be proper for Representative Fancher to vote on the amendment which is on the desk, which conceivably could move that site away from her adjacent property? There is an amendment which is going to be offered—I don't know whether Representative Fancher is for or against it—but it's a significant movement from the bill as we presently have it."

The Speaker (Mr. O'Brien presiding): "Representative Pardini, we don't really understand why you are raising a point of parliamentary inquiry relative to an amendment that we haven't considered yet. I did rule that Representative Fancher, if she is within the bar of the House, would have to vote on these amendments, because it appears to the Speaker there is no conflict at this time."

POINT OF ORDER

Mr. Newhouse: "May I more clearly define the conflict as I see it. The bill specifies that such a Bazaar must be located adjacent to or over, crossing, a federal interstate highway—there is one in the center of the state, Interstate 90—near the geographic center of the state. It would be in either one of two counties, Kittitas or Grant. Now if the Fanchers happen to own land in that area in both counties and to get five miles square, which would be twenty-five square miles, it would take some of their land. Therefore, I feel that she should be excused from voting on this bill."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It's up to the Commission to select the Bazaar site and they might decide not to select any site. Further approval is subsequently going to be determined by the Legislature and the appropriation will have to be made in order for a selection site to be purchased. At that time Representative Fancher, if it is on her property, should excuse herself from voting."

MOTION

Mr. Paris moved that Substitute House Bill No. 101 be indefinitely postponed.

Representatives Paris and Pruitt spoke in favor of the motion, and Mr. Warnke spoke against it.

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

Representatives Charette, Chandler and Taller spoke in favor of the motion, and Representatives Haley and Owen spoke against it.

Mr. Charette spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion to indefinitely postpone consideration of Substitute House Bill No. 101, and the motion was lost by the following vote: Yeas, 46; nays, 48; not voting, 4.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fuller, Gilleland, Greengo, Gruger, Hurley G. S., Kreidler, Lee, Lux, Monohon, Nelson D., Nelson G. A., Newhouse, North, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Struthers, Taller, Thompson, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Barr, Bauer, Becker, Bender, Boldt, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Lysen, Martinis, Maxie, May, McCormick, McKibbin, O'Brien, Owen, Pearsall, Salatino, Smith, Sommers, Valle, Vrooman, Walk, Warnke, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Knowles, Leckenby, Moreau.

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

On page 1, line 12 after "Washington" insert "state"

On page 2, line 21 after "Washington" insert "state"

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan and Tilly:

On page 2, following subsection (5) add a new subsection as follows:

"(6) Be approved by a favorable resolution of the local legislative authority."

Representatives Flanagan and Tilly spoke in favor of the amendment, and Mr. Warnke spoke against it.

POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Newhouse.

Mr. Newhouse: "You mentioned something about regulation possible by county officials. Could the county, if the Gambling Commission has chosen a site, refuse to grant under this bill the zoning qualifications necessary? In other words, could the County Commissioners or the Planning Commission under the County Commissioners veto such an operation?"

Mr. Warnke: "It is my feeling that there are several ways that it would be vetoed. One is by zoning laws—if they could not comply—ecology permits, all the rest of the things that are necessary for an industry to be built—the availability of water, the availability of sewage

facilities. I think that to assume the Gambling Commission is going to say, 'This site is chosen and this is where it's going and everybody get out of the way, we're going to start breaking ground,' just doesn't make much sense. I really can't buy that; I think that whoever is going in there to build is going to have to comply with all of the rules and regulations.'

Representatives Newhouse, Blair, North and Hurley (George) spoke in favor of the amendment.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Flanagan and Tilly to Substitute House Bill No. 101, and the amendment was adopted by the following vote: Yeas, 72; nays, 19; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fuller, Gilleland, Greengo, Gruger, Heck, Hughes, Hurley G. S., Hurley M., Keller, Knedlik, Kreidler, Lee, Lux, Lysen, Maxie, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Fortson, Gaines, Gallagher, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Kilbury, King, Martinis, May, McCormick, O'Brien, Owen, Salatino, Walk, Warnke.

Not voting: Representatives Conner, Enbody, Fancher, Knowles, Leckenby, Shipoch, and Mr. Speaker.

The Clerk read the following amendment by Representative Charnley:

On page 2, line 15 insert a new subsection as follows:

"(4) Lie within fifty miles of a major railroad line with Amtrak service in existence on the effective date of this act;"

Renumber the remaining subsections consecutively.

MOTION

Mr. King moved that further consideration of Substitute House Bill No. 101 be deferred, and that the bill be placed at the bottom of today's second reading calendar.

ROLL CALL

The Clerk called the roll on the motion to defer consideration of Substitute House Bill No. 101, and the motion was carried by the following vote: Yeas, 61; nays, 30; not voting, 7.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Newhouse, North, O'Brien, Pardini, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fischer, Flanagan, Fuller, Gaines, Gilleland, Greengo, Hughes, Lee, Nelson G. A., Oliver, Owen, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tally, Tilly, Whiteside, Wilson.

Not voting: Representatives Barr, Douthwaite, Enbody, Fancher, Knowles, Leckenby, and Mr. Speaker.

HOUSE BILL NO. 484, by Representatives Sommers, Flanagan and Sherman:

Regulating the retail sale of frozen fish and shellfish.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 407, by Representatives Enbody, Monohon and Smith (by Judicial Council request):

Modifying the fee for a writ of garnishment.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 291, by Representatives Clemente, Whiteside and Bauer (by State Board of Education request):

Implementing laws relating to student transfers within the common schools.

The bill was read the second time.

On motion of Mr. Clemente, Substitute House Bill No. 291 was substituted for House Bill No. 291, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 291 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 240, by Representatives King, Vrooman, May, Hughes, Lux and Martinis:

Regulating motor vehicles used by railroad companies to transport employees.

The bill was read the second time.

Mr. Patterson moved adoption of the following amendment:

On page 1, line 6 after "for" strike "operation on roads which may or may not be equipped with retractable flanged wheels for"

Mr. Patterson spoke in favor of the amendment, and Mr. Conner spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patterson to House Bill No. 240, and the amendment was not adopted by the following vote: Yeas, 35; nays, 54; not voting, 9.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley.

Not voting: Representatives Adams, Barr, Douthwaite, Enbody, Knedlik, Knowles, Nelson D., Sommers, and Mr. Speaker.

House Bill No. 240 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 50, by Representatives Kilbury, Boldt and Martinis:

Requiring speedometers on locomotives.

The bill was read the second time.

On motion of Mr. Conner, 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. Shinoda moved adoption of the following amendments:

On page 1, at the beginning of line 25 strike "miles" and insert "kilometers"

On page 1, line 25 after "within" strike "three miles" and insert "five kilometers"

Representatives Shinoda, Wilson and Haley spoke in favor of the amendments, and Representatives Kilbury and Charette spoke against them.

Mr. Shinoda spoke again in favor of the amendments.

POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Patterson.

Mr. Patterson: "Is it not true, Representative Kilbury, that all engines that are operating in interstate trade today are equipped with speedometers?"

Mr. Kilbury: "I can't answer if they all are, many are."

Mr. Patterson: "I think you'll find that they are all equipped. If Representative Shinoda's amendments are adopted, would that require that every one of these be changed so that they be calibrated in kilometers rather than miles per hour?"

Mr. Kilbury: "I think you'd have to ask him to get an answer. I think, just offhand, and I don't have a copy of these amendments before me, but I suspect it would require calibration in kilometers."

Mr. Patterson: "Do you have any idea what the cost would be to the railroads for such a proposal?"

Mr. Kilbury: "No, I do not."

Mr. Patterson spoke against adoption of the amendments.

The amendments were not adopted.

Mr. Amen moved adoption of the following amendment by Representatives Amen and Patterson:

On page 1, line 30 strike all of subsection 7 and renumber the remaining subsections consecutively.

Representatives Amen, Patterson and Berentson spoke in favor of the amendment, and Representatives Conner, Martinis and Kilbury spoke against it.

Mr. Hurley (George) demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Amen and Patterson to Substitute House Bill No. 50, and the amendment was not adopted by the following vote: Yeas, 36; nays, 59; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lysen, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley.

Not voting: Representatives Douthwaite, Knowles, and Mr. Speaker.

Mr. Hansen moved adoption of the following amendment:

On page 2, line 3 strike all matter through line 7 and insert "At least one unit of the leading engine—consist on every railroad in this state shall be equipped as of January, 1977, with one of more colored oscillating lights, visible on all sides of the locomotive for a distance of at least two hundred yards. Said light or lights shall be operated whenever the locomotive is in motion or is stopped on a grade crossing, and may be of any color allowed by law, other than the color of the locomotive's headlight."

Representative Hansen spoke in favor of the amendment, and Mr. Kilbury spoke against it.

The amendment was adopted.

MOTION

Mr. Polk moved that Substitute House Bill No. 50 be rereferred to Committee on Appropriations.

Representatives Polk, Patterson and Flanagan spoke in favor of the motion, and Mr. Kilbury spoke against it.

Ms. Becker demanded the previous question.

POINT OF PERSONAL PRIVILEGE

Mr. Polk: "The point of personal privilege is that I figured here on the floor what the fiscal impact of the bill was as far as the information I had. We passed some legislation here the other day on fiscal impact statements. Representative Kilbury has—"

RULING BY THE SPEAKER (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Polk, I think you are going into the merits of your motion. You're talking about the dollar amount and making a speech. Go ahead, but try to hold it to personal privilege and whether or not your motives have been impugned because you made the motion."

Mr. Polk: "Mr. Speaker, if you would rather it not be under point of personal privilege, I would be happy to close debate and discuss the bill on its merits, but I am trying to—"

The Speaker (Mr. O'Brien presiding): "The question before us is the motion by Representative Becker. Allow me to place that motion and then use your own judgment."

Mr. Polk: "The reason is that the way things have been going around here today, they just close you off and you don't get a chance to say anything."

The Speaker (Mr. O'Brien presiding): "If you'll read the rule book you'll find out you have some place for your motion."

The demand for the previous question was not sustained.

Mr. Polk closed debate, speaking again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Representative Polk to rerefer Substitute House Bill No. 50 to Committee on Appropriations, and the motion was lost by the following vote: Yeas, 41; nays, 55; not voting, 2.

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

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

Not voting: Representatives Knowles, and Mr. Speaker.

Substitute House Bill No. 50 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House adjourned until 1:15 p.m., Thursday, February 24, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-SIXTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, February 24, 1977.

The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Enbody, Martinis and Moreau, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Talcott and Alex Weick. Prayer was offered by Reverend David W. Kratz of the United Churches of Olympia.

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

MESSAGE FROM THE SENATE

February 23, 1977

Mr. Speaker:

The Senate has passed:

REENGROSSED SUBSTITUTE SENATE BILL NO. 2112,
 SUBSTITUTE SENATE BILL NO. 2115,
 ENGROSSED SENATE BILL NO. 2159,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 2112, by Committee on Local Government (Originally sponsored by Senators Wilson, Sellar and Henry):

Modifying civil service appointment procedures for sheriffs' offices and authorizing unclassified positions.

To Committee on Local Government

SUBSTITUTE SENATE BILL NO. 2115, by Committee on Education (Originally sponsored by Senators McDermott, Donohue, Buffington, Fleming and Francis):

Appropriating funds for desegregated purposes to a school district with an enrollment of 50,000 pupils.

To Committee on Education

ENGROSSED SENATE BILL NO. 2159, by Senators Woody, Clarke, Day, Sellar and Hayner:

Permitting a counterclaim for malicious prosecution in the principal action.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

February 21, 1977

HOUSE BILL NO. 318, Prime Sponsor: Representative Hansen, permitting owners of property subject to condemnation proceedings to give the property to governmental unit involved. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Monohon, Newhouse, Shinpoch, Tilly, Winsley.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 559, Prime Sponsor: Representative Ehlers, adding a retired person to the state employees' insurance board. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 8 strike "governor or his" and insert "~~((governor or his))~~ governor's"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 623, Prime Sponsor: Representative Bauer, exempting capital expenditures of nonprofit water associations from gross income for public utility tax purposes. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Berentson, Bond, Charnley, Conner, Grimm, Kilbury, Martinis, McCormick, Williams, Wilson.

To Committee on Rules for second reading.

February 22, 1977

HOUSE BILL NO. 670, Prime Sponsor: Representative Pardini, restricting use of residential reserve accounts. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Eng, Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Winsley.

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 793, Prime Sponsor: Representative King, authorizing the department of labor and industries to insure employers against liability for compensation and benefits for injury and death under the federal longshoremen's and harbor workers' compensation act. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:
On page 3, line 9 after "chapter." strike everything through "fund." on line 13

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; King, Nelson (Dick), Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton, Sanders.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 1116, Prime Sponsor: Representative Kreidler, relating to residential reserve accounts. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Financial Institutions.

February 23, 1977

SENATE BILL NO. 2225, Prime Sponsor: Senator Donohue, providing for Washington State University Tree Fruit Center funding. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Grimm, Haley, Oliver, Patterson.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 73, by Representative Ehlers, Nelson (Gary), Bauer and Burns:

Implementing law relating to state agency housing.

The bill was read the third time and placed on final passage.

Representatives Ehlers and Taller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 73, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Conner, Enbody, Martinis, Moreau, Owen.

Engrossed House Bill No. 73, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 79, by Committee on Local Government (Originally sponsored by Representatives Erickson and Knedlik):

Permitting large counties to have five county commissioners.

The bill was read the third time and placed on final passage.

Representatives Erickson and Lee spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 79, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

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

Voting nay: Representatives Clayton, Deccio, Flanagan, Hansen, Newhouse.

Not voting: Representatives Enbody, Martinis, Moreau.

Substitute House Bill No. 79, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

HOUSE BILL NO. 384, by Representatives Eng, Fischer and Vrooman:

Providing for the confidentiality of examination reports of financial institutions.

The bill was read the second time.

On motion of Mr. Eng, Substitute House Bill No. 384 was substituted for House Bill No. 384, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 384 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 358, by Representatives Clemente, Barnes, Heck and Kreidler (by State Board of Education request):

Authorizing state board of education rules to determine admission qualifications into pre-school, kindergarten and the first grade.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 37th Day, February 15, 1977.)

On motion of Mr. Clemente, the committee amendments were adopted.

House Bill No. 358 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 306, by Representative Nelson (Gary):

Repealing comic book laws.

The bill was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 71, by Committee on Revenue (Originally sponsored by Representatives Sommers, Zimmerman, Burns, Charnley and Greengo - by Governor Evans request):

Authorizing property tax exemption for improvements to historic sites or structures.

The bill was read the second time.

On motion of Ms. Sommers, the following amendments were adopted:

On page 1, line 11 beginning with "in" strike all material down to and including "property" on line 12 and insert "following the year certification of exemption is granted pursuant to section 2, subsection (4) of this 1977 amendatory act"

On page 2, line 18 strike "during the three year period of exemption"

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 71 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 444.

HOUSE BILL NO. 271, by Representatives Adams, Kreidler, Fortson, Pearsall, Whiteside, Pruitt, Newhouse, Lux, May, Hanna, Haley, Charnley, Fischer, Gallagher, Greengo, McCormick, Moreau and Salatino:

Adopting procedures for the establishment of transfer and clinical training programs at the University of Washington school of medicine for Washington residents attending foreign medical schools.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 39th Day, February 17, 1977.)

On motion of Mr. Adams, the committee amendments were adopted.

House Bill No. 271 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

Mr. King moved that the Rules Committee be relieved of Engrossed House Bill No. 271, and that it be placed at the top of the second reading calendar.

POINT OF ORDER

Mr. Pardini: "Is this a motion to suspend the rules and put that back on second reading?"

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Rules state that a committee can be relieved of a bill by majority vote."

Mr. Pardini: "I understand that, but the rules also say separate readings on separate days. Let's suspend the rules and put it back on second reading, Mr. Speaker."

The Speaker (Mr. O'Brien presiding): "Rule 81 states as follows: 'PROVIDED, That a majority of the members elected to the House may require a committee to report a bill back to the House during the order of business at which it may be considered.' The Speaker will rule that we are under this order of business and we weren't aware of the amendments by Representative Tilly and so we're asking the House to return the bill to second reading for the purpose of considering these amendments."

Mr. Pardini: "Mr. Speaker, Rule 26 also says that there will be separate readings of the bill on separate days and requires a twenty-four hour notice to bring the thing back on second reading unless we suspend the rules. I'm willing to cooperate and go along with the suspension of the rules, but I'm trying to establish an orderly procedure and I know that's what you want too, Mr. Speaker."

The Speaker (Mr. O'Brien presiding): "Representative Pardini, we are still on second reading and we're not leaving today."

Mr. Pardini: "I know we're not leaving today, but how many times can you have second reading on a bill? The rest of the bills are on second reading, the bill which you sent to the Rules Committee is not on second reading, and it requires a suspension of the rules."

The Speaker (Mr. O'Brien): "Actually, Representative Pardini, we're being extremely tolerant of the whole incident because it's one of your fellow colleagues. If you want to run roughshod over him, all we have to do is say goodbye, the bill has gone to Rules Committee."

The motion was carried.

The House resumed consideration of Engrossed House Bill No. 271 on second reading.

Mr. Tilly moved adoption of the following amendment:

On page 3, line 16 after "The" insert "foreign medical"

Mr. Tilly spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on the amendment by Representative Tilly to page 3, line 16 of Engrossed House Bill No. 271, and the amendment was not adopted by the following vote: Yeas, 40; nays, 52; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Ehlers, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley G. S., Hurley M., Leckenby, Lee, Nelson D., Nelson G. A., Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Sherman, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barr, Bauer, Becker, Bender, Boldt, Burns, Charette, Clemente, Douthwaite, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Monohon, Newhouse, North, O'Brien, Owen, Pearsall, Salatino, Schmitt, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Blair, Conner, Enbody, Erickson, Martinis, Moreau.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 14 strike "when the passage of" and insert "if"

Representatives Tilly and Zimmerman spoke in favor of the amendment, and Representatives Kreidler and Lux spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 1, line 14 of Engrossed House Bill No. 271, and the amendment was not adopted by the following vote: Yeas, 44; nays, 46; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Groengo, Haley, Hurley M., Leckenby, Lee, May, Nelson D., Nelson G. A., Newhouse, Oliver, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Clemente, Ehlers, Eng, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, H., Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, McCormick, McKibbin, Monohon, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Thompson, Valle, Vrooman, Walk, Williams.

Not voting: Representatives Cooney, Enbody, Erickson, Gaines, Martinis, Moreau, Pardini, Warnke.

The Clerk read the following amendment by Representative Tilly:

On page 1, beginning on line 14 after "Washington" strike all the material down to and including "critical" on line 16

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

Engrossed House Bill No. 271 was passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

HOUSE BILL NO. 391, by Representatives Pearsall, Newhouse, Hanna and Lux:

Regulating audiologists and speech pathologists.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 391 was substituted for House Bill No. 391, and the substitute bill was placed on the calendar for second reading.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 391 was deferred, and the bill was ordered held for tomorrow's second reading calendar following House Bill No. 282.

HOUSE BILL NO. 613, by Representatives Sommers and Nelson (Gary) – (by Department of Revenue request):

Repealing property tax revaluation ratio procedures.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 503, by Representatives Sommers and Knedlik (by Department of Revenue request):

Providing for the collection of use taxes on aircraft by the department of motor vehicles.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 444, by Representatives Conner, Charnley, Lux and Grier:

Increasing parents' liability for property damage caused by their children to \$3,000.

The bill was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 71:

The House resumed consideration of the bill on second reading.

Mr. Pardini moved adoption of the following amendment:

On page 2, line 7 after "located" insert ". If the conservator fails to rule on such application within the set sixty-day period, the conservator shall pay to the applicant the amount of ten dollars per day for each day beyond the sixtieth day. Such payment shall be made to the applicant within thirty days"

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

Mr. Pardini spoke again in favor of the amendment.

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

Mr. Flanagan spoke in opposition to the amendment.

The amendment was not adopted.

Substitute House Bill No. 71 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 635, by Representatives Enbody, Knowles, Monohon, Knedlik, Grier, McCormick and Hughes:

Defining what persons are lawfully on the property of another for the purposes of determining liability for dog bites.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 661, by Representative Douthwaite:

Permitting policy owners to return disability insurance policies within ten days.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 313, by Representatives Knowles, Haley, McKibbin and Vrooman:

Relieving from liability hospitals and certain professionals for withdrawing blood when so directed by law enforcement officer pursuant to implied consent law.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 183, by Representatives Smith, Knowles, Enbody, Knedlik and Hanna:

Establishing procedures for guardianship of disabled persons.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 183 was substituted for House Bill No. 183, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 183 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 213, by Representatives Shinpoch, Knedlik and Vrooman:

Requiring the school directors' association to mark its vehicles in conformance with state law.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 70, by Representatives O'Brien, Nelson (Gary), Ehlers, Burns, Knedlik, Greengo and Lysen (by Executive request of Governor Evans):

Providing for an office and advisory council on archaeology and historic preservation.

The bill was read the second time.

On motion of Mr. Ehlers, Substitute House Bill No. 70 was substituted for House Bill No. 70, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 70 was read the second time.

On motion of Mr. Ehlers, the following amendments by Representatives Ehlers and Taller were adopted:

On page 9, after line 6 insert the following:

"Sec. 16. Section 5, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.050 are each amended to read as follows:

Any archaeological site located upon private lands or state trust lands, which is recorded according to the provisions of ((RCW 43.51.770(+))) section 6 of this 1977 amendatory act, on the state or federal register of historic sites and places shall be included as an archaeological resource under the provisions of this chapter: PROVIDED, That no such site located upon private or state trust land shall be so included under the provisions of this chapter without the written consent of the landowner in a recordable form sufficiently describing the site so that it may be located upon the ground. The consent of the landowner shall be recorded by the ((office of archaeological)) division of archaeology and historic preservation in the records of the county auditor of the county in which the land is located and a copy of such consent shall be transmitted by the ((office of archaeological)) division of archaeology and historic preservation to the Washington archaeological research center."

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

On page 10, after line 7 insert the following:

"Sec. 18. Section 8, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.080 are each amended to read as follows:

Qualified or professional archaeologists, in performance of their duties, are hereby authorized to enter upon public lands of the state of Washington and its political subdivisions, at such times and in such manner as not to interfere with the normal management thereof, for the purposes of doing archaeological resource

location and evaluation studies, including site sampling activities. Scientific excavations are to be carried out only after appropriate agreement has been made between the archaeologist and the agency or political subdivision responsible for such lands. Notice of such agreement shall be filed with the Washington archaeological research center and by them to the ~~((office of archaeological))~~ division of archaeology and historic preservation. Amateur societies may engage in such activities by submitting and having approved by the responsible agency or political subdivision a written proposal detailing the scope and duration of the activity. Before approval, a proposal from an amateur society shall be submitted to the Washington archaeological research center for review and recommendation."

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

MOTION

On motion of Mr. King, further consideration of the bills on second reading were deferred until after consideration of Senate Bill No. 2021.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED SENATE BILL NO. 2021, by Senators Odegaard and Talley:

Permitting free passage on the Puget Island ferry when SR 4 is closed.

The bill was read the second time.

Mr. McKibbin moved adoption of the following amendment:

On page 2, line 21 after "(5)" strike the balance of the section.

Mr. McKibbin spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McKibbin to Engrossed Senate Bill No. 2021, and the amendment was adopted by the following vote: Yeas, 51; nays, 37; not voting, 10.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Clemente, Douthwaite, Dunlap, Ehlers, Eng, Fancher, Fischer, Fortson, Fuller, Gaines, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Kreidler, Leckenby, Lux, Lysen, McKibbin, Monohon, Nelson D., Newhouse, North, O'Brien, Owen, Pardini, Paris, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Sommers, Valle, Vrooman, Warnke, Winsley.

Voting nay: Representatives Adams, Barnes, Bond, Chandler, Charette, Charnley, Clayton, Craswell, Deccio, Flanagan, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, King, Knedlik, Knowles, Lee, Maxie, May, McCormick, Nelson G. A., Oliver, Patterson, Pearsall, Sanders, Schmitt, Struthers, Taller, Thompson, Tilly, Walk, Whiteside, Williams, Wilson.

Not voting: Representatives Amen, Barr, Conner, Enbody, Erickson, Martinis, Moreau, Smith, Zimmerman, and Mr. Speaker.

The Clerk read the following amendment by Representative McKibbin:

On page 2, line 24 strike the period and insert the following: PROVIDED, That the state of Washington shall not be responsible for the maintenance of any such toilet located in the state of Oregon unless, notwithstanding the status of pay toilets in the state of Washington, said toilet shall be equipped with a pay toilet use and collection device with the proceeds thereof to be deposited in a special maintenance fund in the operations and maintenance account of the highway commission to defray the cost of cleansing, service and maintenance of such a toilet.

MOTION FOR RECONSIDERATION

Mr. McKibbin, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment to page 2, line 21 was adopted.

POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "What amendment have we adopted?"

The Speaker (Mr. O'Brien presiding): "We have adopted the amendment offered by Representative McKibbin to page 2, line 21. The short amendment on the page."

Mr. Polk: "You're saying we have adopted the striking amendment?"

The Speaker (Mr. O'Brien presiding): "Yes."

MOTION

The Clerk called the roll on the motion by Representative McKibbin that the House reconsider the vote by which the amendment to Engrossed Senate Bill No. 2021 was adopted, and the motion was carried by the following vote: Yeas, 65; nays, 27; not voting, 6.

Voting yea: Representatives Adams, Amén, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Maxie, May, McCormick, McKibbin, Monohon, Nelson G. A., North, O'Brien, Pardini, Paris, Pearsall, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Blair, Bond, Clayton, Deccio, Dunlap, Fancher, Flanagan, Gilleland, Haley, Heck, Kreidler, Lee, Nelson D., Newhouse, Oliver, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside.

Not voting: Representatives Barr, Enbody, Leckenby, Martinis, Moreau, Owen.

MOTION

On motion of Mr. McKibbin, further consideration of Engrossed Senate Bill No. 2021 was deferred, and the bill was ordered placed on tomorrow's calendar.

SUBSTITUTE HOUSE BILL NO. 70:

The House resumed consideration of the bill on second reading.

Mr. Sanders moved adoption of the following amendment:

On page 2, lines 32, 33 and 35, and on page 3, lines 11 and 18, and on page 5, lines 5, 6, 12 and 26, strike "general administration" and insert "parks and recreation"

Representatives Sanders and Newhouse spoke in favor of the amendment, and Representatives Ehlers, Burns and Taller spoke against it.

Mr. Sanders spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sanders to Substitute House Bill No. 70, and the amendment was not adopted by the following vote: Yeas, 33; nays, 58; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fuller, Gilleland, Greengo, Haley, Hurley M., Lee, Newhouse, North, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tilly, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Monohon, Nelson D., Nelson G. A., O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson.

Not voting: Representatives Adams, Douthwaite, Enbody, Leckenby, Martinis, Moreau, and Mr. Speaker.

The Clerk read the following amendment by Representative Sanders:

On page 10, strike section 18, and renumber the remaining sections consecutively.

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

On motion of Mr. Ehlers, the following amendments to the title were adopted:

In line 5 of the title, after "27.53.030;" insert "amending section 5, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.050;"

In line 7 of the title, after "27.53.060;" insert "amending section 8, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.080;"

Substitute House Bill No. 70 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

Mr. Berentson moved that the Rules Committee be relieved of House Concurrent Resolution No. 19 and that it be placed at the top of the second reading calendar.

Mr. Berentson spoke in favor of the motion, and Mr. King spoke against it.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Berentson.

Mr. Berentson: "Would you have any objection to maybe, in view of what is probably going to happen to HCR 19, proceeding with the concurrent resolution as has been drawn by the Chairman and Representative Pardini, and perhaps amending this concept, HCR 19, to

that concept which would cover not only the extension, but also expanding introductions? The reason I ask the question is that I think it's very possible that if the energy crisis continues to expand we might very well want to introduce some new legislation. I understand that we do have some title-only bills, but this would make sure that we have covered all bases—that we can introduce new legislation and not have to worry about cut-off dates and existing legislation."

Mr. King: "My suggestion would be that we revert to the fourth order of business, read in the concurrent resolution, place it on second reading and hold it over until tomorrow and talk about it."

Representatives Berentson and Dunlap spoke in favor of the motion, and Mr. Lysen spoke against it.

ROLL CALL

The Clerk called the roll on the motion by Representative Berentson to relieve the Rules Committee of House Concurrent Resolution No. 19 and place it on the second reading calendar, and the motion was lost by the following vote: Yeas, 37; nays, 58; not voting, 3.

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

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

Not voting: Representatives Enbody, Martinis, Moreau.

MOTION

Mr. King moved that further consideration of Substitute House Bill No. 101 be deferred, and that it be placed at the bottom of tomorrow's second reading calendar.

Representatives King and Warnke spoke in favor of the motion, and Mr. Barnes spoke against it.

The motion was carried.

MOTION

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

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 25, by Representatives Lysen and Pardini:

Extending the consideration date for emergency energy measures.

MOTION

Mr. King moved that the rules be suspended and House Concurrent Resolution No. 25 be placed on second reading.

Representatives King and Berentson spoke in favor of the motion.

POINT OF ORDER

Mr. Hurley (George): "How often do we consider resolutions when we don't have them on our desks?"

The Speaker (Mr. O'Brien presiding): "Representative Hurley, if you will allow us to place the resolution on second reading, we will read it in full. It's not very long. Apparently we haven't had the opportunity to reproduce it."

The motion was carried.

House Concurrent Resolution No. 25 was read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 25 was placed on final passage.

Representatives Lysen and Pardini spoke in favor of the resolution.

The resolution was adopted.

MOTION

On motion of Mr. King, the House adjourned until 2:15 p.m., Friday, February 25, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-SEVENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, February 25, 1977.

The House was called to order at 2:15 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erin Williams and Bill Schoultz. Prayer was offered by Reverend David W. Kratz of the United Churches of Olympia.

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

MESSAGE FROM THE SENATE

February 24, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2014,
ENGROSSED SENATE BILL NO. 2057,
SUBSTITUTE SENATE BILL NO. 2063,
ENGROSSED SENATE BILL NO. 2133,
SENATE BILL NO. 2201,
SENATE BILL NO. 2208,
SENATE BILL NO. 2314,
SENATE BILL NO. 2439,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2014, by Senators Wilson and Jones:

Removing obsolete provisions of laws relating to Indians.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2057, by Senators Henry, Guess and Beck (by Department of Motor Vehicles request):

Bringing various laws dealing with motor vehicle operators into accord with current practices.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2063, by Committee on Ways and Means (Originally sponsored by Senators Odegaard, Clarke, Donohue, Woody, Scott and Wilson) – (by Legislative Budget Committee request):

Requiring fiscal impact statements on proposed legislation.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 2133, by Senators Scott, Newschwander, Odegaard and Clarke (by Legislative Budget Committee request):

Revising laws on reports by state government agencies and officials.

To Committee on State Government

SENATE BILL NO. 2201, by Senators McDermott, Murray and Gaspard (by Superintendent of Public Instruction request):

Implementing law relating to transportation of pupils in common schools and reimbursement to school districts therefor.

To Committee on Education

SENATE BILL NO. 2208, by Senators Gaspard, Wilson and Benitz:

Amending miscellaneous agricultural laws relating to weeds, seeds, marketing agreements, horticultural districts, and weights and measures.

To Committee on Agriculture

SENATE BILL NO. 2314, by Senator Sellar:

Increasing county auditor's fees for official services.

To Committee on Local Government

SENATE BILL NO. 2439, by Senators Buffington, Henry and Guess:

Extending the obligation of urban arterial trust funds for one more year.

To Committee on Transportation

MOTION

On motion of Mr. King, all bills listed on today's agenda were considered first reading under the fourth order of business and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

February 24, 1977

HOUSE BILL NO. 63, Prime Sponsor: Representative Ehlers, establishing a program of training and career development for state civil service employees. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

MOTION

On motion of Mr. King, House Bill No. 63 was rereferred to Committee on Appropriations.

February 24, 1977

HOUSE BILL NO. 127, Prime Sponsor: Representative Ehlers, authorizing community corporations for local government in unincorporated areas. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, Gilleland, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 150, Prime Sponsor: Representative May, revising the definition of "public work" for government contracts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 19 after "improvement" strike all the matter down to and including "municipality" on line 22 and insert "other than ordinary maintenance"

On page 1, line 26 after "systems." insert "All public works, including maintenance, performed by private contractors shall comply with the provisions of RCW 39.12.020."

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, Gilleland, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 153, Prime Sponsor: Representative Gallagher, revising the law on public works contracts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, North, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 165, Prime Sponsor: Representative Valle, enacting the "Public Water System Coordination Act of 1977". Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Bender, Douthwaite, Fancher, Gilleland, Keller, Shinoda, Vrooman.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 210, Prime Sponsor: Representative Shinpoch, authorizing a civil penalty to be assessed against certain public officers who fail to have motor vehicles marked in accordance with the provisions of state law. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 7 strike "who operates a" and insert "having charge of any"

On page 1, line 22 after "2." insert "It is the intent of the legislature that any civil penalty under this 1977 amendatory act shall be payable by the individual or individuals involved. No action brought under this act shall be deemed to be an action, claim or proceeding within the meaning of RCW 36.16.138 or any other statute providing for limiting or insuring the personal liability of any public officer or employee.

NEW SECTION. Sec. 3."

Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Bender, Fancher, Gilleland, Keller, Shinoda, Vrooman.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 257, Prime Sponsor: Representative Thompson, enacting the Marihuana Education and Control Act of 1977. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Monohon, Shinpoch, Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Tilly, Winsley.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 287, Prime Sponsor: Representative Hansen, requiring certain county electrical projects to be by contract. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 11, strike "one thousand" and insert "two thousand five hundred"

On page 1, beginning on line 21 strike "one thousand" and insert "two thousand five hundred"

Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Bender, Fancher, Gilleland, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 299, Prime Sponsor: Representative Kreidler, increasing dollar amount of capital construction projects of institutions of higher education before same have to be put out for public bids. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Enbody, Grimm, Haley, Moreau, Oliver, Patterson.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 301, Prime Sponsor: Representative Bauer, dispensing with the competitive bid requirement for counties when the amount involved is less than \$2,500 instead of the present \$1,000. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, Gilleland, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

February 24, 1977

HOUSE BILL NO. 335, Prime Sponsor: Representative Bauer, modifying the procedure for awarding public works contracts by cities and towns of the second, third, and fourth class. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Bender, Fancher, Gilleland, Keller, Vrooman, Whiteside.

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 340, Prime Sponsor: Representative Polk, exempting securities issued by nonprofit recognized religious denominations from state securities regulation laws. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 371, Prime Sponsor: Representative Becker, revising the juvenile justice and care system. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 581, Prime Sponsor: Representative Becker, providing for the substitution of prescription drugs. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 617, Prime Sponsor: Representative Fischer, allowing some mutual savings banks to pay higher expenses for management and operation. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 15 after "years," strike "its current net" and insert "excluding the present fiscal year, its net current"

On page 1, line 16 after "depositors and" insert "less"

Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 23, 1977

HOUSE BILL NO. 874, Prime Sponsor: Representative Salatino, modifying the conditions for receiving state funds for probation services. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 291, by Committee on Education (Originally sponsored by Representatives Clemente, Whiteside and Bauer— by State Board of Education request):

Implementing laws relating to student transfers within the common schools.

The bill was read the third time and placed on final passage.

Representatives Clemente, Craswell and Fuller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 291, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Maxie, Pruitt.

Substitute House Bill No. 291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please place my vote in the Journal on Substitute House Bill No. 291 as "Aye."

PAUL PRUITT, 34th District.

ENGROSSED HOUSE BILL NO. 409, by Representatives Knowles, Tilly and Smith (by Judicial Council request):

Eliminating exemptions from jury service.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 409, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen,

Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 409, having received the 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. 6, by Representatives King, Fortson, Burns, Charnley, Grier, Knowles, Lux, Maxie, McCormick, Douthwaite, Eng, Gaines, Gruger, Hawkins, Lysen, Nelson (Dick), North, Pruitt and Whiteside:

Placing a proposition for a constitutional convention before the voters.

The resolution was read the third time and placed on final passage.

Representatives King and Fortson spoke in favor of the resolution, and Mr. Taller spoke against it.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Eng.

Mr. Eng: "If this constitutional amendment does pass for the people, does it then come back to the Legislature and we will decide as to how to select a delegation, and so on?"

Mr. King: "Yes, there would have to be implementing legislation that goes along with the constitutional amendment. There is a bill that has been introduced to do that now before the House Appropriations Committee. There's not much sense acting on it unless the resolution comes back to the Legislature."

Representatives Whiteside and Hawkins spoke in favor of the resolution.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "Representative King, it is my understanding that Governor Ray met with your caucus a little while ago, prior to coming out, and I presume one of the items you discussed was this constitutional convention. Did Governor Ray have any particular feelings on this?"

Mr. King: "She did not discuss this before our caucus."

Mr. Pardini: "Did you ask her?"

Mr. King: "Not in the caucus."

Mr. Pardini: "Outside the caucus?"

Mr. King: "I could really not speak for the Governor on this."

Mr. Pruitt spoke in favor of the resolution and Mr. Tilly spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 6, and the resolution failed to receive the constitutional two-thirds majority, by the following vote: Yeas, 60; nays, 38; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greeno, Haley, Hurley M., Keller, King, May, Monohon, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Walk, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greeno, Haley, Hurley M., Keller, King, May, Monohon, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Walk, Wilson, Winsley, Zimmerman.

House Joint Resolution No. 6, having failed to receive the constitutional two-thirds majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. King, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Joint Resolution No. 6 failed to pass the House.

ENGROSSED HOUSE BILL NO. 38, by Representatives Hanna and Conner:

Including the Washington state patrol under the public employees' collective bargaining laws.

The bill was read the third time and placed on final passage.

Representatives Hanna, Lux, May and King spoke in favor of passage of the bill, and Representatives Bond, Leckenby, Patterson, Hurley (Margaret), Newhouse and Hansen spoke against it.

Representatives Hanna and Lux spoke again in favor of the bill, and Representatives Zimmerman, Bond and Deccio spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 38, and the bill passed the House by the following vote: Yeas, 59; nays, 37; not voting, 2.

Voting yea: Representatives Adams, Becker, Bender, Blair, Boldt, Burns, Charette, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., North, O'Brien, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Hurley M., Leckenby, McKibbin, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Charney, Knedlik.

Engrossed 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. 407, by Representatives Enbody, Monohon and Smith (by Judicial Council request):

Modifying the fee for a writ of garnishment.

The bill was read the third time and placed on final passage.

Mr. Enbody spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 407, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Kilbury.

Not voting: Representatives Maxie, Pearsall.

House Bill No. 407, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 240, by Representatives King, Vrooman, May, Hughes, Lux and Martinis:

Regulating motor vehicles used by railroad companies to transport employees.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 240, and the bill passed the House by the following vote: Yeas, 77; nays, 17; not voting, 4.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pruitt, Salatino, Schmittens, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Barr, Blair, Bond, Clayton, Craswell, Deccio, Flanagan, Gilleland, Greengo, Gruger, Haley, Lee, Newhouse, Pardini, Sanders, Whiteside.

Not voting: Representatives Berentson, Pearsall, Polk, and Mr. Speaker.

House Bill No. 240, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

HOUSE BILL NO. 282, by Representatives Hawkins, Barnes, Fortson, Nelson (Dick), Lux, Heck, Sherman, Hughes, Keller, Chandler, Erickson and Wilson:

Establishing a presidential preference primary.

The bill was read the second time.

On motion of Mr. Hawkins, Second Substitute House Bill No. 282 was substituted for House Bill No. 282, and the substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 282 was read the second time.

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

On page 2, line 14 after "prescribed" strike "in RCW 29.79.200 and 29.79.210" and insert "by law for the certification of initiative and referendum petitions by the secretary of state"

Mr. Hawkins moved adoption of the following amendment by Representatives Hawkins, Heck, Grimm, Nelson (Dick) and Hughes:

On page 2, line 31 beginning with "A" strike all material down to and including "party's" on line 8 of page 4 and insert "As used in this section, the term 'certified presidential candidate' shall mean any candidate whose name has been certified for placement on a presidential preference primary ballot under section 2 of this 1977 amendatory act.

The names of all certified presidential candidates shall be printed on a ballot to be designated as the 'Independent Voter's Presidential Preference Primary Ballot.' These names shall be listed alphabetically in separate columns according to political party affiliation on this ballot. In addition to the 'Independent Voter's Presidential Preference Primary Ballot,' a separate ballot shall be printed for each major political party with which any certified presidential candidate is affiliated. The names of all certified presidential candidates who are affiliated with the same party shall be listed alphabetically in a column on that party's ballot.

On each ballot there shall be printed: (1) A adjacent to the name of each candidate listed thereon, (2) A adjacent to the printed words, "No Preference," and (3) A blank space specifically designated for the purpose of providing voters with an opportunity to write in the name of a candidate whose name does not appear on the ballot.

The name of no person shall be printed on any presidential preference primary ballot who is not a certified presidential candidate.

NEW SECTION. Sec. 4. Insofar as is practicable, and where the provisions of this chapter do not specifically indicate otherwise, the presidential preference primary shall be conducted in the same manner as a state primary, including the certification of the election returns by the state canvassing board. County auditors, at their discretion, may combine and consolidate two or more precincts for the purpose of conducting the presidential preference primary only if precinct vote totals for the primary can still be made available.

Each person desiring to vote in the presidential preference primary shall sign his or her name on a list, at the polling place, under the designation of the 'Independent Voter's Presidential Preference Primary' or under the designation of the major political party primary in which he or she intends to vote, at which time the precinct election worker shall give such person the appropriate primary ballot.

Each person requesting an absentee ballot for a presidential preference primary shall specify on the application for such ballot the primary in which he or she desires to vote, whereupon the county auditor shall

send the applicant the appropriate absentee ballot. The county auditor shall then record the applicant's name and address on a list containing only the names and addresses of other applicants who have specified a desire to vote in the same such primary.

The following notice shall be prominently displayed at each polling place and included with each absentee ballot application provided for a person who wishes to request an absentee ballot for the presidential preference primary:

'If you desire to participate in the presidential candidate nominating process of a major political party, you must request the presidential preference primary ballot of that party. If you do not desire to participate in the presidential candidate nominating process of a major political party but desire to express your preference as to who should be elected president of the United States, you should request an 'Independent Voter's Presidential Preference Primary Ballot.'

At a presidential preference primary, a voter may cast no more than one vote on a ballot. Any presidential preference primary ballot with more than one vote shall be void, and notice to this effect, couched in clear, simple language, and printed in large type, shall appear on the face of each presidential preference primary ballot. Where voting machines or electronic voting devices are in use, the notice shall be displayed on or about each machine or device.

NEW SECTION. Sec. 5. The lists of voters who participate in each'

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

On page 1, section 4, second paragraph, beginning with "Each person" strike down through and including "such primary." in the third paragraph.

Representatives Douthwaite and Chandler spoke in favor of the amendment to the amendment, and Mr. Hawkins spoke against it.

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

Mr. Douthwaite spoke again in favor of the amendment to the amendment, and Representatives Nelson (Dick), Charnley and Hawkins spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Douthwaite to the amendment by Representative Hawkins and others to Second Substitute House Bill No. 282, and the amendment to the amendment was adopted by the following vote: Yeas, 59; nays, 37; not voting, 2.

Voting yea: Representatives Adams, Amen, Barr, Berentson, Blair, Bond, Burns, Chandler, Charette, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Fancher, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Haley, Hansen, Hurley G. S., Hurley M., Knedlik, Leckenby, Lee, Lysen, Martinis, May, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Becker, Bender, Boldt, Charnley, Clemente, Conner, Ehlers, Erickson, Fischer, Fortson, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Keller, Kilbury, King, Kreidler, Lux, Maxie, McKibbin, Monohon, Nelson D., O'Brien, Pruitt, Salatino, Sherman, Shipoch, Smith, Valle, Walk, Warnke, Williams.

Not voting: Representatives Knowles, North.

Mr. Douthwaite moved adoption of the following amendment to the amendment by Representative Hawkins and others:

On page 2, section 4, 4th and 5th paragraphs strike "request" and insert "obtain"

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

The amendment to the amendment was adopted, and the amendment as amended was also adopted.

Mr. Hughes moved adoption of the following amendment:

On page 4, line 16 after "select" strike "at least seventy-five percent of"

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

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

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

MOTION

Mr. Pardini moved that Second Substitute House Bill No. 282 be rereferred to Committee on Elections and Governmental Ethics.

Mr. Pardini spoke in favor of the motion, and Representatives Hawkins and Hurley (George) spoke against it.

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

ROLL CALL

The Clerk called the roll on the motion by Representative Pardini to rerefer Second Substitute House Bill No. 282 to Committee on Elections and Governmental Ethics, and the motion was lost by the following vote: Yeas, 31; nays, 65; not voting, 2.

Voting yea: Representatives Amen, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fischer, Flanagan, Gilleland, Greengo, Grier, Hurley M., Lockenby, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fortson, Fuller, Gaines, Gallagher, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Knowles, Shinoda.

MOTIONS

On motion of Mr. King, further consideration of Second Substitute House Bill No. 282 was deferred, and the bill, along with the remaining bills on the second reading calendar, was ordered placed on the second reading calendar of the next working day.

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

REPORTS OF STANDING COMMITTEES

February 25, 1977

HOUSE BILL NO. 261, Prime Sponsor: Representative Smith, authorizing private ownership and operation of release-recapture salmon rearing facilities. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Martinis, Chairman; Wilson, Ranking Minority Member; Clemente, Conner, Gilleland, Greengo, May, Schmitt, Shinoda, Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Enbody, Vrooman.

MOTION

On motion of Mr. King, House Bill No. 261 was rereferred to Committee on Appropriations.

February 25, 1977

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2620, Sponsor: Senate Ways and Means Committee, granting emergency powers to the department of ecology because of the impending drought. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, after line 3, insert a new section as follows:

"NEW SECTION. Sec. 9. The power is granted to the department of ecology to levy civil penalties of up to one hundred dollars per day for violation of any of the provisions of chapters 90.03, 90.22, and 90.44 RCW, and rules, permits, and similar documents and regulatory orders of the department of ecology adopted or issued pursuant to such chapters. The procedures of RCW 90.48.144 shall be applicable to all phases of the levying of a penalty as well as review and appeal of the same."

Renumber the remaining sections consecutively.

On page 4, beginning on line 21 strike "authorized pursuant to sections 3, 4, or 5 of this 1977 amendatory act" and insert "in order to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during the summer and fall of 1977"

On page 5, after line 1 insert a new section as follows:

"NEW SECTION. Sec. 10. The department of ecology is authorized to employ necessary temporary personnel until October 1, 1977, in project-related fields, including, but not limited to, engineering, hydrology, geology, and natural or water resources, not to exceed five full time equivalent staff years to carry out the provisions of this act."

Renumber the remaining sections consecutively.

On page 5, line 29 after "through" strike "8" and insert "9"

On page 1, line 4 of the title after "appropriation;" insert "prescribing penalties;"

Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan, Hansen.

MOTION

On motion of Mr. King, Engrossed Second Substitute Senate Bill No. 2620 was rereferred to Committee on Appropriations.

February 25, 1977

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2632, Sponsor: Senate Ways and Means Committee, authorizing construction of water withdrawal and distribution facilities. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 15 after "\$25,000,000" insert "for agricultural water supply and distribution systems and \$5,000,000 for municipal and industrial water supply and distribution systems,"

On page 3, line 25 after "43.83B.050." strike "A grant or the" and insert "The"

On page 3, line 27 after "act" insert "except where used for municipal and industrial water supply facilities, in which case the amount of the allowable grant portion shall be determined the same as in section 9(2) of chapter . . . , SSSB 2620, Laws of 1977"

Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan, Hansen.

MOTION

On motion of Mr. King, Engrossed Second Substitute Senate Bill No. 2632 was rereferred to Committee on Appropriations.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 1198 was rereferred from Committee on Rules to Committee on Revenue.

On motion of Mr. King, the House adjourned until 1:30 p.m., Monday, February 28, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTIETH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, February 28, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Conner, Hurley (Margaret) and Salatino, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Stephanie Stark and Cass Dykeman. Prayer was offered by Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGE FROM THE SENATE

February 25, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2032,
 SENATE BILL NO. 2097,
 ENGROSSED SENATE BILL NO. 2122,
 SUBSTITUTE SENATE BILL NO. 2169,
 ENGROSSED SENATE BILL NO. 2174,
 SENATE BILL NO. 2251,
 ENGROSSED SENATE BILL NO. 2258,
 ENGROSSED SENATE BILL NO. 2300,
 ENGROSSED SENATE BILL NO. 2310,
 ENGROSSED SENATE BILL NO. 2344,
 SENATE BILL NO. 2378,
 ENGROSSED SENATE BILL NO. 2400,
 ENGROSSED SENATE BILL NO. 2451,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, by Committee on Constitution and Elections (Originally sponsored by Senators Beck and North):

Establishing procedures for organization of minor political parties.

To Committee on Elections and Governmental Ethics

SENATE BILL NO. 2097, by Senators Bausch, Woody and Murray (by Legislative Budget Committee request):

Deleting an obsolete restriction on employment of aliens.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2122, by Senators Van Hollebeke and Jones:

Providing for enforcement of foreign judgments.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 2169, by Committee on Natural Resources (Originally sponsored by Senators Talley and Peterson):

Amending law authorizing disposal of gravel and sand from state shorelands onto private property.

To Committee on Natural Resources

ENGROSSED SENATE BILL NO. 2174, by Senators Van Hollebeke, Talley and North:

Raising the per diem compensation for members of boards of water commissioners.

To Committee on Local Government

SENATE BILL NO. 2251, by Senators Bottiger, Gaspard, Benitz, Morrison and Woody:

Removing minimum wage restrictions on seasonal employees at agricultural fairs.

To Committee on Labor

ENGROSSED SENATE BILL NO. 2258, by Senators Rasmussen, Newschwander and Bailey (by State Treasurer request):

Allowing state, county, and municipal treasurers to transfer public funds electronically.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2300, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Modifying the collection of jury costs.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2310, by Senators Rasmussen and Buffington:

Making various changes in the law on the state committee on salaries.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2344, by Senators Peterson, Wanamaker and Talley (by Department of Game request):

Prohibiting the application of the distribution percentage to fines and forfeitures transmitted to the director of game.

To Committee on Natural Resources

SENATE BILL NO. 2378, by Senators Lewis, Keefe, Guess and Day (by Department of Highways request):

Extending state route 290 in Spokane.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 2400, by Senators Rasmussen, Odegaard and Newschwander:

Changing the name of the office of program planning and fiscal management to the office of fiscal management.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2451, by Senators Rasmussen, Marsh and Morrison:

Allowing for a longer appeal period from actions of county boards of equalization.

To Committee on Revenue

MOTION

On motion of Mr. King, all bills listed on today's agenda under the fourth order of business were considered first reading and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

February 25, 1977

HOUSE BILL NO. 161, Prime Sponsor: Representative Gaines, liberalizing the mutual savings bank law. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 330, Prime Sponsor: Representative Douthwaite, requiring certain education to qualify for insurance agents license. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Blair, Erickson, Keller, Maxie, Monohon.

MINORITY recommendation: Do not pass. Signed by Representatives Haley, Ranking Minority Member; Sanders, Taller, Barnes.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 393, Prime Sponsor: Representative Eng, requiring information to be filed before the acquisition of control of a bank. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member, Gaines, Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 491, Prime Sponsor: Representative Douthwaite, revising laws relating to casualty insurance. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 30 after the period add a new sentence as follows "Such withdrawal of approval shall not affect any contract or policy made or issued prior to the date of such withdrawal of approval."

Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Erickson, Keller, Knedlik, Maxie, Monohon.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 506, Prime Sponsor: Representative Heck, permitting certain PUD's to have sewage districts without reference to a water system. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Bond, Charnley, Grimm, Kilbury, Leckenby, McKibbin, Williams.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 572, Prime Sponsor: Representative Douthwaite, permitting variable interest loans on life insurance. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Blair, Erickson, Keller, Knedlik, Maxie, Monohon, Sanders.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 618, Prime Sponsor: Representative Fischer, revising laws regulating sale of securities. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 5 after "investors." insert "Every person filing notification of claim of this exemption in accordance with any rule by the director shall pay a filing fee as set forth in RCW 21.20.340(11)."

On page 5, line 31 after "rule" strike "or order" and after "director" insert "establishing a limited offering exemption pursuant to this subsection"

On page 5, line 34 after "securities." insert "Every person filing notification of claim of this exemption in accordance with any rule by the director shall pay a filing fee as set forth in RCW 21.20.340(11)."

On page 11, line 3 after "officer," strike all material down to and including "unless he" on line 9 and insert "((or)) director (((or)) or person ((occupying)) who occupies a similar status or ((performing)) performs a similar function((s)-or)) of such seller or buyer, every employee of such a seller or buyer who materially aids in the transaction, and every broker-dealer, salesman or person exempt under the provisions of RCW 21.20.040 who materially aids in the transaction is also liable jointly and severally with and to the same extent as the seller or buyer, unless ((he)) such person"

Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

February 28, 1977

HOUSE BILL NO. 840, Prime Sponsor: Representative Nelson (Dick), modifying fees for declarations of candidacy. Reported by Committee on Elections and Governmental Ethics.

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

To Committee on Rules for second reading.

February 28, 1977

HOUSE BILL NO. 841, Prime Sponsor: Representative Nelson (Dick), eliminating payments by candidates for space in the candidates' pamphlet. Reported by Committee on Elections and Governmental Ethics.

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

To Committee on Rules for second reading.

February 28, 1977

HOUSE BILL NO. 1120, Prime Sponsor: Representative Valle, enacting an alternative to Initiative 59. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ecology.

February 28, 1977

HOUSE BILL NO. 1123, Prime Sponsor: Representative Valle, Relating to water rights. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ecology.

February 25, 1977

SENATE BILL NO. 2060, Prime Sponsor: Senator Odegaard, repealing certain obsolete laws relating to reclamation. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Clayton, Hansen.

To Committee on Rules for second reading.

February 28, 1977

SENATE BILL NO. 2096, Prime Sponsor: Senator Rasmussen, establishing a deposit interest account in the state general fund and eliminating certain deposit interest payments occasioned by interfund loans. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), O'Brien, Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

SECOND READING

On motion of Mr. King, SECOND SUBSTITUTE HOUSE BILL NO. 282 and SUBSTITUTE HOUSE BILL NO. 101 were rereferred to Committee on Rules.

MOTION

On motion of Mr. King, the House advanced to third reading.

THIRD READING

MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House now reconsider the vote by which House Joint Resolution No. 6 failed to pass the House.

POINT OF ORDER

Mr. Newhouse: "This motion should properly come under the eighth order of business."

SPEAKER'S RULING

The Speaker: "Representative Newhouse, your point of order is not well taken. The motion to reconsider is in order. However, we have been handling those motions on the eighth order of business."

MOTIONS

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

Mr. King moved that the House immediately reconsider the vote by which House Joint Resolution No. 6 failed to pass the House.

POINT OF PARLIAMENTARY INQUIRY

Mr. Newhouse: "Mr. Speaker, again reviewing past practices, HJR 6, being a constitutional amendment, requires two-thirds vote of those elected. Would it be your ruling that only 50 votes are required to reconsider, or a simple majority of those voting?"

The Speaker: "A majority of those voting can have the bill reconsidered."

The motion for reconsideration was carried.

The Speaker stated the question before the House to be reconsideration of final passage of House Joint Resolution No. 6.

ROLL CALL

The Clerk called the roll on the reconsideration of final passage of House Joint Resolution No. 6, and the resolution passed the House by the following vote: Yeas, 66; nays, 26; not voting, 6.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, McCormick, McKibbin, Monohon, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Blair, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Greengo, Keller, May, Newhouse, Oliver, Polk, Sanders, Schmittin, Shinoda, Struthers, Taller, Tilly, Williams, Wilson.

Not voting: Representatives Conner, Eng, Hurley M., Martinis, Moreau, Salatino.

House Joint Resolution No. 6, having received the constitutional two-thirds majority, was declared passed.

MOTION

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

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 70, by Committee on State Government (Originally sponsored by Representatives O'Brien, Nelson (Gary), Ehlers, Burns, Greengo, Knedlik and Lysen - by Governor Evans request):

Providing for an office and advisory council on archaeology and historic preservation.

Mr. O'Brien spoke in favor of the bill, and Mr. Sanders spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 70, and the bill passed the House by the following vote: Yeas, 60; nays, 32; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, McCormick, Monohon, Nelson D., Nelson G. A., O'Brien, Owen, Paris, Pruitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fuller, Gilleland, Greengo, Grier, Haley, Leckenby, May, McKibbin, Newhouse, North, Oliver, Pardini, Patterson, Pearsall, Polk, Sanders, Schmitten, Struthers, Tilly, Whiteside, Winsley.

Not voting: Representatives Conner, Eng, Hurley M., Martinis, Moreau, Salatino.

Engrossed Substitute House Bill No. 70, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 183, by Committee on Judiciary (Originally sponsored by Representatives Smith, Knowles, Enbody, Knedlik and Hanna):

Establishing procedures for guardianship of disabled persons.

The bill was read the third time and placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 183, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Clayton; Conner, Hurley M., Moreau, Pardini, Salatino.

Substitute House Bill No. 183, having received the 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. 213, by Representatives Shipoch, Knedlik and Vrooman:

Requiring the school directors' association to mark its vehicles in conformance with state law.

The bill was read the third time and placed on final passage.

Mr. Shipoch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 213, and the bill passed the House by the following vote: Yeas, 84; nays, 9; not voting, 5.

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

Voting nay: Representatives Craswell, Fischer, Flanagan, Fuller, Kreidler, Sanders, Schmitten, Shinoda, Whiteside.

Not voting: Representatives Conner, Hurley M., Pardini, Salatino, Taller.

House Bill No. 213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 271, by Representatives Adams, Kreidler, Fortson, Pearsall, Whiteside, Pruitt, Newhouse, Lux, May, Hanna, Haley, Charnley, Fischer, Gallagher, Greengo, McCormick, Moreau and Salatino:

Adopting procedures for the establishment of transfer and clinical training programs at the University of Washington school of medicine for Washington residents attending foreign medical schools.

The bill was read the third time and placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Patterson.

Mr. Patterson: "On page 2, where we are identifying a state resident, the qualification, of course, is that they must have been a resident for one year prior to entering the foreign medical school, but there is a further proviso that says, '... has in fact established a bona fide domicile in this state for other than educational purposes.' Can you identify what the definition of a bona fide domicile is?"

Mr. Adams: "I would presume it would mean that they had to be a resident of this state. Most of these young people that are going to school in Mexico are young men that have been in the service and come back here and because of their age limitation they were not able to enroll at the University of Washington. Therefore, they went to Mexico but they have continued to have this as their residence."

Mr. Patterson: "There must be a further requirement for residency. Currently for educational purposes, to be classified as an in-state student he must establish residence for one year in the state of Washington. This speaks to an additional requirement of residence and I'm just wondering what that additional requirement is?"

Mr. Adams: "I don't know how to answer that, Representative Patterson, except that we know that it is necessary to be a resident of the state of Washington and most of these young people were raised in this state and, as I said, they went into the service from this state and came back to this state and went to Mexico. I don't know what else there is beyond that."

Mr. Patterson: "Thank you. I'm not commenting on the answer, but I do have a concern. This seems to be adding something in addition to the current resident requirement as far as attending institutions of higher learning to establish in-state residency. It is requiring a certain kind of domicile and I would really like to know. I don't have the answer, but I would really like to know what we are talking about. Are we requiring that they be married and move here? Is there something other than just being a resident?"

ADMNITION BY THE SPEAKER

The Speaker: "I would really like you to hold your questions to direct questions and not debate between the sponsor of the bill and another member. That kind of debate should have taken place in committee. If you would like to respond to the question, Representative Adams, you may, but I am going to start tightening up a little bit."

Mr. Adams: "I have already responded, Mr. Speaker."

Representatives Haley and Schmitt spoke in favor of the bill, and Mr. Pardini spoke against it.

POINT OF INQUIRY

Mr. Schmitt yielded to question by Mr. Boldt.

Mr. Boldt: "Representative Schmitt, I'm not sure about what you're saying and there are others here who have questioned it, too. Does the University of Washington take age into consideration when determining entrance in the school of medicine? Can they discriminate by age?"

Mr. Schmitt: "The cutoff age is twenty-six. Those of us graduating at twenty-one, serving four or five years in the service, find ourselves not eligible to attend. When you have

only 175 places and probably twenty times that applicants, it's very hard to get in and compete against a 21-year old."

MOTION

On motion of Mr. King, Engrossed House Bill No. 271 was rereferred to Committee on Appropriations.

HOUSE BILL NO. 306, by Representative Nelson (Gary):

Repealing comic book laws.

The bill was read the third time and placed on final passage.

Mr. Nelson (Gary) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 306, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

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

Voting nay: Representatives Charette, Pardini, Thompson.

Not voting: Representatives Conner, Hurley M., Salatino.

House Bill No. 306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 313, by Representatives Knowles, Haley, McKibbin and Vrooman:

Relieving from liability hospitals and certain professionals for withdrawing blood when so directed by law enforcement officer pursuant to implied consent law.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 313, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Barnes.

Not voting: Representatives Blair, Conner, Hurley G. S., Hurley M., Polk, Salatino.

House Bill No. 313, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL No. 358, by Representatives Clemente, Barnes, Heck and Kreidler:

Authorizing state board of education rules to determine admission qualifications into preschool, kindergarten and the first grade.

The bill was read the third time and placed on final passage.

Representatives Clemente and Fuller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 358, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

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

Voting nay: Representatives Amen, Becker, Blair, Clayton, Greengo, Leckenby, Zimmerman.
Not voting: Representatives Conner, Hurley M., May, Salatino.

Engrossed House Bill No. 358, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 384, by Committee on Financial Institutions (Originally sponsored by Representatives Eng, Fischer and Vrooman):

Providing for the confidentiality of examination reports of financial institutions.

The bill was read the third time and placed on final passage.

Mr. Eng spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 384, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Chandler, Conner, Hurley M., Patterson, Salatino.

Substitute House Bill No. 384, having received the 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. 444, by Representatives Conner, Charnley, Lux and Grier:

Increasing parents liability for property damage caused by their children to \$3,000.

The bill was read the third time and placed on final passage.

Representatives Knowles, Barnes and McKibbin spoke in favor of the bill, and Mr. Charette spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 444, and the bill passed the House by the following vote: Yeas, 82; nays, 13; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Embody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Taller, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Charette, Kilbury, King, Kreidler, Newhouse, North, Pardini, Smith, Struthers, Thompson, Vrooman, Williams.

Not voting: Representatives Conner, Hurley M., Salatino.

House Bill No. 444, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Hurley (Margaret) appeared at the bar of the House.

HOUSE BILL NO. 484, by Representatives Sommers, Flanagan and Sherman:

Regulating the retail sale of frozen fish and shellfish.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Sommers, under your bill I am told occasionally fishing fleets will go out, catch fish, throw them in the holds and use a process called fresh-frozen in order to stay on the water and then bring the fish in and they are then thawed for processing and the final processing occurs. If that is the case, would these have to be labeled as frozen fish?"

Ms. Sommers: "There are many instances, I understand, whereby fish and shellfish are frozen right on the fishing boat and maintain that frozen state until delivered finally to the retailer. In that case, yes. You said processing, which would mean canning or something like that, then the canned product is clearly visible to the consumer as a canned product and would not be labeled in that case."

Mr. Pardini: "I don't know much about the fishing industry, but tuna fish—are they frozen? Are salmon caught in large quantities and held in holds with ice to the point of being frozen and then put out on the market as fresh fish?"

Ms. Sommers: "Yes, there certainly have been cases like that. I personally witnessed instances where shrimp and that kind of thing had been labeled as fresh and had come in frozen to the market."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 484, and the bill passed the House by the following vote: Yeas, 88; nays, 5; not voting, 5.

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

Voting nay: Representatives Ehlers, Enbody, Nelson G. A., Pardini, Struthers.

Not voting: Representatives Conner, Eng, Moreau, Owen, Salatino.

House Bill No. 484, having received the 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. 613, by Representatives Sommers and Nelson (Gary) – (by Department of Revenue request):

Repealing property tax revaluation ratio procedures.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of the bill, and Mr. Hurley (George) spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 613, and the bill passed the House by the following vote: Yeas, 82; nays, 14; not voting, 2.

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

Voting nay: Representatives Barnes, Becker, Chandler, Enbody, Fortson, Greengo, Haley, Hansen, Hurley G. S., Lee, Lux, Lysen, Pardini, Taller.

Not voting: Representatives Conner, Salatino.

House Bill No. 613, having received the 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. 635, by Representatives Enbody, Knowles, Monohon, Knedlik, Grier, McCormick and Hughes:

Defining what persons are lawfully on the property of another for the purposes of determining liability for dog bites.

The bill was read the third time and placed on final passage.

Mr. Enbody spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 635, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Barnes.

Not voting: Representatives Conner, Salatino.

House Bill No. 635, having received the 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. 661, by Representative Douthwaite:

Permitting policy owners to return disability insurance policies within ten days.

The bill was read the third time and placed on final passage.

Mr. Douthwaite spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 661, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Conner, Pardini, Salatino.

House Bill No. 661, having received the 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 HOUSE BILL NO. 71, by Committee on Revenue (Originally sponsored by Representatives Sommers, Zimmerman, Burns, Charnley and Greengo - by Governor Evans request):

Authorizing property tax exemption for improvements to historic sites or structures.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 71, and the bill passed the House by the following vote: Yeas, 82; nays, 12; not voting, 4.

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

Voting nay: Representatives Boldt, Craswell, Deccio, Ehlers, Eng, Grier, Leckenby, McKibbin, Nelson G. A., Patterson, Pearsall, Winsley.

Not voting: Representatives Clemente, Conner, Salatino, Williams.

Engrossed Substitute House Bill No. 71, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 503, by Representatives Sommers and Knedlik (by Department of Revenue request):

Providing for the collection of use taxes on aircraft by the department of motor vehicles.

The bill was read the third time and placed on final passage.

Mr. Knedlik spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Knedlik yielded to question by Mr. McKibbin.

Mr. McKibbin: "As I read this section in here, an individual must show or present satisfactory documentation or evidence showing payment of the retail sales tax. What exactly would that entail for current owners of an aircraft who may have owned it for a number of years?"

Mr. Knedlik: "If the airplane is presently registered this would not apply because there is a provision here in the act which indicates that in reregistration this is not coming up, but if that person has never registered the aircraft, then you would have to provide them with the same kind of documentary evidence in the form of a receipt or some other indication of a paid sales tax as you would at the time of initial registration."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 503, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Conner, Salatino.

House Bill No. 503, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 391, by Committee on Social and Health Services (Originally sponsored by Representatives Pearsall, Newhouse, Hanna and Lux):

Regulating audiologists and speech pathologists.

The bill was read the second time.

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

On page 2, line 24 strike "After the date one" and insert "One"

Mr. Haley moved adoption of the following amendment by Representatives Haley and Hawkins:

On page 4, line 13 strike "six" and insert "seven"

Representatives Haley and Hawkins spoke in favor of the amendment, and Representatives Adams and Pearsall spoke against it.

Mr. Haley spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Haley and Hawkins to Substitute House Bill No. 391, and the amendment was adopted by the following vote: Yeas, 52; nays, 41; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Haley, Hawkins, Heck, Hughes, Knedlik, Knowles, Leckenby, Lee, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Sommers, Struthers, Taller, Tilly, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Eng, Fortson, Grier, Grimm, Gruger, Hanna, Hansen, Hurley G. S., Hurley M., Keller, Kilbury, King, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, North, O'Brien, Pearsall, Sherman, Shinpoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Not voting: Representatives Conner, Enbody, Moreau, Owen, Salatino.

On motion of Mr. Haley, the following amendment by Representatives Haley and Hawkins was adopted:

On page 4, line 20 after "appointment." insert "One member shall be a medical doctor specializing in otolaryngology."

Mr. Haley moved adoption of the following amendment by Representatives Haley and Hawkins:

On page 4, line 23 after "18.35 RCW" insert "who is neither an audiologist nor a speech pathologist"

MOTION

On motion of Mr. Adams, Substitute House Bill No. 391 was rereferred to Committee on Social and Health Services.

HOUSE BILL NO. 573, by Representatives Charette and Shinpoch:

Appropriating funds for session law publication.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 573 was placed on final passage.

Mr. Charette spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 573, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

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

Voting nay: Representative Wilson.

Not voting: Representatives Conner, Enbody, Gilleland, Gruger, Leckenby, McKibbin, Salatino.

House Bill No. 573, having received the 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 Valle, Burns, Charnley, Craswell, Erickson, Fischer, Grimm, Gruger, Hawkins, Kreidler, Maxie, Paris, Pruitt, Sanders and Whiteside:

Establishing a dental disciplinary board.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 23 was substituted for House Bill No. 23, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 23 was read the second time.

On motion of Mrs. Valle, the following amendments were adopted:

On page 4, line 34 after "control," strike "consequent upon which" and insert "and as a result of such refusal"

On page 6, line 7 strike "qualified" and insert "takes office"

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

On page 14, line 17 add a new section as follows:

"NEW SECTION. Sec. 38. The board shall cease to exist on June 30, 1979, unless extended by law for an additional fixed period of time."

Substitute House Bill No. 23 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 23 was placed on final passage.

Mrs. Valle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 23, and the bill passed the House by the following vote: Yeas, 85; nays, 8; not voting, 5.

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

Voting nay: Representatives Chandler, Dunlap, Ehlers, Hansen, Nelson G. A., Owen, Williams, Wilson.

Not voting: Representatives Conner, Enbody, Flanagan, Salatino, Smith.

Engrossed Substitute 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.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 500, by Representatives Sommers and Knedlik (by Department of Revenue request):

Making general procedural and housekeeping changes in the excise tax laws.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 500 was placed on the calendar for final passage.

Mr. Knedlik spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 500, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

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

Voting nay: Representatives Wilson, Zimmerman.

Not voting: Representatives Conner, Enbody, Haley, Salatino, Smith.

House Bill No. 500, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 397, by Representatives Tilly and Smith (by Judicial Council request):

Implementing code of responsibility criteria in awarding reasonable attorney's fees in eminent domain cases.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 397 was placed on final passage.

Mr. Tilly spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 397, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

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

Voting nay: Representative Wilson.

Not voting: Representatives Conner, Enbody, Salatino.

House Bill No. 397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 41, by Representatives Hurley (Margaret), Lee and North:

Providing mounted rangers to two state parks.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day, February 4, 1977.)

On motion of Representative Hurley (Margaret), the committee amendments to page 1, line 6 and page 1, line 22 were adopted.

Representative Hurley (Margaret) moved adoption of the committee amendment to page 1, line 20.

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

POINT OF INQUIRY

Representative Hurley (Margaret) yielded to question by Mr. Tilly.

Mr. Tilly: "I'm concerned about the growing costs of this thing and I wonder if you could enlighten us a little more. How many horses or how many teams are you going to have in this program?"

Representative Hurley (Margaret): "At first we thought we were going to have two horses and two rangers on those horses, and it was determined after we heard from Sergeant Rhodes, who has the very excellent program in the Seattle City Parks, that we would have to have three horses. The horses range from \$1,000 to \$1,900 which would increase the cost there. Also, while the rangers were mounted on the horses in the pursuit of their duties, they would hire a substitute ranger part-time who would come in and do the supervisory work of the CETA program and the park aid and keep the maintenance up. The reason for two horses was that sometimes a horse might be ill, might throw a shoe, might not be able to be up and about, and that the mounted ranger and the patrol would not go to waste during that time because two horses work together instead of just one alone for effectiveness."

Mr. Tilly spoke against the amendment, and Representative Hurley (Margaret) spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 1, line 20 of House Bill No. 41, and the amendment was adopted by the following vote: Yeas, 58; nays, 34; not voting, 6.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Blair, Bond, Charette, Charnley, Clemente, Deccio, Dunlap, Eng, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Leckenby, Lee, Lysen, Maxie, May, McCormick, Monohon, Moreau, North, O'Brien, Pardini, Paris, Pearsall, Polk, Sanders, Shinoda, Shipoch, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bauer, Berentson, Boldt, Burns, Chandler, Clayton, Craswell, Douthwaite, Ehlers, Enbody, Erickson, Fancher, Fischer, Hawkins, Heck, Lux, Martinis, McKibbin, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pruitt, Schmitten, Sherman, Smith, Struthers, Tilly, Williams, Wilson.

Not voting: Representatives Conner, Grier, Haley, King, Kreidler, Salatino.

Mr. Schmitten moved adoption of the following amendment:

On page 1, line 5 strike "shall" and insert "may"

Representatives Schmitten and Owen spoke in favor of the amendment, and Representative Hurley (Margaret) spoke against it.

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

The Clerk read the following amendment by Representative Schmitten:

On page 1, after section 2, strike section 3.

Mr. Schmitten declared that with the consent of the House he would withdraw the amendment. An objection was raised and Mr. Schmitten moved adoption of his amendment.

Representatives Schmitten, Nelson (Dick) and Tilly spoke in favor of the amendment, and Representatives Hurley (Margaret) and North spoke against it.

Mr. Schmitten spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment striking section 3 by Representative Schmitten to House Bill No. 41, and the amendment was not adopted by the following vote: Yeas, 36; nays, 58; not voting, 4.

Voting yea: Representatives Bender, Berentson, Boldt, Chandler, Clayton, Clemente, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erickson, Fancher, Gilleland, Haley, Hanna, Hawkins, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Blair, Bond, Burns, Charette, Charnley, Douthwaite, Eng, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, North, O'Brien, Pardini, Paris, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Not voting: Representatives Conner, Kreidler, Salatino, Smith.

House Bill No. 41 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 41 was placed on final passage.

Representatives Hurley (Margaret), Charette and Lee spoke in favor of the bill, and Mr. Newhouse spoke against it.

Representative Hurley (Margaret) spoke again in favor of the bill.

Mr. King demanded the previous question and a division was called.

ROLL CALL

The Clerk called the roll on the demand for the previous question on Engrossed House Bill No. 41, and the demand was sustained by the following vote: Yeas, 70; nays, 21; not voting, 7.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie,

May, McCormick, McKibbin, Monohon, Nelson D., North, O'Brien, Pardini, Paris, Patterson, Pearsall, Pruitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley.

Voting nay: Representatives Barnes, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Flanagan, Greengo, Haley, Nelson G. A., Newhouse, Oliver, Owen, Polk, Sanders, Schmitt, Struthers, Taller, Whiteside.

Not voting: Representatives Conner, Leckenby, Lysen, Moreau, Salatino, Zimmerman, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 41.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 41, and the bill passed the House by the following vote: Yeas, 57; nays, 36; not voting, 5.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Berentson, Blair, Bond, Charnley, Clemente, Deccio, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hansen, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Martinis, Maxie, May, McCormick, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Valle, Vrooman, Walk, Warnke, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Barr, Bender, Boldt, Burns, Chandler, Charette, Clayton, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Greengo, Hanna, Hawkins, Heck, Kreidler, Lysen, McKibbin, Monohon, Nelson D., Nelson G. A., Newhouse, Owen, Pruitt, Sanders, Schmitt, Shipoch, Thompson, Tilly, Whiteside, Williams, Wilson.

Not voting: Representatives Conner, Leckenby, Moreau, Salatino, and Mr. Speaker. ☉

Engrossed 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. 357, by Representatives Gaines, Warnke, Douthwaite, Gallagher and Grier:

Requiring smoke detectors.

The bill was read the second time.

Mr. Struthers moved adoption of the following amendment:

On page 1, line 7 after "all" insert "rental"

Representatives Struthers and Polk spoke in favor of the amendment, and Mr. Gaines spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to House Bill No. 357, and the amendment was not adopted by the following vote: Yeas, 41; nays, 54; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Craswell, Deccio, Enbody, Eng, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Lysen, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Burns, Charette, Charnley, Clemente, Douthwaite, Dunlap, Ehlers, Erickson, Fancher, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, North, O'Brien, Owen, Pearsall, Pruitt, Sherman, Shipoch, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Not voting: Representatives Conner, Salatino, and Mr. Speaker.

Mr. Struthers moved adoption of the following amendments by Representatives Struthers and Polk:

On line 10 after "built" strike the comma and insert "or"

On line 10 after "manufactured" strike ", or sold"

Representatives Struthers, Zimmerman and Polk spoke in favor of the amendments, and Mr. Warnke spoke against them.

POINT OF INQUIRY

Mr. Gaines yielded to question by Mr. Eng.

Mr. Eng: "Representative Gaines, does this affect how these smoke detectors are going to be put in—required, in a sense? If you own a building that has fifty units, does each unit have to have a smoke detector in it before you can sell it?"

Mr. Gaines: "I believe it mentions every unit, so I would imagine that it would."

Mr. Eng: "How much does one of these units cost?"

Mr. Gaines: "Between twenty and twenty-five dollars."

Representatives Eng, Blair, Struthers, Smith and Douthwaite spoke in favor of the amendments, and Representatives Charnley and Warnke spoke against them.

POINT OF PARLIAMENTARY INQUIRY

Mr. Patterson: "What is the status of the bill before us in view of the fact that it is now five minutes after 4 o'clock?"

The Speaker (Mr. O'Brien presiding): "Although the resolution isn't quite clear on the subject matter on continuing bills after the 4 o'clock cutoff, it has been an established precedent of the House that on a closing resolution of this nature, we have completed action on the bill pending at the time of the cutoff. On the basis of a precedent established we will continue consideration of House Bill No. 357."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Representatives Struthers and Polk.

Mr. Hurley (George) demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Struthers and Polk to House Bill No. 357, and the amendments were adopted by the following vote: Yeas, 59; nays, 35; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Blair, Bond, Chandler, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Heck, Knedlik, Knowles, Leckenby, Lee, Lysen, Martinis, McCormick, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Bender, Boldt, Burns, Charette, Charnley, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Kreidler, Lux, Maxie, May, McKibbin, Monohon, Moreau, North, O'Brien, Pearsall, Sherman, Shipoch, Walk, Warnke.

Not voting: Representatives Conner, Kilbury, Salatino, and Mr. Speaker.

Mr. Deccio moved adoption of the following amendment:

Following section 1 add a new section as follows:

"NEW SECTION. Sec. 2. Each manufacturer, distributor and installer shall be required to carry a minimum of \$1,000,000 for each accident, products and completed operations liability insurance and furnish a certificate of such insurance to every purchaser or owner."

Renumber the remaining section consecutively.

POINT OF ORDER

Mr. Gaines: "Mr. Speaker, I would like you to rule on the scope and object of this amendment."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Gaines, it appears that it is somewhat relevant to the subject matter. It requires the seller to have insurance to protect the owner of the dwelling and also the seller. On that basis, it appears that this is an added provision to the act."

Mr. Deccio spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Deccio yielded to question by Mr. Amen.

Mr. Amen: "Representative Deccio, this says the manufacturer, distributor and installer—what would happen if I had a home and I had installed a smoke detector now and then sell it later. Would I have to have that \$1,000,000 insurance to protect myself?"

Mr. Deccio: "Your homeowners' policy would cover you."

Mr. Amen: "For \$1,000,000?"

Mr. Deccio: "A \$1,000,000 liability policy is not a rare thing today. Anyone who has any degree of exposure certainly could buy a personal umbrella policy which goes to a million dollars which covers other things—it covers your automobile—and they are relatively inexpensive. I think anyone who is installing a smoke detector and is going to sell his house and the house burned down because that detector was faulty—then I think you'd better get yourself some coverage."

Mr. Amen spoke against adoption of the amendment.

MOTIONS

On motion of Mr. King, further consideration of House Bill No. 357 was deferred, and the bill, along with the remainder of the House bills on the second reading calendar were referred to Committee on Rules.

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

REPORTS OF STANDING COMMITTEES

February 28, 1977

HOUSE BILL NO. 10, Prime Sponsor: Representative Fischer, revising law on public employee collective bargaining. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 21 after "agents" insert "and/or any civil service commission or personnel boards similar in scope, structure and authority to the board created by chapter 41.06 RCW"

On page 1, line 25 after "commission" insert "for mediation"

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton, Sanders.

To Committee on Rules for second reading.

February 28, 1977

HOUSE BILL NO. 138, Prime Sponsor: Representative Eng, continuing the Washington state commission on Asian-American affairs until June 30, 1983. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, O'Brien, Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

February 28, 1977

HOUSE BILL NO. 449, Prime Sponsor: Representative Erickson, establishing a state women's commission. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, O'Brien, Salatino, Sanders, Sherman, Sommers.

To Committee on Rules for second reading.

February 28, 1977

HOUSE BILL NO. 541, Prime Sponsor: Representative King, adjusting workmen's compensation for permanent partial disability. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 after "compensation" strike everything through "amount" on line 12

On page 5, line 1 after "established in" strike "subsection (1)" and insert "subsections (1) and (2)"

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

MINORITY recommendation: Do not pass. Signed by Representative Bond, Ranking Minority Member.

To Committee on Rules for second reading.

February 28, 1977

HOUSE BILL NO. 646, Prime Sponsor: Representative King, including certain law enforcement officers of all cities, counties and certain port districts within the definition of "uniformed personnel" of the public employee collective bargaining act. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton, Sanders.

To Committee on Rules for second reading.

February 28, 1977

ENGROSSED SENATE BILL NO. 2095, Prime Sponsor: Senator Rasmussen, revising state treasurer's procedures for issuing receipts. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), O'Brien, Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

February 28, 1977

SUBSTITUTE SENATE BILL NO. 2130, Prime Sponsor: Senator Walgren, requiring amendments to WAC rules to be in bill drafting style. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman, Leckenby, Ranking Minority Member; Hanna, Knedlik, Monohon, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House adjourned until 1:15 p.m., Tuesday, March 1, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-FIRST DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, March 1, 1977.

The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Conner, McCormick and Nelson (Gary), who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nancy Allen and Brian Allen. Prayer was offered by Reverend Lester G. Olson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGE FROM THE SENATE

February 28, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2069,
 ENGROSSED SENATE BILL NO. 2108,
 ENGROSSED SENATE BILL NO. 2181,
 ENGROSSED SENATE BILL NO. 2184,
 ENGROSSED SENATE BILL NO. 2185,
 SENATE BILL NO. 2195,
 ENGROSSED SENATE BILL NO. 2200,
 SUBSTITUTE SENATE BILL NO. 2245,
 ENGROSSED SENATE BILL NO. 2273,
 SENATE BILL NO. 2292,
 SENATE BILL NO. 2315,
 ENGROSSED SENATE BILL NO. 2324,
 ENGROSSED SENATE BILL NO. 2365,
 SUBSTITUTE SENATE BILL NO. 2382,
 ENGROSSED SENATE BILL NO. 2387,
 ENGROSSED SENATE BILL NO. 2408,
 ENGROSSED SENATE BILL NO. 2418,
 ENGROSSED SENATE BILL NO. 2421,
 SENATE BILL NO. 2447,
 ENGROSSED SENATE BILL NO. 2478,
 ENGROSSED SENATE BILL NO. 2500,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2069, by Senators Goltz, Morrison, Fleming, Ridder, Sandison and North:

Establishing a youth service corps to promote youth employment and service to local communities.

To Committee on Labor

ENGROSSED SENATE BILL NO. 2108, by Senators Henry, Bailey, Morrison and Sellar (by Office of Community Development request):

Revising laws pertaining to metropolitan public transportation.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 2181, by Senators Sandison and Washington (by Department of Natural Resources request):

Changing the bonding requirements for surface mining.

To Committee on Natural Resources

ENGROSSED SENATE BILL NO. 2184, by Senators Marsh, Jones and Bottiger:

Making certain changes in the laws relating to the registration of contractors.

To Committee on Commerce

ENGROSSED SENATE BILL NO. 2185, by Senators McDermott and Gould:

Permitting aliens to teach in the common school system.

To Committee on Education

SENATE BILL NO. 2195, by Senators Woody, Clarke and Bottiger:

Authorizing notary stamps to be smaller or rectangular.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2200, by Senators Sandison, Ridder and Odegaard (by Department of Natural Resources request):

Creating a resource management land bank.

To Committee on Natural Resources

SUBSTITUTE SENATE BILL NO. 2245, by Committee on Education (Originally sponsored by Senators McDermott, Walgren, Ridder, Buffington and Herr):

Implementing law relating to contract rights of employees in the common schools.

To Committee on Education

ENGROSSED SENATE BILL NO. 2273, by Senators Sandison and Donohue:

Providing for tuition and fees for students participating in a joint program conducted by two or more institutions of higher education.

To Committee on Higher Education

SENATE BILL NO. 2292, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Increasing homestead exemption.

To Committee on Judiciary

SENATE BILL NO. 2315, by Senators Wojahn, Marsh, Morrison and Beck:

Increasing the fees for real estate brokers and salesmen's licenses.

To Committee on Commerce

ENGROSSED SENATE BILL NO. 2324, by Senator Hayner:

Providing an alternative method of giving notice of a materialman's lien.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2365, by Senators Fleming, Guess, Henry, Talley and Wanamaker (by Department of Highways request):

Revising laws relating to highways.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2382, by Committee on Parks and Recreation (Originally sponsored by Senators Gaspard, von Reichbauer, Wojahn, Goltz and Peterson):

Authorizing senior citizen passports for admission to and use of state parks.

To Committee on Parks and Recreation

ENGROSSED SENATE BILL NO. 2387, by Senators Grant and Morrison (by Department of Labor and Industries request):

Regulating mobile homes.

To Committee on Commerce

ENGROSSED SENATE BILL NO. 2408, by Senators Henry, Wanamaker and Rasmussen:

Establishing a charge for pamphlets of liquor regulations.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2418, by Senators Walgren, Murray, Woody, Clarke and Henry:

Revising the laws relating to criminal justice training.

To Committee on Institutions

ENGROSSED SENATE BILL NO. 2421, by Senators Goltz, Lewis and North:

Authorizing local governments to employ hearing examiners to hear applications for amending zoning ordinances.

To Committee on Local Government

SENATE BILL NO. 2447, by Senators Morrison, Wilson and Benitz:

Increasing the maximum allowable assessment for tree fruit.

To Committee on Agriculture

ENGROSSED SENATE BILL NO. 2478, by Senators Sandison, McDermott and Guess:

Allowing institutions of higher education to collect certain debt charges if provided for in the agreement signed by the debtor.

To Committee on Higher Education

ENGROSSED SENATE BILL NO. 2500, by Senator Sellar:

Creating state route 285.

To Committee on Transportation

MOTION

On motion of Mr. King, all bills listed on today's agenda were considered first reading under the fourth order of business, and were passed to the committees designated.

REPORTS OF STANDING COMMITTEES

February 25, 1977

HOUSE BILL NO. 54, Prime Sponsor: Representative Ehlers, authorizing direct billing to the legislature for services provided by the department of general administration. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Taller, Thompson, Vrooman, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Ranking Minority Member; Craswell, Ehlers, Whiteside.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 225, Prime Sponsor: Representative Burns, granting resident status to immigrant refugees for college tuition. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill as reported by the Higher Education Committee be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Ranking Minority Member; Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Taller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

February 28, 1977

HOUSE BILL NO. 226, Prime Sponsor: Representative Fortson, implementing mandatory common school testing program. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 after "allow" insert "the teachers and the parents of the students tested,"

On page 2, line 7 after "programs." insert "In addition, each year the results of the test shall be compiled by the superintendent of public instruction who shall make those results available annually to all local school districts and subsequently to the parents of those children tested. The results shall allow parents to ascertain the achievement levels and input variables of their children as compared with the other students within the district, the state, and, if applicable, the nation."

On page 2, line 12 after "to the" strike "survey" and insert "((survey))"

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Bender, Boldt, Dunlap, Fortson, Fuller, McKibbin, Schmitt, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Ranking Minority Member; Craswell, Ehlers, Whiteside.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 251, Prime Sponsor: Representative Fortson, making changes in the senior citizens services act. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Taller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 622, Prime Sponsor: Representative Blair, establishing a calculation base for supplemental payments under TIAA/CREEF. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Chandler, Ehlers, Hawkins, Heck, Keller, Pardini, Taller, Valle, Williams, Zimmerman.

To Committee on Rules for second reading.

February 28, 1977

SENATE BILL NO. 2065, Prime Sponsor: Senator Odegaard, deleting obsolete provisions for county homesite lands. Reported by Committee on Local Government.

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

To Committee on Rules for second reading.

February 28, 1977

SENATE BILL NO. 2066, Prime Sponsor: Senator Odegaard, deleting obsolete requirements for guideposts. Reported by Committee on Local Government.

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

To Committee on Rules for second reading.

February 28, 1977

SENATE BILL NO. 2068, Prime Sponsor: Senator Odegaard, deleting obsolete powers of town supervisors. Reported by Committee on Local Government.

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

To Committee on Rules for second reading.

February 25, 1977

SENATE BILL NO. 2098, Prime Sponsor: Senator Rasmussen, making the judges' retirement fund a part of the state treasury. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Taller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

February 28, 1977

ENGROSSED SENATE BILL NO. 2190, Prime Sponsor: Senator Rasmussen, updating certain laws pertaining to veterans and veterans' affairs. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), O'Brien, Salatino, Sanders, Sherman, Struthers.

To Committee on Rules for second reading.

February 28, 1977

SENATE BILL NO. 2230, Prime Sponsor: Senator Marsh, authorizing cities, counties, and/or public transportation agencies of contiguous states to enter into agreements for operation of bus service. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 10 after "state" insert ", or contiguous Canadian province,"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Fancher, Gilleland, Keller, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort President Pro Tem Al Henry to a seat on the rostrum.

The Speaker instructed the Sergeants at Arms to escort the Senators to seats within the bar of the House.

The Speaker called the Joint Session to order and turned the gavel over to the President Pro Tem of the Senate.

The Secretary of the Senate called the roll of the Senate, and all members were present except Senator Francis, who was excused.

The Clerk called the roll of the House and all members were present except Representatives Conner, McCormick and Nelson (Gary), who were excused.

The President Pro Tem: "Honored members of the Legislature, ladies and gentlemen: The purpose of this Joint Session is to conduct memorial services in memory of the departed former members of the Legislature. The President Pro Tem at this time would like to respectfully present the Honorable Paul Pruitt."

The President Pro Tem of the Senate turned the gavel over to Representative Pruitt.

The following memorial services were observed:

MEMORIAL PROGRAM

Presiding: President Pro Tempore of the Senate Al Henry

INVOCATION

by

Reverend Charles A. Loyer

Westminster Presbyterian Church, Olympia

"Eternal God and Father, Who hast written intimations of immortality into the poetry of the seasons and so into the hearts of men, we thank You for this memorial service which provides us with the occasion for reaching into the past and reclaiming for ourselves moments of high privilege and rich experience. With heads and hearts bared we would pay homage to the lives and works of those Legislators who once peopled these chambers, but have since gone to their everlasting rewards. Now remember those loved ones who bear the burden of bereavement, sustain and guide them as they pursue the poignant and difficult task of putting together the jigsaw puzzle of their lives without that familiar and central piece into which all others have so happily fit. Be unto them, O God, an ever present help in time of need. Amen."

PACIFIC LUTHERAN UNIVERSITY CHORALE

Ed Harmic, Director

- "Tu Pauperum Refuquim" Josquin Des Prez
- "Psalm 9" Maurice Monhardt
- "Exaltation" F. Melius Christiansen

(Part II from Celestial Springs)

MEMORIAL TRIBUTE

by Representative Paul Pruitt

"The poet Scott writes: 'I sing a song of the saints of God, patient and brave and true; one was a doctor and one was a priest, one was a shepherdess on the green; they were all of them saints of God and I mean, God helping, to be one, too.'

"As you know, through the years of the history of the church the church has named certain special people that have been in the service of mankind saints. It became a part of their title so it's spelled with a capital S. I doubt there would be much enthusiasm, if any enthusiasm, either inside or outside the Legislature for us to have laws of certain people being saints; in our business there never would be. I am suggesting today in this memorial service that there were political saints. Of course, spelled with the small letter s. There are differences between the saints the church has designated and the political saints, and we would not suggest the differences, nor need to. But there are also some similarities and I would like to suggest some of those similarities.

"Among the political saints there is a certain amount of notoriety; to be in a political office there is the popularity of being out in public and being recognized, but along with that popularity and notoriety, the political saint also has a measure of humility. It is possible that humility has come about by circumstances—defeat in office, inability to achieve the ideals and goals that the candidate once had, or perhaps the humility is more innate than the character personality before joining the Legislature or working with the public. Nonetheless, whatever it is, the popularity, the notoriety, is joined with a measure of humility in the political saint. I suggest also that the political saint who we honor is one that recognized—and how does one avoid the recognition of certain privileges in office? Privileges in the privilege of election and yet at the same time I would suggest that the privileges in the political saint were never misused to the point that responsibility, either great or some moderate measure of responsibility, was also taken along with privilege. It is also a responsibility.

"Then the political saints that we are talking about also wanted to take the stance of a servant—take a servant posture in office, not a slave. There is a difference between a servant and a slave, because a slave is locked into a position and has no more individuality and does not stand on his own. But a servant, yes, is one who holds the office to the people. A political saint is one who responds to those people, who reacts to the people. A political saint is also a servant.

"I sing then, says Scott, a song of these saints. You can meet them in church or in school. You can meet them in shops or at tea. All of them are saints of God and, God-helping, I'll be one too. I suggest that in a memorial service that we do cast some halos on the political saints; that the friends gathered in honor of these persons whom we are now to name, the families, the colleagues of Legislators departed from the House and the Senate, will recognize in your own minds, will cast your own halos, recognizing those periods in life and be thankful for the periods of stress, of controversy, even periods of failure, maybe of despair, but thankful that saints learned and grew, expanded in knowledge and in understanding. You also, in casting your halos, say thanks for the times of victory, times of triumph, the times of the great contributions of the persons that we now honor.

"Let us then join in the honoring of each person in this time of memorial."

Flower tribute by Members of Senate and House

"Couldn't Hear Nobody Pray" Hall Johnson

IN MEMORIAM

In tribute to the memories of our distinguished former members of the House and Senate who have passed from among us during the preceding biennium, the Forty-fifth Legislative Session of the State of Washington conveys its respects on behalf of the people of our State. May the memory of their dedicated service remain in our hearts.

In Memory of:
 Maurice H. Ahlquist
 Archie Baker
 R. C. Russ Barlow
 Thomas H. Bienz
 Horace W. Bozarth
 J. K. Van Buskirk
 Roscoe Cox
 B. J. Dahl
 Gerald G. Dixon
 Michael J. Gallagher
 Martin P. Halleran
 Eugene D. Ivy
 Joseph C. Lawrence
 Charles R. Savage
 Carlton Sears
 William Shannon
 Alfred Westberg
 Ella Wintler
 Dayton A. Witten
 Perry B. Woodall

Tribute by
 Charles Kilbury
 Richard A. King
 Charles Newschwander
 William J.S. "Bill" May
 George Sellar
 Don L. Talley
 E. G. "Pat" Patterson
 Bruce A. Wilson
 A. L. "Slim" Rasmussen
 John L. O'Brien
 Rick Smith
 Jim Whiteside
 James E. Gilleland
 Gordon Sandison
 Mike Kriedler
 George W. Clarke
 George W. Scott
 Al Bauer
 Peter von Reichbauer
 Sid W. Morrison

BENEDICTION

Father William Treacy
 St. Michael's Parish, Olympia

"Almighty God, You have spoken to millions of us in this country recently, revealing our hunger, for in the television series 'Roots' we are reminded that whatever our race, the very fact of our existence we owe to those who have gone before us. Whether it shall be people who lived in bondage in Egypt or pilgrims in the desert or citizens of the free countries. Today we give thanks to the men and women who served in this Legislature who are no longer with us—to the struggle to be elected, to hours of committee hearings, and hours of debate and the laws they enacted. They help to preserve our hard-won freedom and to make our state a more just state in which to live. With grateful hearts to their contributions we turn to You today, Lord. We hope our presence here today will communicate joy to them. We ask Thy blessing for those who follow in their footsteps, that they may be men and women of vision, courage and integrity, who will make the American dream rooted in diversity, real in our times. Amen."

"Taps" Specialist 4 Benjamin Van Winkler
 Fort Lewis Army Base

POINT OF PERSONAL PRIVILEGE

Ms. Gruger: "This is my first session in the Legislature, but it is not my first time viewing a memorial service. In 1962 I was in the gallery. It was appropriate that I be in the gallery because my mother had been a member of another Legislature and she had passed away earlier that month. I was not an invited guest, I happened to be driving up the highway, saw the Capitol and thought 'it's Washington's Birthday, but perhaps they are in session.' We arrived just in time to witness the memorial service. Later I found that my sister had been invited to the North Dakota service and had attended it. I appreciated the service that day. Now that I know how busy you all are perhaps I appreciate it even more. On behalf of the families of deceased members I would like to thank the committee, the members of the Senate, the members of the House of Representatives. Thank you."

Representative Pruitt returned the gavel to Speaker Pro Tem Henry.

The President Pro Tem: "Thank you, Representative Pruitt, our appreciation and gratitude to you, Reverend Loyer, Father Treacy, Representative Erickson and other members of the memorial committee. The President Pro Tem is sure that the loved ones of the dearly departed gained considerable solace and comfort from this very impressive ceremony."

On motion of Ms. Erickson, the Joint Session was dissolved.

The President Pro Tem returned the gavel to the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort President Pro Tem Al Henry from the House Chamber.

The House resumed its session.

MOTIONS

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

On motion of Mr. King, HOUSE BILL NO. 1033 was rereferred from Committee on Rules to Committee on Appropriations.

On motion of Mr. King, the House adjourned until 2:15 p.m., Wednesday, March 2, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-SECOND DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, March 2, 1977.

The House was called to order at 2:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Conner, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cindy Dalton and Greg Allyn. Prayer was offered by Reverend Lester G. Olson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGE FROM THE SENATE

March 1, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 172,
HOUSE BILL NO. 173,
HOUSE BILL NO. 174,
HOUSE BILL NO. 175,
HOUSE BILL NO. 176,
HOUSE BILL NO. 177,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was about to sign:

HOUSE BILL NO. 172,
HOUSE BILL NO. 173,
HOUSE BILL NO. 174,
HOUSE BILL NO. 175,
HOUSE BILL NO. 176,
HOUSE BILL NO. 177.

REPORTS OF STANDING COMMITTEES

February 25, 1977

HOUSE BILL NO. 395, Prime Sponsor: Representative Shinpoch, revising the procedures for processing claims against the state. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Blair, Ranking Minority Member; Chandler, Charette, Deccio, Hawkins, Hughes, Keller, Lee, Maxie, Pardini, Taller, Vrooman, Zimmerman.

To Committee on Rules for second reading.

February 25, 1977

HOUSE BILL NO. 716, Prime Sponsor: Representative Shinpoch, providing for the issuance of bonds to pay for the construction of a visitor's parking garage. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, strike all of section 6 and insert the following:

*NEW SECTION. Sec. 6. The director of the department of general administration shall assess a charge against each person using the parking garage. The proceeds from such charges shall be paid to the

state treasurer for transfer into the state building and parking bond redemption fund created in RCW 79.24.658."

On page 3, beginning on line 30 after "above ground." strike the remainder of the section and insert "it is the intent of the legislature that one level be available for employee parking and two levels be available for visitor parking exclusively when the legislature is in session and at other times as required."

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Charette, Deccio, Ehlers, Hawkins, Hughes, Lee, Taller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

March 1, 1977

HOUSE BILL NO. 766, Prime Sponsor: Representative Becker, providing relief from certain benefit assessments on farm land. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Hansen.

MOTION

On motion of Mr. Bender, House Bill No. 766 was rereferred to Committee on Revenue.

March 2, 1977

HOUSE BILL NO. 852, Prime Sponsor: Representative Boldt, permitting certain amendments to contracts for nuclear generating projects. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Charnley, Grimm, Kilbury, Leckenby, Martinis, McKibbin, Wilson.

To Committee on Rules for second reading.

March 2, 1977

HOUSE BILL NO. 1117, Prime Sponsor: Representative Hurley (Margaret), relating to medical treatment. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Social and Health Services.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Under Senate Concurrent Resolution No. 103, 'Be it further resolved, That commencing on the fiftieth day of the session, except for appropriation and revenue bills, the Senate will only consider House bills and the House will only consider Senate bills.' My point of parliamentary inquiry, Mr. Speaker, is—in the process of accepting committee reports and moving bills through the various stages, to first reading, to committee reports and the Rules Committee, is that a violation of Senate Concurrent Resolution No. 103?"

The Speaker: "We have had cutoff resolutions every session that I can recall, Representative Pardini, and the House always acted on the bills in a normal fashion. When they are read in they go to the committees; when they come out they will end up being on the floor. We can only consider Senate bills for floor action during the fiftieth to the fifty-seventh day."

Mr. Pardini: "With your permission, Mr. Speaker, I would ask you to ask the Chief Clerk to research that question just a little further. I believe that in previous session we have stopped action even in committees on House bills after the cutoff date."

The Speaker: "He is so instructed."

March 1, 1977

SENATE BILL NO. 2074, Prime Sponsor: Senator Day, allowing the hospital commission to employ a staff. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Lux, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

March 1, 1977

SENATE BILL NO. 2091, Prime Sponsor: Senator Day, providing staggered terms of office for hospital commissioners. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Lux, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 1, 1977

ENGROSSED SENATE BILL NO. 2157, Prime Sponsor: Senator Day, adding a public member to the medical disciplinary board. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Lux, May, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

SECOND READING

ENGROSSED SENATE BILL NO. 2021, by Senators Odegaard and Talley:

Permitting free passage on the Puget Island ferry when SR 4 is closed.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 46th Day, February 24, 1977.)

The Speaker stated the question before the House to be reconsideration of the vote by which the House adopted the amendment by Representative McKibbin to page 2, line 21, striking subsection 5.

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

Mr. Blair moved adoption of the following amendment:

On page 2, line 20 strike "one hundred" and insert "fifty"

Mr. Blair spoke in favor of the amendment, and Mr. Enbody spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Blair to Engrossed Senate Bill No. 2021, and the amendment was not adopted by the following vote: Yeas, 37; nays, 60; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Douthwaite, Eng, Fancher, Fischer, Flanagan, Fortson, Greengo, Grier, Haley, Knowles, Kreidler, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Polk, Sanders, Schmitten, Shinoda, Sommers, Struthers, Taller, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Dunlap, Ehlers, Enbody, Erickson, Fuller, Gaines, Gallagher, Gilleland, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Thompson, Tilly, Valle, Vrooman, Walk, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representative Conner.

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

On page 2 at line 23 after "provide" strike the remaining language and insert "temporary rest room facilities at the Washington ferry landing terminal."

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2021 as amended by the House was placed on final passage.

Representatives Enbody, Hansen, Fuller and Zimmerman spoke in favor of passage of the bill, and Mr. Blair spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2021 as amended by the House, and the bill passed the House by the following vote: Yeas, 78; nays, 18; not voting, 2.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Deccio, Douthwaite, Dunlap, Enbody, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Shipoch, Smith, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Bond, Clayton, Craswell, Ehlers, Eng, Flanagan, Greengo, Haley, Lee, Nelson G. A., Newhouse, Polk, Sanders, Sommers, Taller.

Not voting: Representatives Conner, Knedlik.

Engrossed Senate Bill No. 2021 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. 2060, by Senators Odegaard, Clarke, Newschwander and Woody (by Legislative Budget Committee request):

Repealing certain obsolete laws relating to reclamation.

The bill was read the second time.

MOTION

On motion of Mr. King, further consideration of Senate Bill No. 2060 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED SENATE BILL NO. 2095, by Senators Rasmussen, Newschwander and Bausch (by State Treasurer request):

Revising state treasurer's procedures for issuing receipts.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2095 was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2095, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Conner, Knedlik, North.

Engrossed Senate Bill No. 2095, having received the 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. 2096, by Senators Rasmussen and Newschwander (by State Treasurer request):

Establishing a deposit interest account in the state general fund and eliminating certain deposit interest payments occasioned by interfund loans.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2096 was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2096, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Conner, Walk.

Senate Bill No. 2096, having received the 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. 2130, by Committee on State Government (Originally sponsored by Senators Walgren, Clarke, Rasmussen and Wilson):

Requiring amendments to WAC rules to be in bill drafting style.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2130 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2130, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Conner.

Substitute Senate Bill No. 2130, having received the 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. 2164, by Senators Donohue, Sandison and Gaspard (by Department of Natural Resources request):

Governing disposition of crops from state owned share crop lands and modifying livestock trespass.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2164 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2164, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller,

Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Pardini.

Not voting: Representatives Berentson, Conner, Haley, Polk, Shipoch.

Engrossed Senate Bill No. 2164, having received the 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. 2225, by Senator Donohue:

Providing for Washington State University Tree Fruit Center funding.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2225 was placed on final passage.

Representatives Burns and Schmitten spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2225, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Fischer.

Not voting: Representatives Conner, Craswell.

Senate Bill No. 2225, having received the 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 CONCURRENT RESOLUTION NO. 101, by Senators Sandison, Clarke, Goltz, Wilson and Bluechel:

Establishing the joint legislative committee on Washington/British Columbia cooperation.

The resolution was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 101 was placed on final passage.

Ms. Becker spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 101, and the resolution was adopted by the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

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

Voting nay: Representatives Amen, Flanagan, Nelson G. A., Newhouse, Sanders.

Not voting: Representatives Conner, Pardini, and Mr. Speaker.

Senate Concurrent Resolution No. 101, having received the constitutional majority, was declared adopted.

SENATE BILL NO. 2060:

The House resumed consideration of the bill on second reading.

On motion of Ms. Becker, the rules were suspended, the second reading was considered the third, and Senate Bill No. 2060 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Newhouse.

Mr. Newhouse: "I understand that the chapter you are talking about, RCW 79.48, has about twenty-four or five sections and I see we are only repealing four. I don't understand how we are repealing the whole chapter."

Mr. Kilbury: "If you'll look at subsection (2) of section 1, that repeals sections 1 through 11, and then subsection (3) repeals section 12, and subsection (4) repeals sections 13 through 23."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2060, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Conner, Newhouse, Pardini.

Senate Bill No. 2060, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Berentson moved that the rules be suspended and the House immediately consider the bills on tomorrow's second reading calendar.

Mr. Berentson spoke in favor of the motion, and Mr. King spoke against it.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Amen.

Mr. Amen: "Representative King, you said that we should have some time to study the bills before we come on the floor. I was just wondering if this would hold true later, too?"

Mr. King: "We do intend to give the members ample opportunity to review legislation."

The motion was lost.

MOTION

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

REPORTS OF STANDING COMMITTEES

March 2, 1977

HOUSE BILL NO. 344, Prime Sponsor: Representative Hansen, prohibiting use of foreign beef and mutton in institutions. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Hansen, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

March 2, 1977

SUBSTITUTE SENATE BILL NO. 2115, Prime Sponsor: Senator McDermott, appropriating funds for desegregated purposes to a school district with an enrollment of 50,000 pupils. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 4 strike all of sections 1 and 2 and insert a new section as follows:

"NEW SECTION. Section 1. It is the policy of the legislature to support the concept of voluntary desegregation in the state of Washington. To that end, the legislature directs the superintendent of public instruction to make available to every school district sums of money necessary to provide ample funding of such programs: **PROVIDED,** That in no case shall the sum exceed one percent of the total budget of any single school district or one million dollars, whichever is less: **PROVIDED FURTHER,** That no funds shall be allocated except upon approval of the legislative budget committee. Approval shall be granted by the legislative budget committee when it has determined that any applying district has met the following requirements: (1) The school district can demonstrate that every reasonable effort has been made to use all other available funds; (2) The school district can demonstrate adequate planning, including but not limited to goals, objectives, and measurable outcomes as a result of the program; and (3) The school district can demonstrate the necessity of additional funds beyond those available through all other means: **PROVIDED,** That the legislative budget committee may approve the allocation of all or part of those funds requested by a school district."

Renumber the remaining sections consecutively.

On page 1, line 1 of the title strike "making an appropriation" and insert "prescribing criteria for the allocation of certain funds to common schools"

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Ehlers, Fortson, Fuller, Lee, McKibbin, Valle, Warnke, Whiteside.

MOTION

On motion of Mr. King, Substitute Senate Bill No. 2115 was rereferred to Committee on Appropriations.

March 2, 1977

ENGROSSED SENATE BILL NO. 2126, Prime Sponsor: Senator Gaspard, reducing the maximum daily hours of service of trainmen. Reported by Committee on Labor.

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

To Committee on Rules for second reading.

MOTIONS

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

On motion of Mr. Bender, SENATE BILL NO. 2338 was rereferred from Committee on State Government to Committee on Social and Health Services.

On motion of Mr. King, the House adjourned until 1:15 p.m., Thursday, March 3, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, March 3, 1977.

The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Conner, Deccio, Gilleland, King, McCormick, Polk, Tilly, Warnke, Williams and The Speaker, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shannon Fry and Theo Schmeackle. Prayer was offered by Reverend Lester G. Olson of Gloria Dei Lutheran Church of Olympia.

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

MESSAGES FROM THE SENATE

March 3, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 172,
HOUSE BILL NO. 173,
HOUSE BILL NO. 174,
HOUSE BILL NO. 175,
HOUSE BILL NO. 176,
HOUSE BILL NO. 177,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 2, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2060,
SENATE BILL NO. 2095,
SENATE BILL NO. 2096,
SUBSTITUTE SENATE BILL NO. 2130,
SENATE BILL NO. 2164,
SENATE BILL NO. 2225,

SENATE CONCURRENT RESOLUTION NO. 101,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 2, 1977

Mr. Speaker:

The Senate has passed:

SENATE JOINT RESOLUTION NO. 109,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 2, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 55,
HOUSE BILL NO. 95,
HOUSE BILL NO. 106,
HOUSE BILL NO. 122,
SUBSTITUTE HOUSE BILL NO. 200,

SUBSTITUTE HOUSE BILL NO. 277,
SUBSTITUTE HOUSE BILL NO. 427,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 3, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2021, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE JOINT RESOLUTION NO. 109, by Senators Donohue, Mardesich, Woody, Scott and Odegaard:

Pertaining to state debt limitations.

To Committee on Appropriations

REPORTS OF STANDING COMMITTEES

February 28, 1977

HOUSE BILL NO. 314, Prime Sponsor: Representative Adams, authorizing pharmacy assistants and providing for their regulation. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

March 2, 1977

HOUSE BILL NO. 779, Prime Sponsor: Representative Vrooman, authorizing group filing for certain labor liens. Reported by Committee on Labor.

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

To Committee on Rules for second reading.

March 3, 1977

SENATE BILL NO. 2005, Prime Sponsor: Senator Rasmussen, authorizing up to fifty dollars per day for payment of members of county equalization boards. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 strike "commissioners" and insert "~~((commissioners))~~ legislative authority"

On page 1, line 13 strike "commissioners" and insert "~~((commissioners))~~ legislative authority"

On page 2, line 31 strike "commissioners" and insert "~~((commissioners))~~ legislative authority"

On page 3, line 15 strike "Boards of county commissioners" and insert "~~((Boards of county commissioners))~~ County legislative authorities"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Bender, Douthwaite, Fancher, North, Vrooman, Whiteside.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2019, Prime Sponsor: Senator Rasmussen, changing the requirements for legal publications. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 30 after "which" insert "summary shall be approved by the governing body and which"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Bender, Douthwaite, Fancher, North, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2024, Prime Sponsor: Senator Guess, establishing equipment rental funds in counties. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 23 after "3." strike all of the matter down to and including "body," on line 24 and insert "With the approval of the county legislative body, the county engineer, or other appointee of the county legislative body, shall administer the fund"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Bender, Douthwaite, Fancher, North, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

March 2, 1977

ENGROSSED SENATE BILL NO. 2071, Prime Sponsor: Senator Day, granting civil immunity to podiatrists charging others with incompetency. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 14 strike "~~(another member of their profession)~~" a member of the professions named above and insert "another member of their profession"

Signed by Representatives Adams, Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

March 2, 1977

ENGROSSED SENATE BILL NO. 2075, Prime Sponsor: Senator Day, excluding convents from nursing home regulations. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, May, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

March 2, 1977

ENGROSSED SENATE BILL NO. 2090, Prime Sponsor: Senator Day, broadening the class of medical personnel authorized to write prescriptions. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 after "RCW" insert "when authorized by the board of nursing"

Signed by Representatives Adams, Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2106, Prime Sponsor: Senator Sellar, increasing the auditor's fee for filing internal revenue service liens and exempting them from the prepayment requirement. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Bender, Douthwaite, Fancher, North, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2110, Prime Sponsor: Senator Woody, liberalizing investments available to county clerks. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 strike "in litigation" and insert "being held in trust"

On page 1, line 21 strike "in litigation" and insert "being held in trust"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Bender, Douthwaite, Fancher, North, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

March 3, 1977

SENATE BILL NO. 2123, Prime Sponsor: Senator Talley, providing for the filling of vacancies in fire commissioner positions. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Bender, Douthwaite, Fancher, North, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2133, Prime Sponsor: Senator Scott, revising laws on reports by state government agencies and officials. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Tallor, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

SENATE AMENDMENT TO HOUSE BILL

March 2, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 69 with the following amendment:

On page 2, line 22 after "total" strike "estimated" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Ehlers moved that the House do not concur in the Senate amendment to Engrossed House Bill No. 69, and ask the Senate to recede therefrom.

Representatives Ehlers, Nelson (Gary) and Sanders spoke in favor of the motion, and it was carried.

POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "We noticed the group of bills that are on the Senate calendar today are all bills that passed the House, some of them as far back as January, and our concern may well be, and I would like you to comment, that there isn't proper coordination between the House and the Senate. Perhaps you could tell us what coordination is occurring over there. Let me point out that the first three bills on the Senate second reading calendar passed the House January 28th and we just happened to notice that they did have Republican sponsors, and we wonder if they are languishing over in the Senate and that the Senate bills that have come over and were passed out of the Senate at a later date, are now before us. Could you give us any indication of what administrative cooperation is occurring between the House and the Senate?"

Mr. Thompson: "I appreciate the opportunity to respond directly to Representative Berentson. The three bills that he specifically referred to are from Local Government Committee, and also happen to be bills originating in the Budget Committee in which none of us take particular pride of authorship—the bills distributed rather casually at committee meetings, and those of us who feel interested, sign on to them. We all vote them out; there's no jealousy or concern about who gets what credit with regard to these measures. These three bills are repealers; as you point out they passed the House with no opposition. The interest of the Local Government Committee was to act on them quickly, to, if you like, place an obligation on our counterpart committee to deal with more substantive measures which we placed before the House bills."

Mr. Berentson: "Thank you, I appreciate the remarks of Representative Thompson. Perhaps we aren't so concerned about the sponsorship or pride of sponsorship either. Perhaps we are more concerned about this: That in even bills of this nature, that we're holding double hearings. We're requiring people to come down for both the Senate hearing and the House hearing, and we just wonder if it wouldn't save a lot of money, time and effort if, in bills of this

nature, if the coordination were such that perhaps the hearings could be held in one house or the other and then move them the way rather than have the duplication of effort which we're seeing, we think, too much of."

The Speaker (Mr. O'Brien presiding): "In connection with your point of parliamentary inquiry, Representative Berentson, you've been a member of this body for many years, and it's sometimes difficult to stop the joint introduction of bills in the House and the Senate. We are coordinating the activities between the House and the Senate. We have committees working on both sides, and where the duplication still exists, we are making decisions on which house should consider the reflected bill, and so it's just one of those things. In a large body, a legislative body, you do have duplication of effort, and it existed when you were in the majority, too."

SECOND READING

SENATE BILL NO. 2065, by Senators Odegaard, Clarke, Newschwander and Bausch (by Legislative Budget Committee request):

Deleting obsolete provisions for county homesite lands.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2065 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2065, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Boldt, Conner, Deccio, Gilleland, Hansen, King, Martinis, McCormick, Salatino, Struthers, Tilly, Warnke, Williams, and Mr. Speaker.

Senate Bill No. 2065, having received the 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. 2066, by Senators Odegaard, Newschwander, Donohue, Woody and Bausch (by Legislative Budget Committee request):

Deleting obsolete requirements for guideposts.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2066 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2066, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Boldt, Conner, Deccio, Gilleland, Hansen, King, Knowles, Martinis, McCormick, Salatino, Tilly, Warnke, Williams, and Mr. Speaker.

Senate Bill No. 2066, having received the 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. 2068, by Senators Odegaard, Clarke, Newschwander, Woody and Bausch (by Legislative Budget Committee request):

Deleting obsolete powers of town supervisors.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2068 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2068, and the bill passed the House by the following vote: Yeas, 82; nays, 2; not voting, 14.

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

Voting nay: Representatives Fancher, Pardini.

Not voting: Representatives Adams, Boldt, Conner, Deccio, Gilleland, Hansen, King, Martinis, McCormick, Salatino, Tilly, Warnke, Williams, and Mr. Speaker.

Senate Bill No. 2068, having received the 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. 2098, by Senators Rasmussen, Newschwander and Bausch (by State Treasurer request):

Making the judges' retirement fund a part of the state treasury.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2098 was placed on final passage.

Mr. Blair spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2098, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

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

Not voting: Representatives Adams, Boldt, Conner, Deccio, Gilleland, Hansen, King, Martinis, McCormick, Polk, Salatino, Tilly, Warnke, Williams, and Mr. Speaker.

Senate Bill No. 2098, having received the 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. 2190, by Senators Rasmussen, Henry and Benitz:

Updating certain laws pertaining to veterans and veterans' affairs.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2190 was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2190, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap,

Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Conner, Deccio, Gilleland, King, Martinis, McCormick, Newhouse, Pardini, Polk, Tilly, Warnke, Williams, and Mr. Speaker.

Engrossed Senate Bill No. 2190, having received the 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. 2230, by Senators Marsh, Talley and Henry:

Authorizing cities, counties, and/or public transportation agencies of contiguous states to enter into agreements for operation of bus services.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 51st Day, March 1, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

Senate Bill No. 2230 as amended by the House was passed to Committee on Rules for third reading.

MOTIONS

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

On motion of Mr. Bender, consideration of Initiative to the Legislature 59 was deferred, and it was ordered held for tomorrow's third reading calendar.

On motion of Mr. Charnley, HOUSE BILL NO. 812 was rereferred from Committee on Labor to Committee on Social and Health Services.

On motion of Mr. Charnley, HOUSE BILL NO. 846 was rereferred from Committee on Social and Health Services to Committee on Institutions.

On motion of Mr. Charnley, HOUSE JOINT RESOLUTION NO. 38 was rereferred from Committee on Education to Committee on Constitution.

Mr. Charette moved that HOUSE BILL NO. 443 be rereferred from Committee on Parks and Recreation to Committee on Natural Resources.

Mr. Berentson demanded a Call of the House, and the demand was not sustained.

Mr. Charette spoke in favor of the motion, and Representative Hurley (Margaret) spoke against it.

MOTION

Mr. Martinis moved that the motion by Mr. Charette be amended, and that House Bill No. 443 be rereferred to Committee on Transportation.

Representatives Martinis and Berentson spoke in favor of the motion, and Representative Hurley (Margaret) spoke against it.

Mr. Charette spoke in favor of the motion.

POINT OF ORDER

Mr. Martinis: "Mr. Speaker, the speaker is not addressing the main motion. The motion is an amendment to the motion to rerefer this bill to Transportation, to make it a transportation issue, not a natural resources issue. He is demonstrating on how to dig clams and how to harvest a resource, not on how to get to that resource."

The Speaker (Mr. O'Brien presiding): "Your point of order is pretty well taken. Representative Charette, will you hold your comments to the amendment to the original motion?"

Mr. Charette continued his remarks in favor of the motion.

ADMONITION BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "That has nothing to do with the motion, Mr. Charette. We'll allow you to continue and we'd like you to keep your remarks germane to the amendment."

Mr. Charette concluded his remarks.

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

ROLL CALL

The Clerk called the roll on the motion to amend the Charette motion and rerefer House Bill No. 443 to Committee on Transportation, and the motion was lost by the following vote: Yeas, 29; nays, 57; not voting, 12.

Voting yea: Representatives Adams, Barnes, Bender, Burns, Charette, Clayton, Enbody, Erickson, Gaines, Gallagher, Greengo, Grier, Hawkins, Martinis, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Sanders, Shinoda, Smith, Struthers, Taller, Thompson.

Voting nay: Representatives Amen, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Chandler, Charnley, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Grimm, Gruger, Haley, Hansen, Heck, Hughes, Hurley G. S., Folley M., Keller, Kilbury, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Norin, O'Brien, Paris, Pearsall, Pruitt, Salatino, Schmitten, Sherman, Shinpoch, Sommers, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Conner, Deccio, Gilleland, Hanna, King, Knowles, McCormick, Polk, Tilly, Warnke, Williams, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Charette to rerefer House Bill No. 443 to Committee on Natural Resources.

Representative Hurley (Margaret) spoke against the motion.

POINT OF INQUIRY

Mr. Bond asked Mr. Charette to yield to question, and he refused to yield.

Mr. Martinis spoke against the motion.

The motion was lost.

MOTION

On motion of Mr. Bender, the House adjourned until 2:15 p.m., Friday, March 4, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-FOURTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, March 4, 1977.

The House was called to order at 2:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Boldt, Bond, Conner, Fancher, Gilleland, King, Tilly, Warnke and the Speaker, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Pam Wright and Bryan Heathman. Prayer was offered by Reverend Lester G. Olson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGE FROM THE SENATE

March 3, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 45,
HOUSE BILL NO. 136,
HOUSE BILL NO. 148,
HOUSE BILL NO. 180,
ENGROSSED HOUSE BILL NO. 245,
HOUSE BILL NO. 585,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE BILL

March 3, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1 with the following amendment:

On page 1, line 30 after "amended" and before the period insert "and which organization has received a declaration of tax-exempt status from the department of internal revenue of the United States government pursuant to section 501 of the internal revenue code of 1954, as amended"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Thompson the House concurred in the Senate amendment to Engrossed House Bill No. 1.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 1 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; nays, 1; not voting, 14.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt,

Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Greengo.

Not voting: Representatives Boldt, Bond, Conner, Fancher, Gilleland, Hurley G. S., King, Moreau, Pardini, Patterson, Smith, Tilly, Warnke, and Mr. Speaker.

Engrossed House Bill No. 1 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE JOINT MEMORIAL NO. 1 with the following amendments:

On page 1, after line 17 insert:

"WHEREAS, The tenth amendment to the United States Constitution indicates that powers not specifically delegated to the federal government by the Constitution are reserved to the states or the people; and"

On page 1, line 26 after "Agency" and before "not" strike "does"

On page 1, line 27 after "Congress" insert "and the United States Constitution"

On page 1, line 27 after "states" and before "be" strike "may" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to Engrossed House Joint Memorial No. 1.

FINAL PASSAGE OF HOUSE JOINT MEMORIAL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Joint Memorial No. 1 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 1 as amended by the Senate, and the memorial passed the House by the following vote: Yeas, 73; nays, 9; not voting, 16.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Bender, Berentson, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Douthwaite, Dunlap, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Becker, Blair, Clayton, Ehlers, Greengo, Hughes, Lee, Williams.

Not voting: Representatives Boldt, Bond, Conner, Deccio, Enbody, Fancher, Gilleland, Hurley G. S., King, Moreau, Pardini, Salatino, Smith, Tilly, Warnke, and Mr. Speaker.

Engrossed House Joint Memorial No. 1 as amended by the Senate, having received the constitutional majority, was declared passed.

REPORTS OF STANDING COMMITTEES

March 3, 1977

HOUSE BILL NO. 236, Prime Sponsor: Representative Shinpoch, establishing a civil penalty in certain cases where state officers or employees violate budgetary provisions. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 7 after "RCW 43.88.020(4)" insert "but excludes nonsupervisory state employees covered by civil service under chapters 41.06 and 28B.16 RCW"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

To Committee on Rules for second reading.

March 3, 1977

HOUSE BILL NO. 1081, Prime Sponsor: Representative Douthwaite, relating to financial responsibility for motor vehicles. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Insurance.

March 3, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, Sponsor: Committee on Constitution and Elections, establishing procedures for organization of minor political parties. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 29.24.010, chapter 9, Laws of 1965 and RCW 29.24.010 are each amended to read as follows:

A "convention" for the purposes of this chapter, is an organized assemblage of ~~((at least one hundred))~~ registered voters representing an independent candidate or candidates or a new or minor political party, organization, or principle ~~((or in lieu thereof ten registered voters from each congressional district in the state of Washington))~~. As used in this chapter, the term "election jurisdiction" shall mean the state or any political subdivision or jurisdiction of the state from which partisan officials are elected. This term shall include county commissioner districts or council districts for members of a county legislative authority, counties for county officials who are nominated and elected on a county-wide basis, legislative districts for members of the legislature, congressional districts for members of congress, and the state for president and vice president, members of the United States senate, and state officials who are elected on a state-wide basis.

Sec. 2. Section 29.24.020, chapter 9, Laws of 1965 and RCW 29.24.020 are each amended to read as follows:

~~((Any new or minor political party is not entitled to participate in a state primary election but must nominate candidates for public office))~~ All nominations of candidates for partisan public office by other than a major political party shall be made in a convention held on the ~~((same day that state primary elections are held))~~ last Saturday immediately preceding the first day for filing declarations of candidacy under RCW 29.18.030.

Sec. 3. Section 29.24.030, chapter 9, Laws of 1965 and RCW 29.24.030 are each amended to read as follows:

To be valid, a ~~((minor party))~~ convention must:

(1) Be attended by at least ~~((one hundred registered voters; or in lieu thereof ten registered voters from each congressional district in the state of Washington))~~ a number of registered voters who have lived in the election jurisdiction for which nominations are to be made for at least thirty days immediately preceding the date of the convention, which number is equal to one for each ten thousand voters or portion thereof who voted in the last preceding general election held in that election jurisdiction or twenty-five such registered voters, whichever number is greater;

(2) Have been called by a notice of the secretary of state published in a newspaper of general circulation published in the county in which the convention is to be held at least ten days before the date of the ~~((primary election))~~ convention stating the date, hour, and place of meeting ~~((and a general statement of the principles of the organization))~~. The notice shall also include the mailing address of the person or organization sponsoring the convention, if any. The information required to be included in this notice shall be forwarded to the secretary of state not later than the thirtieth day immediately preceding the date of the convention.

Sec. 4. Section 29.24.040, chapter 9, Laws of 1965 and RCW 29.24.040 are each amended to read as follows:

A certificate evidencing nominations made at a ~~((minority party))~~ convention must:

(1) Be in writing;

(2) Contain the name of each person nominated, his residence, his business, and the office for which he is named; together with a sworn statement of each nominee giving his consent to the said nominations;

(3) Designate in not more than five words the purpose for which the convention was held or the new or minor political party, organization, or principle which the convention represents;

(4) Be verified by the oath of the presiding officer and secretary;

(5) Be signed by at least ~~((one hundred))~~ a number of the registered voters ~~((present at))~~ who live in the election jurisdiction for which the nominations are made and who attended the convention ~~((and who did not vote at the primary election held on that day, or in lieu thereof be signed by at least ten registered voters from each congressional district in the state of Washington present at a convention, and who did not vote at the primary election held on that day))~~, which number is equal to the number of registered voters who must have attended a convention for it to be valid under RCW 29.24.030 as now or hereafter amended;

(6) Show the voting addresses of all signers;

(7) Contain proof of publication of the notice of calling the convention.

Sec. 5. Section 29.24.050, chapter 9, Laws of 1965 and RCW 29.24.050 are each amended to read as follows:

The signature of a ~~((minor party))~~ convention nominating certificate of a person who voted in ~~((the primary))~~ any other convention held on the day of the convention is invalid. Persons who sign convention petitions shall not be entitled to vote in the primary of any major political party held in September of the

same year as the convention. Such persons shall, however, be entitled to vote an absentee ballot for any nonpartisan primaries and ballot proposition elections which may be held concurrently with such partisan primaries. The signature of a registered voter on a convention petition shall be considered by the county auditor to be an application for an absentee ballot under chapter 29.36 RCW.

Sec. 6. Section 29.24.060, chapter 9, Laws of 1965 and RCW 29.24.060 are each amended to read as follows:

Upon the receipt of the certificate of nomination of a (~~minor party nominating~~) convention, the secretary of state shall check from the records the required signatures thereto to ascertain if the signers are registered voters (~~and whether said signers voted at the primary election held on the same day as said convention~~) as of the day before the convention. If the secretary of state finds that the certificate (~~is defective or~~) does not comply with law he shall refuse to file the same and any declarations of candidacy of candidates nominated by such convention. Within two weeks after the last day of the filing period, as specified by RCW 29.18.030, the secretary of state shall notify the presiding officer and secretary of each convention of any signatures judged invalid, together with the reason for any such judgment. Within one week after such notification, upon request of the presiding officer or secretary of any such convention, the county auditor shall recheck the voter registration records and shall notify the secretary of state of any signatures validated upon rechecking.

On the seventh day after filing each nominating certificate, the secretary of state shall destroy the portion of the certificate which contains the signatures, names, and addresses of convention participants unless the certificate is in dispute, in which case that portion shall be retained until the presiding officer or secretary of the convention notifies the secretary of state that no further appeals are forthcoming, whereupon the secretary of state shall destroy that portion of the nominating certificate. In no case shall the signatures, names, and addresses on the certificate be disclosed to any person other than the election official who is required to check the validity of signatures contained thereon and update precinct voting records.

Sec. 7. Section 29.24.070, chapter 9, Laws of 1965 and RCW 29.24.070 are each amended to read as follows:

If the nominating certificate is valid, each candidate nominated by a (~~minor party~~) convention may file with the secretary of state a declaration of candidacy as nearly as possible in the form prescribed for candidates subject to primary election, and each candidate must at the time of filing such declaration pay to the secretary of state the fee prescribed by law for candidates subject to primary election. The name of a candidate nominated at a (~~minor party~~) convention shall not be printed upon the election ballot unless he pays the fee required by law to be paid by candidates for the same office to be nominated at a primary election.

Sec. 8. Section 29.24.080, chapter 9, Laws of 1965 and RCW 29.24.080 are each amended to read as follows:

The certificate of nominations made by a (~~minor party~~) convention, and the declarations of candidacy of the individual candidates nominated may be filed with the secretary of state at any time after said convention is held, but such filing must be complete not later than the (~~first Tuesday after the date of the September primaries~~) last day for filing declarations of candidacy under RCW 29.18.030."

In line 1 of the title, after "to" strike the remainder of the title through and including "emergency." on line 25, and insert "nominations other than by primary; amending section 29.24.010, chapter 9, Laws of 1965 and RCW 29.24.010; amending section 29.24.020, chapter 9, Laws of 1965 and RCW 29.24.020; amending section 29.24.030, chapter 9, Laws of 1965 and RCW 29.24.030; amending section 29.24.040, chapter 9, Laws of 1965 and RCW 29.24.040; amending section 29.24.050, chapter 9, Laws of 1965 and RCW 29.24.050; amending section 29.24.060, chapter 9, Laws of 1965 and RCW 29.24.060; amending section 29.24.070, chapter 9, Laws of 1965 and RCW 29.24.070; and amending section 29.24.080, chapter 9, Laws of 1965 and RCW 29.24.080."

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

To Committee on Rules for second reading.

SECOND READING

SENATE BILL NO. 2074, by Senators Day, Jones and Buffington:

Allowing the hospital commission to employ a staff.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2074 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2074 and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers,

Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Haley.

Not voting: Representatives Boldt, Bond, Conner, Fancher, Gilleland, King, Tilly, Warnke, and Mr. Speaker.

Senate Bill No. 2074, having received the 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. 2091, by Senator Day:

Providing staggered terms of office for hospital commissioners.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Senate Bill No. 2091 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2091, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

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

Not voting: Representatives Boldt, Bond, Conner, Fancher, Gilleland, King, Tilly, Warnke, and Mr. Speaker.

Senate Bill No. 2091, having received the 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. 2110, by Senators Woody, Talley and Sellar:

Liberalizing investments available to county clerks.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal, 53rd Day, March 3, 1977.)

On motion of Mr. Thompson, the committee amendments were adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2110 as amended by the House was placed on final passage.

Representatives Thompson and Lee spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2110 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

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

Not voting: Representatives Boldt, Bond, Conner, Fancher, Gilleland, Gruger, King, Tilly, Warnke, and Mr. Speaker.

Engrossed Senate Bill No. 2110 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. 2075, by Senators Day, von Reichbauer, Beck, Van Hollebeke, Buffington, Herr, Keefe and Talley:

Excluding convents from nursing home regulation.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2090, by Senators Day, North, Goltz and McDermott:

Broadening the class of medical personnel authorized to write prescriptions.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment see Journal, 53rd Day, March 3, 1977.)

On motion of Mr. Adams, the committee amendment was adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2090 as amended by the House was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Haley.

Mr. Haley: "Is it the intent of the Legislature that this bill allow only nurse practitioners to prescribe legend drugs or is it the intent of the Legislature that any registered nurse may be allowed to prescribe legend drugs?"

Mr. Kreidler: "It is not the intent to allow any registered nurse, just certain nurses who have met certain educational requirements as are designated by the nursing board."

Mr. Haley: "Would this allow only the nurses as designated advanced and the nurses designated special nurses to prescribe legend drugs?"

Mr. Kreidler: "I could not say which specific categories the board has set up, but it only applies to those nurses who have met the certain requirements as specified by the nurses law that was passed several years ago. It cleared up those conflicts."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2090 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

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

Voting nay: Representative Pardini.

Not voting: Representatives Boldt, Bond, Conner, Fancher, Gilleland, King, Shinpoch, Tilly, Warnke, and Mr. Speaker.

Engrossed Senate Bill No. 2090 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. 2019, by Committee on Local Government (Originally sponsored by Senator Rasmussen):

Changing the requirements for legal publications.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment see Journal, 53rd Day, March 3, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2019 as amended by the House was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2019 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 1; not voting, 13.

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

Voting nay: Representative Patterson.

Not voting: Representatives Boldt, Bond, Conner, Dunlap, Fancher, Gilleland, King, Pardini, Tilly, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2019 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. 2005, by Senator Rasmussen:

Authorizing up to fifty dollars per day for payment of members of county equalization boards.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment Journal, 53rd Day, March 3, 1977.)

On motion of Mr. Thompson, the committee amendments were adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Senate Bill No. 2005 as amended by the House was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2005, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

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

Not voting: Representatives Boldt, Bond, Conner, Dunlap, Fancher, Gilleland, King, Knedlik, Shipoch, Tilly, Warnke, Wilson, and Mr. Speaker.

Senate Bill No. 2005 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. 2133, by Senators Scott, Newschwander, Odegaard and Clarke (by Legislative Budget Committee request):

Revising laws on reports by state government agencies and officials.

The bill was read the second time.

On motion of Mr. Ehlers, the following amendment by Representatives Ehlers and Newhouse was adopted:

On page 6, beginning on line 13 strike all of section 1 and insert the following:

"Section 1. Section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter ... (SB 2098), Laws of 1977 and RCW 2.12.050 are each amended to read as follows:

There is hereby created a fund in the state treasury to be known as 'The Judges' Retirement Fund' which shall consist of the moneys appropriated from the general fund in the state treasury, as hereinafter provided; the deductions from salaries of judges, as hereinafter provided, all gifts, donations, bequests and devises made for the benefit of said fund, and the rents, issues and profits thereof, or proceeds of sales of assets thereof. The treasurer shall be custodian of the moneys in said judges' retirement fund. The department of retirement systems shall receive all moneys payable into said fund and make disbursements therefrom as provided in this chapter. The department shall keep written permanent records showing all receipts and disbursements of said fund (~~and shall make an annual written report showing receipts and disbursements and the status of said fund as of June 30th of each year, and shall, on or before the first day of August of each year, file one copy thereof with the governor, and one copy with the president judge of the association of the superior court judges of the state of Washington~~))."

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

On page 40, line 25 insert a new section as follows:

"NEW SECTION, Sec. 35. There is added to chapter 42.04 RCW a new section to read as follows:

Each state agency and each local agency, as defined in RCW 42.17.020, shall at least once each year contact all persons on its mailing lists and inquire whether they wish to remain on the agency mailing lists. Upon receipt of a negative reply, or if no reply is received within sixty days of such contact, the agency shall remove such names from its mailing lists: PROVIDED, That mailings by a state or local agency subject to requirements of federal statutes, rules, or regulations shall be exempt from the provisions of this section."

Renumber the remaining sections consecutively and change internal references accordingly.

Representatives Charette, Ehlers and Taller spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Deccio.

Mr. Deccio: "Would you amend this bill to take effect immediately, Representative Charette?"

Mr. Charette: "I don't believe there is an emergency clause in here, but if it is passed today I guess it would go into effect much faster."

The amendment was adopted.

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

On page 1, line 3 of the title after "chapter" strike "28, Laws of 1967" and insert "... (SB 2098), Laws of 1977"

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

On page 5 of the title, on line 15 after "RCW 90.54.090;" and before "repealing" insert "adding a new section to chapter 42.04 RCW;"

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2133 as amended by the House was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2133 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 1; not voting, 11.

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

Voting nay: Representative Patterson.

Not voting: Representatives Boldt, Bond, Conner, Dunlap, Fancher, Gilleland, King, Tilly, Valle, Warnke, and Mr. Speaker.

Engrossed Senate Bill No. 2133 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. 2126, by Senators Gaspard, Ridder and Morrison:

Reducing the maximum daily hours of service of trainmen.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2024, by Senators Guess, Beck and Henry:

Establishing equipment rental funds in counties.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment see Journal, 53rd Day, March 3, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2024 as amended by the House was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2024 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

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

Voting nay: Representative Knowles.

Not voting: Representatives Boldt, Bond, Conner, Enbody, Fancher, Gilleland, King, Tilly, Warnke, and Mr. Speaker.

Engrossed Senate Bill No. 2024 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. 2106, by Senators Sellar and Talley:

Increasing the auditor's fee for filing internal revenue service liens and exempting them from the prepayment requirement.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2106 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2106, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

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

Not voting: Representatives Boldt, Bond, Conner, Fancher, Gallagher, Gilleland, King, Tilly, Warnke, and Mr. Speaker.

Engrossed Senate Bill No. 2106, having received the 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. 2123, by Senators Talley, North and Sellar:

Providing for the filling of vacancies in fire commissioner positions.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Senate Bill No. 2123 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2123, and the bill passed the House by the following vote: Yeas, 86; nays, 2; not voting, 10.

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

Voting nay: Representatives Grier, Hurley G. S.

Not voting: Representatives Boldt, Bond, Conner, Fancher, Gilleland, King, Pardini, Tilly, Warnke, and Mr. Speaker.

Senate Bill No. 2123, having received the 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

Mrs. Valle moved that HOUSE BILL NO. 162 be rereferred from Committee on Judiciary to Committee on Ecology.

The Speaker (Mr. O'Brien presiding): "Representative Valle, we have been handling motions of this nature under the eighth order of business—floor resolutions and motions. If you will hold your motion until we come to the eighth order of business, I will then recognize you."

With the consent of the House, Mrs. Valle withdrew the motion.

ENGROSSED SENATE BILL NO. 2071, by Senators Day, von Reichbauer and Jones:

Granting civil immunity to podiatrists charging others with incompetency.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment see Journal, 53rd Day, March 3, 1977.)

On motion of Mr. Kreidler, the committee amendment was adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2071 as amended by the House was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2071 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 6; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clemente, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Clayton, Lee, Patterson, Polk, Struthers, Zimmerman.

Not voting: Representatives Boldt, Bond, Conner, Craswell, Fancher, Gilleland, King, Tilly, Warnke, and Mr. Speaker.

Engrossed Senate Bill No. 2071 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

On motion of Mr. Bender, consideration of Initiative Measure No. 59 was deferred, and it was ordered held for Monday's third reading calendar.

MOTION

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

REPORTS OF STANDING COMMITTEES

March 3, 1977

HOUSE BILL NO. 125, Prime Sponsor: Representative Ehlers, revising laws affecting residents of soldiers' and veterans' homes. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Struthers.

To Committee on Rules for second reading.

March 3, 1977

HOUSE BILL NO. 406, Prime Sponsor: Representative Amen, revising organizational procedures for minor political parties. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Blair, Grimm, Hughes.

To Committee on Rules for second reading

March 4, 1977

HOUSE BILL NO. 678, Prime Sponsor: Representative Kilbury, modifying the law on theft of livestock. Reported by Committee on Agriculture.

MAJORITY recommendation. Do pass with the following amendment:

On page 1, beginning on line 7 strike all of subsections (1) and (2) and insert:

"(1) Every person who, without lawful authority and with intent to deprive or defraud the owner thereof, wilfully takes, destroys, leads, or transports away, conceals, withholds, slaughters, injures, kills, or otherwise appropriates to his own use any horse, mule, cow, heifer, bull, steer, swine, or sheep shall be guilty of theft of livestock.

(2) Theft of livestock is a class B felony.

(3) In addition, any owner of such livestock who suffers damages as a result of such wilful unauthorized actions may bring a civil action, in any court of competent jurisdiction, for exemplary damages up to three times the actual damages sustained."

Signed by Representatives Kilbury, Chairman; Amen, Ranking Minority Member; Becker, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2057, Prime Sponsor: Senator Henry, bringing various laws dealing with motor vehicle operators into accord with current practices. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Bender, Berentson, Charnley, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, Paris, Sherman, Walk.

To Committee on Rules for second reading.

March 3, 1977

SENATE BILL NO. 2067, Prime Sponsor: Senator Woody, supplementing law relating to traffic safety education courses. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Craswell, Dunlap, Fuller, Lee, Schmitten, Valle, Whiteside.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2078, Prime Sponsor: Senator Wilson, relating to cremation. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Haley, Hanna, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 3, 1977

SENATE BILL NO. 2079, Prime Sponsor: Senator Day, placing funeral directors under unfair practices act. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2083, Prime Sponsor: Senator North, authorizing autopsies. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 13 strike "may meet with the family of the decedent upon request" and insert "shall, upon request, meet with the family of the decedent"

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2124, Prime Sponsor: Senator Guess, permitting postponement of a call for highway project bids after two weeks. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Bender, Berentson, Charnley, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, Paris, Sherman, Walk.

To Committee on Rules for second reading.

March 3, 1977

REENGROSSED SENATE BILL NO. 2171, Prime Sponsor: Senator Beck, authorizing the utilities and transportation commission to adopt rules to clearly enumerate the types of vehicle which must stop at railroad crossings. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Bender, Berentson, Charnley, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, Paris, Sherman, Walk.

To Committee on Rules for second reading.

March 4, 1977

ENGROSSED SENATE BILL NO. 2181, Prime Sponsor: Senator Sandison, changing the bonding requirements for surface mining. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Enbody, Fuller, Greengo, Lysen, May, Schmitten, Shinoda, Vrooman.

To Committee on Rules for second reading.

March 3, 1977

SENATE BILL NO. 2201, Prime Sponsor: Senator McDermott, implementing law relating to transportation of pupils in common schools and reimbursement to school districts therefor. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitten, Valle, Whiteside.

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2374, Prime Sponsor: Senator Guess, standardizing low clearance signing and increasing certain weight limits. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:
On page 3, line 32 strike "(51,500)*" and insert "(55,500)*"

Signed by Representatives Hansen, Vice Chairman; Bender, Berentson, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, Paris, Sherman, Walk.

To Committee on Rules for second reading.

March 3, 1977

SENATE BILL NO. 2378, Prime Sponsor: Senator Lewis, extending state route 290 in Spokane. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Bender, Berentson, Clayton, Clemente, Gaines, Gallagher, Grier, Martinis, McCormick, Walk.

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

To Committee on Rules for second reading.

March 3, 1977

ENGROSSED SENATE BILL NO. 2385, Prime Sponsor: Senator Henry, modifying the design procedure for limited access highways. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Bender, Berentson, Clayton, Clemente, Dunlap, Gallagher, Grier, Patterson, Sherman, Walk.

To Committee on Rules for second reading.

MOTIONS

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

Mrs. Valle moved that House Bill No. 162 be rereferred from Committee on Judiciary to Committee on Ecology.

Mrs. Valle spoke in favor of the motion, and Mr. Knowles also spoke in favor of it.

POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Polk.

Mr. Polk: "Representative Knowles, after your comments just now, I'm just a little unclear as to what your intentions were. Are you saying that the Judiciary Committee will be shortly working on that bill?"

Mr. Knowles: "The staff is now working on it."

Mr. Polk: "Are you going to have the committee work the bill?"

Mr. Knowles: "Certainly, as soon as the staff completes its work."

Mr. Pruitt spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Mrs. Valle to rerefer House Bill No. 162 to Committee on Ecology, and the motion was lost by the following vote: Yeas, 42; nays, 46; not voting, 10.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Blair, Burns, Chandler, Charette, Charnley, Douthwaite, Dunlap, Ehlers, Eng, Fischer, Grier, Grimm, Gruger, Hawkins, Hughes, Hurley G. S., Knowles, Kreidler, Lux, Martinis, Maxie, McKibbin, Monohon, Nelson D., Nelson G. A., North, Paris, Pearsall, Polk, Pruitt, Sherman, Shinpoch, Sommers, Thompson, Valle, Walk, Zimmerman.

Voting nay: Representatives Barnes, Barr, Berentson, Clayton, Clemente, Craswell, Deccio, Embody, Erickson, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Haley, Hanna, Hansen, Heck, Hurley M., Keller, Kilbury, Knedlik, Leckenby, Lysen, May, McCormick, Moreau, Newhouse, O'Brien, Oliver, Owen, Pardini, Patterson, Salatino, Sanders, Schmitt, Shinoda, Smith, Struthers, Taller, Vrooman, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Boldt, Bond, Conner, Fancher, Gilleland, King, Lee, Tilly, Warnke, and Mr. Speaker.

POINT OF INFORMATION

Mr. Polk: "Mr. Speaker, since we're going into the final week of this legislative session and we're coming up against several deadlines, there has been some question as to whether we are going to be called back into a special session. I was wondering if the leadership of the House has received any communication from the Governor that you may share with us so that our members would know whether to renew the leases on their apartments and what to do with their staff and other things?"

The Speaker (Mr. O'Brien presiding): "Well, Representative Polk, I can't speak for the Governor, but I can, of course, go on the past procedures of governors and usually we have never known until the last day of the regular session whether the Governor was going to call a special session."

Mr. Polk: "I understand things have been changing, Mr. Speaker, and I thought perhaps that procedure had changed, too."

The Speaker (Mr. O'Brien presiding): "At the present time we are not aware of when a special session is going to be called. The Governor is giving very serious consideration to your request and to the overall objectives of a special session."

Mr. Polk: "Has she given any indication as to when we might get her response?"

The Speaker (Mr. O'Brien presiding): "I would imagine you'll hear sometime next week."

MOTION

On motion of Mr. Bender, the House adjourned until 11:00 a.m., Monday, March 7, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 7, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Chandler, Conner, Dunlap, Gruger, Hansen, King, Knedlik, McKibbin, Oliver and Sanders, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jackie Jamero and Grant Smith. Prayer was offered by Reverend Richard Hart 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.

MESSAGES FROM THE SENATE

March 4, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 12,
 ENGROSSED HOUSE BILL NO. 108,
 ENGROSSED HOUSE BILL NO. 110,
 HOUSE BILL NO. 111,
 ENGROSSED HOUSE BILL NO. 146,
 HOUSE BILL NO. 167,
 ENGROSSED HOUSE BILL NO. 274,
 SUBSTITUTE HOUSE BILL NO. 291,
 SUBSTITUTE HOUSE BILL NO. 385,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 4, 1977

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED HOUSE BILL NO. 69, and has passed the bill without the Senate amendment, and said bill is herewith transmitted.

Sidney R. Snyder, Secretary.

March 4, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2021,
 SENATE BILL NO. 2065,
 SENATE BILL NO. 2066,
 SENATE BILL NO. 2068,
 SENATE BILL NO. 2098,
 SENATE BILL NO. 2190,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

REPORTS OF STANDING COMMITTEES

March 4, 1977

ENGROSSED SENATE BILL NO. 2200, Prime Sponsor: Senator Sandison, creating a resource management land bank. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Enbody, Fuller, Greengo, Lysen, May.

MINORITY recommendation: Do not pass. Signed by Representatives Schmitten, Shinoda, Vrooman.

To Committee on Rules for second reading.

SECOND READING

ENGROSSED SENATE BILL NO. 2057, by Senators Henry, Guess and Beck (by Department of Motor Vehicles request):

Bringing various laws dealing with motor vehicle operators into accord with current practices.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2057 was placed on final passage.

MOTION

On motion of Mr. Bender, further consideration of Engrossed Senate Bill No. 2057 was deferred, and the bill was ordered placed at the bottom of today's third reading calendar.

SENATE BILL NO. 2067, by Senators Woody, Clarke, Donohue, Odegaard, Scott, Bausch and Gould (by Legislative Budget Committee request to implement performance audit recommendations):

Supplementing law relating to traffic safety education courses.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2067 was placed on final passage.

Representatives Clemente and Lee spoke in favor of passage of the bill, and Mr. Ehlers spoke against it.

POINT OF INQUIRY

Mrs. Lee yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "Representative Lee, I'm a little curious about the funding part of this. It specifies that each district shall be reimbursed at the level established by the superintendent and may be provided from the traffic safety education account. This means that the state is paying for part of this traffic safety education, is that correct?"

Mrs. Lee: "The traffic safety education fund comes from traffic fines. In other words, when someone goes to traffic court, or even if they don't go to traffic court, and have to pay a fine, a major portion of that, over and above administrative costs, goes into a special fund called the traffic safety education fund and it is from that fund then that the local school districts are reimbursed for the traffic safety education cost. In that respect they have become state funds, but the traffic safety education fund itself is not something that comes from our general taxes, which is what I think you are concerned about."

Mr. Hurley (George): "In other words, there are not other moneys concerned at all in this bill?"

Mrs. Lee: "As far as this bill is concerned, that is true. We're only talking about the traffic safety education fund."

Mr. Hurley (George): "Were you on the committee that discussed this originally—the Education Committee?"

Mrs. Lee: "Yes, I serve on the Education Committee."

Mr. Hurley (George): "Did you discuss the question of the propriety of the whole purpose of fines and the relationship to the justice of paying for traffic education?"

Mrs. Lee: "The idea that there should be a traffic safety education fund, paid for out of fines, was something that was established by this Legislature a number of years ago before I served in the Legislature. To my knowledge there has been no bill introduced to change that system. If there is one introduced to change the policy then I'm sure it would be considered by the appropriate committee. It was not considered that it was an appropriate job for this bill and the title would not cover it."

Mr. Hurley (George) spoke against passage of the bill, and Mr. Thompson spoke in favor of it.

POINT OF INFORMATION

Mr. Hurley (George): "My name was mentioned in debate, and I thought I could have the privilege of making a brief answer."

The Speaker (Mr. O'Brien presiding): "We will allow you to defend your position, but Rule 51 prohibits a member from speaking any more than once after the 50th day and then you are limited to not more than three minutes."

Mr. Hurley (George) spoke again in opposition to the bill, and Mr. Barnes spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2067, and the bill passed the House by the following vote: Yeas, 71; nays, 15; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Blair, Boldt, Bond, Burns, Charette, Clayton, Clemente, Craswell, Deccio, Douthwaite, Enbody, Eng, Erickson, Fancher, Flanagan, Fuller, Gaines, Gallagher, Greengo, Grier, Haley, Hanna, Hawkins, Heck, Hurley M., Keller, Kilbury, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Bender, Charnley, Ehlers, Fischer, Fortson, Gilleland, Grimm, Hughes, Hurley G. S., Moreau, Owen, Sherman, Walk, Warnke.

Not voting: Representatives Berentson, Chandler, Conner, Dunlap, Gruger, Hansen, King, Knedlik, McKibbin, Oliver, Sanders, Shinoda.

Senate Bill No. 2067, having received the 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. 2078, by Senators Wilson, North and Goltz:

Relating to cremation.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2078 was placed on final passage.

Representatives Adams and Paris spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2078, and the bill passed the House by the following vote: Yeas, 86; nays, 1; not voting, 11.

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

Voting nay: Representative Warnke.

Not voting: Representatives Chandler, Conner, Dunlap, Gruger, Hansen, King, Knedlik, McKibbin, Polk, Sanders, Shinoda.

Engrossed Senate Bill No. 2078, having received the 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. 2079, by Senators Day, Wanamaker and Jones:

Placing funeral directors under unfair practices act.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2079 was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2079, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

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

Not voting: Representatives Boldt, Chandler, Conner, Dunlap, Gruger, Hansen, King, Knedlik, McKibbin, Sanders, Shinoda.

Senate Bill No. 2079, having received the 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. 2083, by Senators North and McDermott:

Authorizing autopsies.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 54th Day, March 4, 1977.)

On motion of Mr. Kreidler, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2083 as amended by the House was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2083 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

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

Not voting: Representatives Chandler, Conner, Dunlap, Gruger, Hansen, King, Knedlik, McKibbin, Sanders, Shinoda.

Engrossed Senate Bill No. 2083 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. 2124, by Senators Guess and Henry:

Permitting postponement of a call for highway project bids after two weeks.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2124 was placed on final passage.

Representatives Charnley and Gilleland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2124, and the bill passed the House by the following vote: Yeas, 85; nays, 2; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., Nelson G.

A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hawkins, Owen.

Not voting: Representatives Chandler, Conner, Dunlap, Gruger, Hansen, King, Knedlik, McKibbin, Sanders, Shinoda, Tilly.

Engrossed Senate Bill No. 2124, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SENATE BILL NO. 2171, by Senators Beck, Wanamaker and Bluechel:

Authorizing the utilities and transportation commission to adopt rules to clearly enumerate the types of vehicles which must stop at railroad crossings.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2171 was placed on final passage.

Representatives Charnley and Gilleland spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2171, and the bill passed the House by the following vote: Yeas, 84; nays, 1; not voting, 13.

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

Voting nay: Representative Barnes.

Not voting: Representatives Chandler, Clemente, Conner, Dunlap, Gruger, Hansen, Hurley G. S., King, Knedlik, Martinis, McKibbin, Sanders, Shinoda.

Reengrossed Senate Bill No. 2171, having received the 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. 2181, by Senators Sandison and Washington (by Department of Natural Resources request):

Changing the bonding requirements for surface mining.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2181 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2181, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

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

Not voting: Representatives Bender, Chandler, Conner, Dunlap, Gruger, Hansen, Hurley G. S., King, Knedlik, McKibbin, Sanders, Shinoda.

Engrossed Senate Bill No. 2181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bender, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The House was called to order at 2:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chandler, Dunlap, Hansen, King, Knedlik, McKibbin and Sanders, who were excused.

SECOND READING

SENATE BILL NO. 2201, by Senators McDermott, Murray and Gaspard (by Superintendent of Public Instruction request):

Implementing law relating to transportation of pupils in common schools and reimbursement to school districts therefor.

The bill was read the second time.

Mrs. Lee moved adoption of the following amendment:

On page 2, line 10 after "purpose" insert ": PROVIDED, That the total of payments for board and room and transportation incidental thereto shall not exceed the amount which would otherwise be paid for such individual transportation"

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

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2201 as amended by the House was placed on final passage.

Representatives Clemente, Whiteside, Fuller and Ehlers spoke in favor of passage of the bill, and Representatives Pardini and Charette spoke against it.

MOTION

Mr. Pardini moved that Senate Bill No. 2201 as amended by the House be rereferred to Committee on Education.

Mr. Pardini spoke in favor of the motion, and Representatives Clemente and Newhouse spoke against it.

SPEAKER'S ADMONITION

The Speaker: "The Speaker has been fairly tolerant. The motion before us is to rerefer Senate Bill No. 2201 back to the Committee on Education. We have an hour and five minutes left of session and a number of bills, so please address your comments to the reasons why this bill should go back to the committee."

Mr. Newhouse continued his remarks against the motion.

The motion was lost.

The Speaker stated the question before the House to be final passage of Senate Bill No. 2201 as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2201 as amended by the House, and the bill passed the House by the following vote: Yeas, 66; nays, 25; not voting, 7.

Voting yea: Representatives Adams, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knowles, Lee, Lux, Lysen, Martinis, May, McCormick, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Amen, Barnes, Becker, Bond, Charette, Fancher, Gilleland, Greengo, Hanna, Hawkins, Kreidler, Leckenby, Maxie, Monohon, Moreau, Oliver, Owen, Pardini, Patterson, Shinoda, Shipoch, Vrooman, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Dunlap, Hansen, King, Knedlik, McKibbin, Sanders.

Senate Bill No. 2201 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

- HOUSE BILL NO. 1,
- HOUSE BILL NO. 12,
- HOUSE BILL NO. 45,
- HOUSE BILL NO. 55,
- HOUSE BILL NO. 69,
- HOUSE BILL no. 95,
- HOUSE BILL NO. 106,
- HOUSE BILL NO. 108,
- HOUSE BILL NO. 110,
- HOUSE BILL NO. 111,
- HOUSE BILL NO. 122,
- HOUSE BILL NO. 136,
- HOUSE BILL NO. 146,
- HOUSE BILL NO. 148,
- HOUSE BILL NO. 167,
- HOUSE BILL NO. 180,
- SUBSTITUTE HOUSE BILL NO. 200,
- HOUSE BILL NO. 245,
- HOUSE BILL NO. 274,
- SUBSTITUTE HOUSE BILL NO. 277,
- SUBSTITUTE HOUSE BILL NO. 291,
- SUBSTITUTE HOUSE BILL NO. 385,
- SUBSTITUTE HOUSE BILL NO. 427,
- HOUSE BILL NO. 585,
- HOUSE JOINT MEMORIAL NO. 1,
- SENATE BILL NO. 2021,
- SENATE BILL NO. 2060,
- SENATE BILL NO. 2065,
- SENATE BILL NO. 2066,
- SENATE BILL NO. 2068,
- SENATE BILL NO. 2095,
- SENATE BILL NO. 2096,
- SENATE BILL NO. 2098,
- SUBSTITUTE SENATE BILL NO. 2130,
- SENATE BILL NO. 2164,
- SENATE BILL NO. 2190,
- SENATE BILL NO. 2225,
- SENATE CONCURRENT RESOLUTION NO. 101.

ENGROSSED SENATE BILL NO. 2374, by Senators Guess and Peterson (by Department of Highways request):

Standardizing low clearance signing and increasing certain weight limits.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 54th Day, March 4, 1977.)

On motion of Mr. Charnley, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2374 as amended by the House was placed on final passage.

Representatives Charnley and Gilleland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2374 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 5; not voting, 8.

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

Voting nay: Representatives Becker, Burns, Charette, Douthwaite, Eng.

Not voting: Representatives Bender, Chandler, Dunlap, Hansen, King, Knedlik, McKibbin, Sanders.

Engrossed Senate Bill No. 2374 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 called on Mr. O'Brien to preside.

ENGROSSED SENATE BILL NO. 2385, by Senators Henry, Beck and Clarke (by Department of Highways request):

Modifying the design procedure for limited access highways.

The bill was read the second time.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite and Burns:

On page 1, line 15 strike "without further public hearings"

Representatives Douthwaite and Burns spoke in favor of the amendment, and Representative Hurlay (Margaret) spoke against it.

POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Leckenby.

Mr. Leckenby: "I'm no longer on the Transportation Committee, but I just wanted to ask, will this proposed revision have a greater impact? Is that a larger, more massive project than the one on which hearings have already been held or am I correct to say that it would have somewhat less of an impact?"

Mr. Douthwaite: "The language on line 20 you will notice says that if the design is revised in excess of five percent by variance—it's a matter of relatively small impact, I believe. Five percent of the existing total is still a small amount of area, but my amendment speaks to the principle and the legal efficacy of requiring public hearings. I think we should support it as principle and as a legal matter to make it stick. I think history shows that we must have it."

Representatives Leckenby, Patterson and Berentson spoke in opposition to the amendment, and Representative Maxie spoke in favor of it.

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

Mr. Douthwaite spoke again in favor of the amendment.

POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "Under our current standing—members may close debate—that rule only applies to a maker of a motion on third reading and final passage. Is that not true?"

The Speaker (Mr. O'Brien presiding): "Rule 51: 'After the fiftieth day no member shall speak more than once on the same question without leave of the house: Provided, That the chairman/chairwoman of the committee or the mover of the question may close the debate except as provided in Rule 55: Provided Further, That no member shall speak more than three minutes without the consent of the house.'"

Mr. Berentson: "What does Rule 55 say?"

The Speaker (Mr. O'Brien presiding): "If the previous question has been called for, it would cut off all debate except on final passage, and then the chairman or chairwoman of the

committee, when the measure is on final passage or when the motion to postpone indefinitely is pending, may have the privilege of closing debate after the previous question has been ordered. The previous question wasn't ordered in this instance."

Mr. Douthwaite continued his remarks in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Douthwaite and Burns to Engrossed Senate Bill No. 2385, and the amendment was not adopted by the following vote: Yeas, 33; nays, 56; not voting, 9.

Voting yea: Representatives Becker, Bender, Blair, Burns, Charnley, Douthwaite, Ehlers, Eng, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Hurley M., Lee, Lux, Lysen, Maxie, May, Nelson D., North, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Valle, Vrooman, Warnke, Williams, Winsley.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Boldt, Bond, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Heck, Keller, Kilbury, Knowles, Kreidler, Leckenby, Martinis, McCormick, Monohon, Moreau, Nelson G. A., Newhouse, O'Brien, Pardini, Paris, Patterson, Polk, Schmitten, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Walk, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Chandler, Dunlap, Hansen, King, Knedlik, McKibbin, Oliver, Sanders, and Mr. Speaker.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2385 was placed on final passage.

Mr. Gilleland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2385, and the bill passed the House by the following vote: Yeas, 68; nays, 22; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Bond, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Heck, Hurley G. S., Keller, Kilbury, Knowles, Kreidler, Leckenby, Martinis, May, McCormick, Monohon, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Schmitten, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Becker, Blair, Burns, Charnley, Douthwaite, Eng, Hawkins, Hughes, Hurley M., Lee, Lux, Lysen, Maxie, Nelson D., Pruitt, Salatino, Sherman, Shinpoch, Valle, Warnke, Williams, Winsley.

Not voting: Representatives Chandler, Dunlap, Hansen, King, Knedlik, McKibbin, Sanders, and Mr. Speaker.

Engrossed Senate Bill No. 2385, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Sanders appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 2157, by Senators Day, Woody, Buffington, McDermott, Francis, Sellar, North and Hayner:

Adding a public member to the medical disciplinary board.

The bill was read the second time.

Mr. Hurley (George) moved adoption of the following amendment:

On page 1, line 10 after "and" strike "one member" and insert "three members"

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

Mr. Hurley (George) spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2157 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Adams, I'm concerned with just one thing and that is, under the definition of 70.39.020(2), which defines consumer, could you be a member of Group Health and not qualify for appointment as a consumer under this bill?"

Mr. Adams: "If you were a member you could. If you were a medical doctor or in the profession, you could not."

Mr. Warnke: "The word 'fiduciary' bothers me. If you belong to a group health and you are having a deduction taken from your paycheck, do you not then have an interest in a group health facility system?"

Mr. Adams: "The only reason you would not be able to be appointed as a consumer would be that you were a member of the profession and that would be the medical profession."

Representatives Haley, Lux and Maxie spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2157, and the bill passed the House by the following vote: Yeas, 78; nays, 12; not voting, 8.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bond, Clayton, Fancher, Gilleland, Newhouse, Oliver, Pardini, Patterson, Polk, Zimmerman.

Not voting: Representatives Chandler, Dunlap, Fortson, Hansen, King, Knedlik, McKibbin, Tilly.

Engrossed Senate Bill No. 2157, having received the 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. 2378, by Senators Lewis, Keefe, Guess and Day (by Department of Highways request):

Extending state route 290 in Spokane.

The bill was read the second time.

Mr. Boldt moved that the rules be suspended, the second reading considered the third, and that Senate Bill No. 2378 be placed on final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Senate Bill No. 2378 to third reading and final passage, and the motion failed to receive two-thirds majority by the following vote: Yeas, 51; nays, 36; not voting, 11.

Voting yea: Representatives Adams, Bauer, Blair, Boldt, Bond, Burns, Charette, Clemente, Douthwaite, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, Monohon, Moreau, North, O'Brien, Owen, Pardini, Pearsall, Salatino, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Bender, Berentson, Charnley, Clayton, Craswell, Deccio, Eng, Fancher, Flanagan, Greengo, Hawkins, Lee, Maxie, Nelson D., Nelson G. A., Newhouse, Oliver, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Struthers, Taller, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Chandler, Conner, Dunlap, Ehlers, Enbody, Gilleland, Hansen, King, Knedlik, McKibbin, Vrooman.

Senate Bill No. 2378 was passed to Committee on Rules for third reading.

THIRD READING

On motion of Mr. Bender, consideration of Initiative to the Legislature 59 was deferred, and the measure was ordered placed on tomorrow's third reading calendar.

ENGROSSED SENATE BILL NO. 2075, by Senators Day, von Reichbauer, Beck, Van Hollebeke, Buffington, Herr, Keefe and Talley:

Excluding convents from nursing home regulation.

The bill was read the third time and placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Greengo.

Mr. Greengo: "About a month ago, I believe, we passed House Bill No. 91 out of here to solve the same problem. Could you comment on where that bill is and why are we acting on this bill now when the other one passed much earlier?"

Mr. Kreidler: "The House bill languishes, I understand, in the Senate Social and Health Services Committee. The specific reason as to why House Bill No. 91 was not acted upon, I could not say. I only know that this bill is before us today—the Senate version. The language is essentially identical, accomplishes the same end, and I see no reason to hold up this just to say that the House bill was the one to pass."

Mr. Gallagher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2075, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Chandler, Dunlap, Fortson, Hansen, King, Knedlik, McKibbin.

Engrossed Senate Bill No. 2075, having received the 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. 2126, by Senators Gaspard, Ridder and Morrison:

Reducing the maximum daily hours of service of trainmen.

The bill was read the third time and placed on final passage.

Mr. Gaines spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2126, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

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

Voting nay: Representative Gilleland.

Not voting: Representatives Boldt, Chandler, Dunlap, Hansen, King, Knedlik, McKibbin, Newhouse, and Mr. Speaker.

Engrossed Senate Bill No. 2126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Pardini moved that the Rules Committee be relieved of Senate Bill No. 2378 and that it be placed on today's third reading calendar.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Pardini, Rule 24 says that every bill should be read on three separate days unless the House deems it expedient to suspend this rule. The House has already deemed it expedient that it does not want to suspend this rule."

Mr. Pardini: "Mr. Speaker, I would call the Chair's attention to the early days of this session when a bill dealing with thermal insulation was on the calendar. The Speaker passed the bill to Rules Committee and a motion was placed from this floor to relieve the Rules Committee and bring it back for third reading. During that particular session the bill was brought back to the floor with a majority vote and placed on the third reading calendar. I would cite that to you. I think there is adequate precedence for bringing Senate Bill No. 2378 back to the calendar for third reading and final passage."

The Speaker (Mr. O'Brien presiding): "In the instant case, Representative Pardini, you are referring to House Bill No. 98, which was passed to the Rules Committee, and then it was found there were certain amendments that hadn't been considered. The Rules Committee was then relieved of the bill for the purpose of coming back to second reading. Later the rules were suspended to advance House Bill No. 98 to third reading. The case here is the fact that now you are bypassing the rule and asking to relieve Rules Committee on a proposed motion to place it on third reading. This will require a suspension of the rules and the House has already deemed otherwise."

Mr. Pardini: "Mr. Speaker, I would respectfully submit to you that the information that has been given to you, or the advice that has been given to you, is erroneous. The bill on which we went back to second reading was a Department of Social and Health Services bill coming from the Social and Health Services Committee. Mr. Tilly wanted to add some amendments to that; you asked us to bring it back so that my colleague could add amendments, but I submit to you that on House Bill No. 98 the bill was passed to the Rules Committee, there were no further amendments. I believe that Representative Becker made the motion to relieve the Rules Committee, the Speaker accepted the motion and it was placed before the body and on a majority vote, House Bill No. 98 was brought back the same day for third reading and final passage."

The Speaker (Mr. O'Brien presiding): "Representative Pardini, the Speaker is going to adhere to his ruling. Your motion, to be successful, requires suspension of the rules."

SENATE AMENDMENT TO HOUSE BILL

March 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 57 with the following amendment:

On page 5, beginning on line 13 strike all of the last paragraph of subsection (3). and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mrs. Valle moved that the House do concur in the Senate amendment to Engrossed House Bill No. 57.

Mrs. Valle spoke in favor of the motion.

MOTION

Mr. Charette moved that further consideration of the motion to concur in the Senate amendment to Engrossed House Bill No. 57 be deferred until tomorrow.

Mr. Charette spoke in favor of the motion, and Mr. Thompson spoke against it.

POINT OF ORDER

Mr. Pardini: "The speaker is starting to speak to the amendment, and not to Mr. Charette's motion."

The Speaker (Mr. O'Brien presiding): "Representative Thompson, of course you can talk somewhat to the purpose of the amendment, but we would like you to hold your remarks as much as you can to the motion."

Mr. Thompson continued his remarks in opposition to the motion.

With the consent of the House, Mr. Charette withdrew his motion.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Is the motion before the body now to concur with the Senate amendment?"

The Speaker (Mr. O'Brien presiding): "Yes."

Representatives Pardini and Polk spoke against the motion to concur, and Representatives Pruitt, Barr and Hughes spoke in favor of it.

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

ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to House Bill No. 57, and the motion was lost by the following vote: Yeas, 42; nays, 47; not voting, 9.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Boldt, Burns, Charette, Charney, Conner, Douthwaite, Ehlers, Enbody, Erickson, Gallagher, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Kreidler, Lux, Lysen, Martinis, Maxie, May, Nelson D., North, O'Brien, Pruitt, Sherman, Shipoch, Sommers, Valle, Walk, Williams, Zimmerman.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Clayton, Clemente, Craswell, Deccio, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Haley, Hanna, Knowles, Leckenby, McCormick, Monohon, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Smith, Struthers, Tally, Thompson, Tilly, Vrooman, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Dunlap, Hansen, King, Knedlik, Lee, McKibbin, Paris, Salatino.

The Speaker (Mr. O'Brien presiding) stated that the House, by its action, had refused to concur in the Senate amendment to House Bill No. 57, and asked the Senate to recede therefrom.

MOTION FOR RECONSIDERATION

Mr. Thompson, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the Senate amendment to Engrossed House Bill No. 57 was not concurred in.

Representatives Thompson, Zimmerman and Hawkins spoke in favor of the motion, and Representatives Wilson and Pardini spoke against it.

Mr. Deccio demanded an electric roll call on the motion, and the demand was sustained.

Representative Hansen appeared at the bar of the House.

MOTION

Mr. Bender moved that the House adjourn until 1:15 p.m., Tuesday, March 8, 1977.

A division was called.

ROLL CALL

The Clerk called the roll on the motion for adjournment, and the motion was carried by the following vote: Yeas, 58; nays, 27; not voting, 13.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Boldt, Burns, Charette, Charney, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G.S., Hurley M., Keller, Kilbury, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pearsall, Pruitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Blair, Clayton, Craswell, Deccio, Fischer, Flanagan, Fuller, Gilleland, Greengo, Haley, Hughes, Nelson G. A., Oliver, Owen, Pardini, Patterson, Polk, Sanders, Schmitt, Struthers, Tally, Tilly, Whiteside, Wilson, Winsley.

Not voting: Representatives Amen, Bond, Chandler, Dunlap, King, Knedlik, Leckenby, Lee, McKibbin, Moreau, Newhouse, Paris, Salatino.

The House was adjourned until 1:15 p.m., Tuesday, March 8, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-EIGHTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, March 8, 1977.

The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, King, McKibbin and Winsley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alicia Ohlinger and Joe Johnson. Prayer was offered by Reverend Richard Hart 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

March 7, 1977

**TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:**

I have the honor to advise that on March 7, 1977, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 172: Relating to education.
HOUSE BILL NO. 173: Relating to state government.
HOUSE BILL NO. 174: Relating to state government.
HOUSE BILL NO. 175: Relating to motor vehicles.
HOUSE BILL NO. 176: Relating to state athletic commission.
HOUSE BILL NO. 177: Relating to state government.

Sincerely yours,
Joe Zaspel, Legislative Assistant.

MESSAGES FROM THE SENATE

March 7, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2074,
SENATE BILL NO. 2091,
SENATE BILL NO. 2106,
SENATE BILL NO. 2123,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 7, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2005, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 7, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2019, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 7, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2110, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 8, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2005,
 SENATE BILL NO. 2019,
 SENATE BILL NO. 2067,
 SENATE BILL NO. 2075,
 SENATE BILL NO. 2078,
 SENATE BILL NO. 2079,
 SENATE BILL NO. 2110,
 SENATE BILL NO. 2124,
 SENATE BILL NO. 2126,
 SENATE BILL NO. 2157,
 SENATE BILL NO. 2171,
 SENATE BILL NO. 2181,
 SENATE BILL NO. 2385,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 7, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 35,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 181,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 209,
 HOUSE BILL NO. 237,
 HOUSE BILL NO. 321,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

Mrs. McCormick demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Speaker instructed the Sergeant at Arms to lock the doors.

The Clerk called the roll and all members were present except Representatives Adams, King, McKibbin and Winsley.

On motion of Mr. Bender, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to reconsider the vote by which the House refused to concur in the Senate amendment to Engrossed House Bill No. 57.

POINT OF ORDER

Mr. Pardini: "Under Rule 70, reconsideration can only be had after the fiftieth day on the same day. My point is that the House, by its action yesterday in adjourning, in effect, defeated the proposal that Representative Thompson has before us, namely the motion to reconsider."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Rule 70 actually doesn't apply in this case relative to the motion to reconsider because the bill wasn't on final passage. Also, if you review House Rule 45, it states as follows: 'The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.' It is the Speaker's position that we are now taking up unfinished business from yesterday. Rule 45 applies and Rule 70 is not applicable in this instant case."

Mr. Pardini: "Has the Chair examined Reed's 205? It says, 'A motion to reconsider must be made on the day on which the action sought to be revised was had, and before any action has been taken by the assembly in consequence of it.' My point, Mr. Speaker, is that the action of the body in adjourning carried the motion to reconsider with it and wiped it out."

The Speaker (Mr. O'Brien presiding): "It is also the interpretation of that rule that the motion can be made as long as the matter is pending before the body. If you will read the rule further, it states that type of consideration would be in order. Also, it's the Speaker's opinion that Rule 45 is applicable to this bill, and the motion to reconsider. We are just picking up now where we left off yesterday."

Mr. Kreidler spoke in favor of the motion to reconsider.

ROLL CALL

The Clerk called the roll on the motion by Representative Thompson that the House reconsider the vote by which the House failed to concur in the Senate amendment to Engrossed House Bill No. 57, and the motion was carried by the following vote: Yeas, 61; nays, 33; not voting, 4.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Newhouse, North, O'Brien, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Craswell, Deccio, Dunlap, Enbody, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Lee, Moreau, Nelson G. A., Oliver, Owen, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Warnke, Whiteside, Wilson.

Not voting: Representatives Adams, King, McKibbin, Winsley.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the motion to concur in the Senate amendment to Engrossed House Bill No. 57.

Representatives Valle and Hughes spoke in favor of the motion, and Mr. Greengo spoke against it.

Representative Winsley appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on reconsideration of the motion to concur in the Senate amendment to Engrossed House Bill No. 57, and the motion was carried by the following vote: Yeas, 55; nays, 40; not voting, 3.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Kreidler, Leckenby, Lux, Lysen, Maxie, May, Nelson D., Newhouse, North, O'Brien, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Williams, Zimmerman.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Knowles, Lee, Martinis, McCormick, Monohon, Moreau, Nelson G. A., Oliver, Owen, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Vrooman, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, King, McKibbin.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 57 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 57 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen,

Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Dunlap.

Not voting: Representatives Adams, King, McKibbin.

Engrossed House Bill No. 57 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 186 with the following amendments:

On page 1, line 8 after "any" strike "partisan," and insert "((partisan:))"

On page 1, line 9 after "for any" strike "partisan," and insert "((partisan:))"

On page 1, line 13 after "associations" insert "for nonpolitical purposes"

On page 1, line 15 after "for" strike "partisan," and insert "((partisan:))"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Hawkins, the House refused to concur in the Senate amendments to House Bill No. 186, and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE BILL

March 4, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 216 with the following amendment:

On page 1, line 15 after "expenses" insert "for travel, lodging and meals"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Clemente, the House concurred in the Senate amendment to House Bill No. 216.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of House Bill No. 216 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 216 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3.

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

Voting nay: Representatives Charette, Ehlers, Grier, Monohon, Owen, Salatino, Walk, Wilson.

Not voting: Representatives Adams, King, McKibbin.

House Bill No. 216 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I inadvertently voted in the affirmative on House Bill No. 216, and I wish it to be known in the Journal that I oppose the bill.

JOSEPH P. ENBODY, 20th District.

SENATE AMENDMENT TO HOUSE BILL

March 4, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 230 with the following amendment:

On page 1, line 7 after "violation of" strike "RCW 43.51.320 or" and insert "~~(RCW 43.51.320 or)~~" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mrs. North, the House refused to concur in the Senate amendment to House Bill No. 230, and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE BILL

March 4, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 262 with the following amendment:

On page 1, line 16 after "thereof" insert ": PROVIDED, HOWEVER, That nothing contained herein shall be construed to infringe on the right of a private property owner to control his private property" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Martinis moved that the House do not concur in the Senate amendment to House Bill No. 262, and ask the Senate to recede therefrom.

Mr. Polk moved that the House do concur in the Senate amendment to House Bill No. 262.

Mr. Charette spoke in opposition to the motion to concur, and Mr. Newhouse spoke in favor of it.

POINT OF ORDER

Mr. Charette: "Mr. Speaker, I don't think it's proper for Representative Newhouse to say that the statement I made was ridiculous. I might be wrong, but I'm not ridiculous."

The Speaker: "Your point is well taken, Representative Charette. I would appreciate it, Representative Newhouse, if you do not refer to Representative Charette as ridiculous."

Mr. Newhouse continued his remarks in favor of the motion to concur.

POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Martinis.

Mr. Martinis: "Representative Newhouse, if I said that my intentions were to get this into Conference Committee, would you then concur?"

Mr. Newhouse: "Your motion was to not concur."

Mr. Martinis: "My motion is not before the House at this time, the motion to concur is before this House."

Mr. Newhouse: "No, Mr. Martinis, I think your responsibility is to tell us what's wrong with this language or what you want to do with it and I don't see any such suggestion."

Representatives Martinis, Amen and Knowles spoke against the motion to concur, and Mr. Polk spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to House Bill No. 262, and the motion was lost by the following vote: Yeas, 26; nays, 69; not voting, 3.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Gilleland, Haley, Lee, Nelson G. A., Newhouse, Paris, Patterson, Polk, Sanders, Struthers, Tally, Tilly, Whiteside, Winsley.

Voting nay: Representatives Amen, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Pearsall, Pruitt, Salatino, Schmitt, Sherman,

Shinoda, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, King, McKibbin.

The Speaker stated that by its action, the House had refused to concur in the Senate amendment to House Bill No. 262, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 280 with the following amendments:

On page 1, at the beginning of line 7, after "dog" and before "to" insert "knowingly"

On line 7 after "to" strike "directly or negligently"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Martinis moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 280.

Representatives Martinis and Schmittin spoke in favor of the motion, and it was carried.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2005,
 SUBSTITUTE SENATE BILL NO. 2019,
 SENATE BILL NO. 2067,
 SENATE BILL NO. 2075,
 SENATE BILL NO. 2078,
 SENATE BILL NO. 2079,
 SENATE BILL NO. 2110,
 SENATE BILL NO. 2124,
 SENATE BILL NO. 2126,
 SENATE BILL NO. 2157,
 SENATE BILL NO. 2171,
 SENATE BILL NO. 2181,
 SENATE BILL NO. 2385.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 30 with the following amendments:

On page 1, line 1 of the title after "facilities;" and before "and" insert "creating a new section;"

On page 2, line 4 insert:

"NEW SECTION. Sec. 3. Any municipal corporation, quasi municipal corporation, or political subdivision which has the authority to install sewers by establishing local improvement districts, which has charged and collected monthly service fees for sewers, that have been authorized and approved by the voters and have not been constructed for a period of ten or more years since the voter approval, is hereby authorized and directed to grant a credit against the future assessment to be assessed at the time of actual completion of construction of the sewers for each parcel of real property in an amount equal in dollars to the total amount of service fees charged and collected since voter approval for each such parcel, plus interest at six percent compounded annually: PROVIDED, That if such service fees and interest exceed the future assessment for construction of the sewers, such excess funds shall be used to defray future sewer service charge fees.

It is the intent of the legislature that the provisions of this section are procedural and remedial and shall have retroactive effect."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Thompson moved that the House do concur in the Senate amendments to Substitute House Bill No. 30.

Mr. Thompson spoke in favor of the motion.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Thompson, I apologize for not looking at this sooner, but my question concerns those places where the sewer is now in and the property owner has not hooked up to it but he must pay the fee in any event. He must pay the fee whether he does hook up or doesn't hook up. My question is, if he now hooks up, does he get credit under this section for all the time that the sewer was in and he refused to hook up to it?"

Mr. Thompson: "He very definitely would not."

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 30 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 30 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Adams, King, McKibbin.

Substitute House Bill No. 30 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.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 35,
 SUBSTITUTE HOUSE BILL NO. 181,
 SUBSTITUTE HOUSE BILL NO. 209,
 HOUSE BILL NO. 237,
 HOUSE BILL NO. 321.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 240 with the following amendments:

- On page 1, line 5 after "term" strike "motor" and insert "passenger-carrying"
- On page 1, lines 5 and 6, after "means" strike "any self-propelled vehicle" and insert "those buses and trucks owned, operated and maintained by a railroad company which regularly transports railroad employees in other than the cab of such vehicle and"
- On page 1, line 11 after "every" strike "motor" and insert "passenger-carrying"
- On page 1, line 12 after "transport" strike "one or more"
- On page 1, line 16 after "the" strike "motor" and insert "passenger-carrying"
- On page 1, line 21 strike "temperature of 60° Fahrenheit in all" and insert "reasonable temperature in"
- On page 1, strike all of subsection (2) and renumber the remaining subsections consecutively
- On page 1, line 25 after "of" strike "motor" and insert "passenger-carrying"
- On page 1, line 26 after "of" strike "freight and"
- On page 1, line 28 after "devices," insert "and"
- On page 1, line 29 after "explosives" add a semicolon and strike the remainder of the sentence
- On page 2, line 1, after "a" strike "motor" and insert "passenger-carrying"
- On page 2, line 5 after "retaining" strike "freight or"
- On page 2, line 5 after "the" strike "motor" and insert "passenger-carrying"
- On page 2, line 14 after "any" strike "motor" and insert "passenger-carrying"

On page 2, line 15 after "transport" strike "one or more"
 On page 2, line 17 before "assist" strike "shall" and insert "may"
 and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Conner moved that the House do concur in all the Senate amendments to House Bill No. 240, with the exception of the amendment to page 1, lines 5 and 6.

POINT OF PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, if one wanted to divide the question so that they would be put separately, what motion would be made?"

The Speaker: "The question is divided, based on Representative Conner's motion, because he has not spoken to the second amendment. He is moving to concur in the amendments except for the second amendment which is still there. Therefore, then the motion will be necessary to either concur or not concur in the other amendment."

Mr. Conner spoke in favor of the motion, and it was carried.

Mr. Conner moved that the House refuse to concur in the Senate amendment to page 1, lines 5 and 6 and ask the Senate to recede therefrom.

MOTION

Mr. Charette moved that further action on House Bill No. 240 be deferred until tomorrow.

ROLL CALL

The Clerk called the roll on the motion to defer further consideration of House Bill No. 240, and the motion was carried by the following vote: Yeas, 59; nays, 36; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Clemente, Craswell, Deccio, Dunlap, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Gruger, Haley, Hanna, Hawkins, Hurley M., Keller, Kilbury, Knedlik, Leckenby, Lee, Monohon, Moreau, Nelson D., Newhouse, North, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Shipoch, Sommers, Struthers, Taller, Tilly, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Burns, Charnley, Conner, Douthwaite, Ehlers, Enbody, Eng, Fischer, Gaines, Grier, Grimm, Hansen, Heck, Hughes, Hurley G. S., Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, Nelson G. A., O'Brien, Owen, Pruitt, Salatino, Sherman, Smith, Thompson, Valle, Walk.

Not voting: Representatives Adams, King, McKibbin.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2074,
 SENATE BILL NO. 2091,
 SENATE BILL NO. 2106,
 SENATE BILL NO. 2123.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 386 with the following amendments:

In the title, line 1 after "insurance;" strike "and"

In the title, line 2 after "48.30.260" and before the period, insert "; and amending section 6, chapter 219, Laws of 1961 as amended by section 1, chapter 82, Laws of 1967 ex. sess. and RCW 48.34.060"

On page 1, beginning on line 28 after "commitment" strike "in writing"

On page 2, after line 32 insert a new section as follows:

"Sec. 2. Section 6, chapter 219, Laws of 1961 as amended by section 1, chapter 82, Laws of 1967 ex. sess. and RCW 48.34.060 are each amended to read as follows:

The initial amount of credit life insurance under a group policy shall at no time exceed the amount owned by the debtor which is repayable in installments to the creditor, or ((twelve)) twenty-five thousand ((five hundred)) dollars, whichever is less. Nor shall the amount repayable under the contract of indebtedness extend over a period in excess of ((seven)) ten years, except that in case of long term agricultural real estate mortgages or agricultural short term crop production loans, the amount of insurance on the life of the

debtor shall at no time exceed the amount owed by him to the creditor or ((twenty-five)) fifty thousand dollars, whichever is less."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Douthwaite, the House concurred in the Senate amendments to Engrossed House Bill No. 386.

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. 386 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 386 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

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

Voting nay: Representative Charette.

Not voting: Representatives Adams, King, McKibbin.

Engrossed House Bill No. 386 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.

REPORTS OF STANDING COMMITTEES

March 7, 1977

HOUSE BILL NO. 58, Prime Sponsor: Representative Ehlers, establishing a method by which certain criminal cost bills will be paid by the state. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 11 after "reversed" strike "by the supreme court"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sherman, Struthers.

To Committee on Rules for second reading.

March 7, 1977

HOUSE BILL NO. 355, Prime Sponsor: Representative Burns, relaxing income limitations for retired persons' property tax exemption. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following section 1 add two new sections as follows:

*Sec. 2. Section 3, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.385 are each amended to read as follows:

Claims for exemption or a renewal affidavit under RCW 84.36.381 shall be made annually and filed between January 2 and July 1 of the year in which the property tax levies are imposed and solely upon forms as prescribed and furnished by the department of revenue.

Claims under RCW 84.36.381 through 84.36.389 in 1974 shall be filed between January 2 and August 1, 1974.

In January of each year the county assessor shall mail renewal affidavits for exemption to each person approved for exemption during the previous year.

Such affidavits shall provide explicitly that the exemption of this chapter shall be continued automatically upon return of said affidavit, in person or by surrogate or by mail, if the applicant fulfills the qualifications so set out on said affidavit.

If the assessor finds that the applicant does not meet the qualifications as set forth in RCW 84.36.381, the claim shall be denied but such denial shall be subject to appeal under the provisions of RCW 84.48.010(5). If the applicant had received exemption in prior years based on erroneous information, the

taxes shall be collected subject to penalties as provided in RCW 84.40.130 for a period of not to exceed three years.

The department and each local assessor is hereby directed to publicize the qualifications and manner of making claims pursuant to this chapter, through communications media, including such paid advertisements or notices as it deems appropriate. Whenever possible notice of the qualifications, method of making applications and availability of further information shall be included with property tax statements.

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 "taxation;" strike "and" and on line 3 after "RCW 84.36.381" insert "; and amending section 3, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.385; and declaring an emergency"

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Eng, Erickson, Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

March 7, 1977

HOUSE BILL NO. 574, Prime Sponsor: Representative Bauer, providing for the erection of a statue in statuary hall in the national capitol. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representative Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sherman, Struthers.

To Committee on Rules for second reading.

March 7, 1977

HOUSE BILL NO. 595, Prime Sponsor: Representative Ehlers, changing the number of members and means of appointment, respectively, of the nursing home council and the emergency medical and ambulance review committee. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sherman, Struthers.

To Committee on Rules for second reading.

March 7, 1977

HOUSE BILL NO. 1120, Prime Sponsor: Representative Valle, enacting an alternative to Initiative 59. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Grier, Gruger, Hughes, Kreidler, Oliver.

To Committee on Rules for second reading.

THIRD READING

INITIATIVE TO THE LEGISLATURE 59, "FAMILY FARM WATER ACT."

The initiative was read the third time and placed on final passage.

Mrs. Valle spoke in favor of passage of the initiative.

POINT OF PARLIAMENTARY INQUIRY

Mr. Newhouse: "Mr. Speaker, Initiative 59 is before both the House and the Senate. It is not contemplated that the issue will come to a vote before the Senate. Is there any reason, in view of that, why we should even be addressing the issue? As a matter of fact, it must pass both houses or it goes to the Secretary of State and it appears on the ballot. I recognize we have no control over what the Senate does, but if the Senate doesn't address the issue, why should we?"

The Speaker: "Representative Newhouse, we do not have any idea at this point whether the Senate will or will not address this issue. The initiative was filed and signed by 190,000 people; it went to both the House and the Senate. The House has chosen to act on that initiative. What the Senate does is entirely up to the Senate. The issue is logically before us and the members of this House will make the decision of whether they want to approve or disapprove the initiative."

Representatives Amen and Kilbury spoke in opposition to the initiative.

POINT OF PARLIAMENTARY INQUIRY

Mr. Owen: "Would you go over this one more time and tell us what alternatives the Legislature has with an Initiative to the Legislature? Also, if the bill is voted down and an alternative is put on the ballot, does the original initiative go on the ballot, too?"

The Speaker: "The initiative is before us; if the House approves the initiative, we will then send it to the Secretary of State. If the Senate also approves the initiative, then the initiative becomes law. If the House passes the initiative and the Senate does not pass it, then the initiative will be on the ballot. If the House were to fail the initiative, then the issue also ends up on the ballot."

Representatives Barr, Charette, Pruitt and Fortson spoke in favor of the initiative, and Mr. Clayton spoke against it.

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

MOTION

Mr. Patterson moved that Rule 51 be suspended for the purposes of the debate, and the motion was lost.

Representatives Becker, Kreidler and Zimmerman spoke in favor of the initiative, and Representatives Oliver, Shinoda, Flanagan, Bond, Struthers and Deccio spoke against it.

ROLL CALL

The Clerk called the roll on final passage of Initiative to the Legislature 59, and the initiative failed to pass the House by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Fuller, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Kreidler, Lee, Lux, Lysen, Maxie, Monohon, Nelson D., North, O'Brien, Paris, Pruitt, Salatino, Sherman, Shinpoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Fancher, Fischer, Flanagan, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hurley M., Keller, Kilbury, Knedlik, Knowles, Leckenby, Martinis, May, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Sanders, Schmitten, Shinoda, Sommers, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, King, McKibbin.

Initiative Measure to the Legislature 59, having failed to receive the constitutional majority, was declared lost.

MOTIONS

On motion of Mr. Bender, ENGROSSED SENATE BILL NO. 2057 was rereferred to

Committee on Rules.

On motion of Mr. Charnley, HOUSE BILL NO. 1153 was rereferred from Committee on Labor to Committee on Social and Health Services.

On motion of Mr. Charnley, HOUSE BILL NO. 261 was rereferred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Charnley, HOUSE BILL NO. 1163 was rereferred from Committee on Energy and Utilities to Committee on Revenue.

On motion of Mr. Bender, the House dispensed with further business under the Call of the House.

On motion of Mr. Bender, the House adjourned until 2:15 p.m., Wednesday, March 9, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-NINTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, March 9, 1977.

The House was called to order at 2:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Chandler and McKibbin, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Beatrice Dumin and Larry Shand. Prayer was offered by Reverend Richard Hart 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 (Mr. O'Brien presiding) recognized in the gallery the Royal Court representing the Washington State Apple Blossom Festival, and asked Queen Debbie Crump and Princesses Stacey Boswell and Julie Gellatly of Wenatchee to stand and be recognized.

MESSAGE FROM THE SECRETARY OF STATE

January 10, 1977

**THE HONORABLE,
SPEAKER OF THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
MR. SPEAKER:**

We herewith respectfully transmit for your consideration of certain sections and items vetoed by the governor, Substitute House Bill 75, the remainder of which has been designated Chapter 129, Laws of 1975-76, 2nd ex. sess., together with a copy of the official veto message of the governor setting forth his objections to the section as provided by Article III, Section 12 of the Washington State Constitution; Second Substitute House Bill 1316, the remainder of which has been designated Chapter 131, Laws of 1975-76, 2nd ex. sess., together with a copy of the official veto message of the governor setting forth his objections to the section as provided by Article III, Section 12, of the Washington State Constitution, and House Bill 1624, the remainder of which has been identified as Chapter 133, Laws of 1975-76, 2nd ex. sess., together with a copy of the official veto message of the governor setting forth his objections to certain sections and items as provided by Article III, Section 12 of the Washington State Constitution.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the State of Washington, at Olympia on the 10th day of January, 1977.

(Seal)

BRUCE K. CHAPMAN, Secretary of State.

MESSAGES FROM THE SENATE

March 8, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1,
HOUSE BILL NO. 12,
HOUSE BILL NO. 45,
HOUSE BILL NO. 55,
HOUSE BILL NO. 69,
HOUSE BILL NO. 95,
HOUSE BILL NO. 106,
HOUSE BILL NO. 108,

HOUSE BILL NO. 110,
 HOUSE BILL NO. 111,
 HOUSE BILL NO. 122,
 HOUSE BILL NO. 136,
 HOUSE BILL NO. 146,
 HOUSE BILL NO. 148,
 HOUSE BILL NO. 167,
 HOUSE BILL NO. 180,
 SUBSTITUTE HOUSE BILL NO. 200,
 HOUSE BILL NO. 245,
 HOUSE BILL NO. 274,
 SUBSTITUTE HOUSE BILL NO. 277,
 SUBSTITUTE HOUSE BILL NO. 291,
 SUBSTITUTE HOUSE BILL NO. 385,
 SUBSTITUTE HOUSE BILL NO. 427,
 HOUSE BILL NO. 585,
 HOUSE JOINT MEMORIAL NO. 1,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 35,
 SUBSTITUTE HOUSE BILL NO. 181,
 SUBSTITUTE HOUSE BILL NO. 209,
 HOUSE BILL NO. 237,
 HOUSE BILL NO. 321,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2024, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2071, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2083, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2090, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2374, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 9, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2024,

SENATE BILL NO. 2071,
 SENATE BILL NO. 2083,
 SENATE BILL NO. 2090,
 SENATE BILL NO. 2201,
 SENATE BILL NO. 2374,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2133, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

SENATE AMENDMENTS TO HOUSE BILL

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion that the House do not concur in the Senate amendment to page 1, lines 5 and 6 of House Bill No. 240 and ask the Senate to recede therefrom.

Mr. Charnley spoke in favor of the motion, and it was carried.

POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "I'd just like to ask, Mr. Speaker, if there has been any message from the Governor yet?"

The Speaker (Mr. O'Brien presiding): "In what connection?"

Mr. Berentson: "In regard to what we might be doing in the special session. We were informed that there was a discussion in the majority caucus today as to the length of that session. We're getting near the end of the week and we'd like to plan for either leaving early Friday or to know if we're going to be in session Friday. Do you have any idea what type of message you might receive from the Governor if you haven't received one yet?"

The Speaker (Mr. O'Brien presiding): "It's rather difficult for me to answer your question. All I can say is that the Governor is a very understanding woman. She is a person of great tolerance and understanding and I'm sure she recognizes the plight of legislators on this matter and that it requires a decision. I would think you will have a decision within the next twenty-four hours."

Mr. Berentson: "When she was in our caucus the other day, she mentioned something about forty-eight hours, and those forty-eight hours have elapsed and we're anxiously awaiting her message."

The Speaker (Mr. O'Brien presiding): "I'm sure she understands the situation."

MESSAGE FROM THE SENATE

March 9, 1977

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to HOUSE BILL NO. 186, and once again asks the House to concur therewith, and said bill, together with the Senate amendments, is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Hawkins moved that the House do concur in the Senate amendments to page 1, line 8; page 1, line 9 and page 1, line 15 of House Bill No. 186.

Mr. Hawkins spoke in favor of the motion.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Hawkins, do you have a special intent in leaving one of the amendments out? Are you going to move that we not concur in that one?"

Mr. Hawkins: "I'll so move after we dispose of these amendments."

MOTION

Mr. Pardini moved that the House do concur in all the Senate amendments to House Bill No. 186.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Pardini, it would be in better order to stay with the motion we have. Representative Hawkins has moved to concur in three amendments, and on the fourth amendment if he moves not to concur, then you can place your positive motion at that time."

With the consent of the House, Mr. Pardini withdrew his motion.

Mr. Barnes spoke in favor of the motion by Representative Hawkins.

The motion was carried.

MOTIONS

Mr. Hawkins moved that the House do not concur in the Senate amendment to page 1, line 13 of House Bill No. 186, and ask the Senate to recede therefrom.

Mr. Newhouse moved that the House do concur in the Senate amendment to page 1, line 13.

Mr. Newhouse spoke in favor of the motion to concur, and Mr. Hawkins spoke against it.

ROLL CALL

The Clerk called the roll on the motion by Representative Newhouse that the House do concur in the Senate amendment to page 1, line 13 of House Bill No. 186, and the motion was lost by the following vote: Yeas, 34; nays, 60; not voting, 4.

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

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

Not voting: Representatives Adams, Chandler, Leckenby, McKibbin.

The Speaker (Mr. O'Brien presiding) stated that the House, by its action, had refused to concur in the Senate amendment to page 1, line 13, and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

March 9, 1977

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 280, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Peterson, Wanamaker, Sandison.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Martinis, the House granted the request of the Senate for a conference on Engrossed House Bill No. 280.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Martinis, Moreau and Schmitt as conferees on Engrossed House Bill No. 280.

MESSAGE FROM THE SENATE

March 9, 1977

Mr. Speaker:

The Senate insists on its position regarding the Senate amendment to HOUSE BILL NO. 262, and once again asks the House to concur therewith, and said bill, together with the Senate amendment thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Martinis, the House insisted on its position with regard to House Bill No. 262, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Moreau, Martinis and Wilson as conferees on House Bill No. 262.

REPORTS OF STANDING COMMITTEES

March 4, 1977

HOUSE BILL NO. 531, Prime Sponsor: Representative Douthwaite, providing for a unified system of risk management. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Erickson, Knedlik, Maxie, Sanders, Taller.

To Committee on Rules for second reading.

March 8, 1977

SENATE BILL NO. 2208, Prime Sponsor: Senator Gaspard, amending miscellaneous agricultural laws relating to weeds, seeds, marketing agreements, horticultural districts, and weights and measures. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16 strike "commissioners" and insert "~~((commissioners))~~ legislative authority"

On page 6, beginning on line 5 strike all of section 6

On page 1, beginning on line 6 of the title, after "RCW 15.65.210;" strike all material down to and including "17.10.050" on line 10 and insert "and amending section 19, chapter 67, Laws of 1969 and RCW 19.94.190"

Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Flanagan, Hansen.

To Committee on Rules for second reading.

March 8, 1977

SUBSTITUTE SENATE BILL NO. 2382, Prime Sponsor: Senator Gaspard, authorizing senior citizen passports for admission to and use of state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 11, after "age" strike all material down to and including "age" on line 12

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

To Committee on Rules for second reading.

March 8, 1977

SENATE BILL NO. 2447, Prime Sponsor: Senator Morrison, increasing the maximum allowable assessment for tree fruit. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Monohon, Vice Chairwoman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Flanagan, Hansen.

To Committee on Rules for second reading.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

**SUBSTITUTE HOUSE BILL NO. 30,
HOUSE BILL NO. 57,
HOUSE BILL NO. 216,
HOUSE BILL NO. 386,
SENATE BILL NO. 2024,
SENATE BILL NO. 2071,
SENATE BILL NO. 2083,
SENATE BILL NO. 2090,
SENATE BILL NO. 2201,
SENATE BILL NO. 2374.**

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 317 was rereferred from Committee on Revenue to Committee on Transportation.

On motion of Mr. King, the House adjourned until 10:00 a.m., Thursday, March 10, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

SIXTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 10, 1977.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Adams, Bond, Kreidler, Nelson (Gary) and Warnke, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laura Planchon and Dennis Crawford. Prayer was offered by Reverend Richard Hart 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.

MESSAGES FROM THE GOVERNOR

March 10, 1977

TO THE HONORABLE,
THE SENATE AND THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation, or pardon which has been granted since the adjournment of the Second Extraordinary Session of the Forty-fourth Regular Session of the Legislature.

Harley Eugene Kline was convicted on April 8, 1974, by the Washington County Circuit Court, Commonwealth of Virginia, for the crime of bigamy and was sentenced to a term of three years in the Virginia Penitentiary. On June 27, 1974, the execution of said sentence was suspended and Harley Eugene Kline was placed on probation for a period of three years under various terms and conditions set by the court. In December 1974 he left Virginia and came to the State of Washington and has resided in this area since that time.

Harley Eugene Kline now stands charged with the crime of violation of the terms and conditions of his probation and the Governor of the Commonwealth of Virginia has sought to extradite him from the State of Washington by requisition dated October 27, 1975, and to have him returned to Virginia to serve his sentence. Harley Eugene Kline has resisted such extradition and has petitioned for permission to remain in this state.

After a detailed consideration of the entire background in this case, my predecessor concluded that the best interests of Harley Eugene Kline, and the States of Washington and Virginia would be best served by allowing him to remain in this state under special parole supervision in lieu of his extradition to the Commonwealth of Virginia.

The extradition request by the Commonwealth of Virginia was directed to be held in abeyance during a three-year period. In the event it is shown to my satisfaction or any succeeding Governor at any time during the three-year period that Harley Eugene Kline has violated any of the terms and conditions of his special parole, granted on August 2, 1976, the extradition request of the Commonwealth of Virginia may thereupon be granted and a Governor's warrant of arrest issued without prior notice or hearing.

Respectfully submitted,
DIXY LEE RAY, Governor.

March 10, 1977

TO THE HONORABLE,
THE SENATE AND THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve,

commutation, or pardon which has been granted since the adjournment of the Second Extraordinary Session of the Forty-fourth Regular Session of the Legislature.

On the 8th day of December 1967, Augustus Wood was sentenced by the Superior Court of the State of Washington for King County, to a term of life imprisonment for the crime of Murder in the First Degree. He had served in excess of seven years at Washington State Penitentiary in Walla Walla where his conduct and record were exemplary. Because of the statutory minimum sentence provided in RCW Chapter 9.95, substantial additional incarceration would have been required before he would have been eligible for parole pursuant to the authority of the Board of Prison Terms and Paroles.

Petitions were received on behalf of Augustus Wood urging that his life sentence be commuted so he would be eligible for parole on the grounds that he was clearly able to assume a responsible role in society, was demonstrably rehabilitated, would not constitute a threat to other persons, and would not be benefited by further incarceration. The Board of Prison Terms and Paroles had reviewed his case and recommended to my predecessor that the life sentence be commuted.

All information available with respect to Augustus Wood was carefully reviewed and the recommendations of public officers who are knowledgeable of his present circumstances had been considered. My predecessor concluded that further incarceration of Augustus Wood was not in the best interest of society or himself.

On January 10, 1977, a commutation order was signed to commute the life sentence of Augustus Wood and authorize the Washington State Board of Prison Terms and Paroles to parole Augustus Wood subject to the complete control, supervision, and authority of said Board, which authority would include any and all action deemed appropriate by the Board including the authority to revoke the parole and return Augustus Wood to imprisonment.

Respectfully submitted,
DIXY LEE RAY, Governor.

March 10, 1977

TO THE HONORABLE,
THE SENATE AND THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation, or pardon which has been granted since the adjournment of the Second Extraordinary Session of the Forty-fourth Regular Session of the Legislature.

Gerald Lee Albaugh was found guilty of Second Degree Burglary by the Superior Court of the State of Washington for Lewis County on April 25, 1963, and was sentenced to a term of not more than 15 years in the State Reformatory. Mr. Albaugh served 2 years at the Reformatory and was paroled on January 24, 1965. Subsequently, he violated parole and was returned to the Reformatory for a 1-year period. In November 1972, Mr. Albaugh was released from parole and received a Final Discharge and Restoration of Civil Rights on March 5, 1974.

Gerald Albaugh has since maintained a record free of further arrests and for the past 4 years has been fully employed by the Centralia School District with an excellent work record. On October 19, 1975, he was granted a license to carry a concealed weapon by the Lewis County Sheriff's Office. His petition for a pardon is supported by numerous individuals in the community who have attested to his good character and standing, including the former Prosecuting Attorney for Lewis County who sought Mr. Albaugh's original conviction.

For these reasons, on January 10, 1977, Gerald Lee Albaugh was granted a pardon from that judgment and sentence of Second Degree Burglary entered on April 25, 1963 by the Superior Court of the State of Washington for Lewis County by my predecessor.

Respectfully submitted,
DIXY LEE RAY, Governor.

March 10, 1977

TO THE HONORABLE,
THE SENATE AND THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve,

commutation, or pardon which has been granted since the adjournment of the Second Extraordinary Session of the Forty-fourth Regular Session of the Legislature.

Frank Carver Brooks was found guilty of Resisting Arrest by the District Court of the State of Washington for the City of Mount Vernon on June 23, 1955, and was sentenced to sixty days in the county jail. Fifty-six days of the sentence were suspended, accompanied by an order to pay costs. On February 18, 1962, Mr. Brooks was arrested for Public Intoxication and was fined \$25.00 by the District Court of the State of Washington for the City of Lynnwood. There is no record of any felony convictions and Mr. Brooks has never lost his civil rights.

Since 1945, Frank Carver Brooks has been President of Frank Brooks Manufacturing Company in Bellingham, Washington. Mr. Brooks is a successful businessman and a responsible member of the community, volunteering his services to a wide variety of civic organizations. His petition for a pardon is supported by numerous individuals in his community who have attested to his good character and standing.

For these reasons, on January 10, 1977, Frank Carver Brooks was granted a pardon from that judgment and sentence of resisting arrest occurring on June 23, 1955, and the February 18, 1962 conviction of Public Intoxication, by my predecessor.

Respectfully submitted,
DIXY LEE RAY, Governor.

March 10, 1977

TO THE HONORABLE,
THE SENATE AND THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation, or pardon which has been granted since the adjournment of the Second Extraordinary Session of the Forty-fourth Regular Session of the Legislature.

On December 5, 1955, Robert J. O'Toole was sentenced by the United States District Court for Alaska to confinement in a federal penitentiary for a period of 15 years for the crime of murder. Article VI, Section 3 of the State Constitution disqualifies a person convicted of a felony from voting in the State of Washington.

While the Board of Prison Terms and Paroles has the statutory authority to grant a restoration of civil rights to a person convicted of a felony under state law, it does not have such authority where a person is convicted under federal law.

I am advised that Robert J. O'Toole had conducted himself in a satisfactory and acceptable manner and had given such evidence as to justify the belief that he is trustworthy and reliable and that a restoration of his civil rights was appropriate.

On November 17, 1976, all civil rights and privileges forfeited by reason of his conviction were restored by my predecessor.

Respectfully submitted,
DIXY LEE RAY, Governor.

March 10, 1977

TO THE HONORABLE,
THE SENATE AND THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation, or pardon which has been granted since the adjournment of the Second Extraordinary Session of the Forty-fourth Regular Session of the Legislature.

On October 19, 1973, Bert Benjamin Ibsen was sentenced by the United States District Court for the Western District of Washington to confinement in a federal penitentiary for a period of 5 years for the crime of misappropriation of funds. Article IV, Section 3 of the State Constitution disqualifies a person convicted of a felony from voting in the State of Washington.

While the Board of Prison Terms and Paroles has the statutory authority to grant a restoration of civil rights to a person convicted of a felony under state law, it does not have such authority where a person is convicted under federal law. However, the Governor does have the authority to restore within this state the civil rights of a person convicted of a felony under federal law.

I am advised that Bert Benjamin Ibsen had conducted himself in a satisfactory and acceptable manner and had given such evidence as to justify the belief that he is trustworthy and reliable and that a restoration of his civil rights was appropriate.

On October 29, 1976, all civil rights and privileges forfeited by reason of his conviction were restored by my predecessor.

Respectfully submitted,
DIXY LEE RAY, Governor.

MESSAGE FROM THE SENATE

March 9, 1977

Mr. Speaker:

The Senate has receded from its amendment to HOUSE BILL NO. 230, and has passed the bill without the Senate amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2133, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2201, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
HOUSE BILL NO. 230.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 26, by Representative King:

Returning all bills to their house of origin upon adjournment *sine die*.

MOTION

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 26 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 26 was placed on final passage.

Mr. King spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. King, House Concurrent Resolution No. 26 was ordered transmitted immediately to the Senate.

REPORTS OF STANDING COMMITTEES

March 8, 1977

HOUSE BILL NO. 171, Prime Sponsor: Representative Thompson, supporting outdoor recreation with a bond issue. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Owen, Paris.

MOTION

On motion of Mr. King, House Bill No. 171 was rereferred to Committee on Appropriations.

March 9, 1977

ENGROSSED SENATE BILL NO. 2175, Prime Sponsor: Senator Rasmussen, allowing beer and wine to be served in containers other than glasses or bottles. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

March 9, 1977

SENATE BILL NO. 2251, Prime Sponsor: Senator Bottiger, removing minimum wage restrictions on seasonal employees at agricultural fairs. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 18 strike "concessionaires" and insert "concessions"

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

To Committee on Rules for second reading.

March 9, 1977

SENATE BILL NO. 2384, Prime Sponsor: Senator Marsh, changing the time for renewal of registration certificates of contractors. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

MOTION

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

RESOLUTIONS

HOUSE RESOLUTION NO. 77-14, by Representatives Berentson and King:

WHEREAS, The state organization of the Young Men's Christian Association has conducted a Youth Legislature during the past several years for which the use of the Senate and House Chambers for this purpose have been granted; and

WHEREAS, These Youth Legislatures have been most successful and educational to all participating therein; and

WHEREAS, It is the desire of the Legislature of the State of Washington to encourage the interests of our youth in legislative matters and in the proceedings of the Legislature;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, State of Washington, That the use of the House Chamber and the committee rooms be granted to the state organization of the Young Men's Christian Association for the Youth Legislature to be held in Olympia in 1977 and 1978.

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

AFTERNOON SESSION

The House was called to order at 1:45 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Adams, Bond, Kreidler, Nelson (Gary) and Warnke, who were excused.

MESSAGES FROM THE SENATE

March 10, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 30,
 HOUSE BILL NO. 57,
 HOUSE BILL NO. 216,
 HOUSE BILL NO. 230,
 HOUSE BILL NO. 386,
 SENATE BILL NO. 2133,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2133.

PROCLAMATION BY THE GOVERNOR

In accordance with the constitutional limitation in Article II, Section 12, the 45th Session of the Washington State Legislature will be adjourned March 10, 1977, the sixtieth day of the session. It is obvious that the sixty day limit imposed in 1889 does not allow the Legislature enough time to consider the problems our state faces in 1977.

In recognition of the unrealistic deadline the sixty day limit imposes, I intend to convene the Legislature in extraordinary session. I am confident that during this special session the members of the 45th Legislature will resolve the problems of school funding, deal with pension reform, revise our tax system, provide emergency authority to deal with the energy shortage, provide authority for reorganizing state government, and fund state government.

NOW, THEREFORE, I, Dixy Lee Ray, 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 eleventh day of March, A.D., 1977, at the hour of nine o'clock a.m. for the purposes stated herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia, this tenth day of March, A.D., Nineteen Hundred and Seventy-seven.

(Seal)

DIXY LEE RAY, Governor.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

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

MESSAGE FROM THE SENATE

March 10, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 113,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 113, by Senators Walgren, Bailey, Matson and Newschwander:

Establishing cutoff dates for the extraordinary session.

MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 113 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 113 was placed on final passage.

Representatives King and Berentson spoke in favor of the resolution.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "Representative King, the phrase, 'energy measures,'—is that intended to encompass water also, in the event we should come up with a solution to the drought problem?"

Mr. King: "My initial response to that would be yes, Representative Pardini; however, it would be a moot response because we would have to look at the actual matter that was before us at the time."

The Speaker: "In further response to the question, those categories that are outside of the cutoff are basically broad statements and at the time an issue is before us, the Speaker would have the responsibility to decide whether that issue is within the cutoff or is excluded from it."

POINT OF INQUIRY

Mr. King yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "Representative King, I don't see anything there about senior citizen legislation and it seems to me it's so important that it should not be excluded."

Mr. King: "I think we are all aware of the importance of senior citizen legislation. The bulk of it will be handled before the cutoff. The real help to them will come in appropriations and revenue measures, however, which are not in the cutoff."

Mr. Hurley (George): "Let's assume a bill or two isn't taken care of, then what?"

Mr. King: "Again, we would have to deal with it at the time. It's possible to change rules."

The resolution was adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MESSAGE FROM THE SENATE

March 10, 1977

Mr. Speaker:

The Senate refuses to grant the request of the House for a conference on HOUSE BILL NO. 262, and adheres to its position on the Senate amendment thereto, and once again asks the House to concur therewith, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendment to House Bill No. 262, and the following statement was ordered read into the Journal:

Relating to my Amendment to HOUSE BILL NO. 262:

It was adopted by the Senate on March 4, 1977. The intent of my amendment is to retain the right of private land owners to control trespass over and across their lands, and to protect their property against abuse or damage. This provision specifically relating to wildlife is covered in the game code under RCW 77.16.230. I simply want to reaffirm this individual right.

It is not the intent of my amendment to allow individuals to establish fish and wildlife seasons independent of those established by the State Game Commission which is charged with that responsibility. I recommend that the Senate refuse a request for a Conference Committee on this issue and that it be transmitted back to the House for their concurrence in the existing language.

Senator A. L. Rasmussen.

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. 262 as amended by the Senate.

Mr. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 262 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 1; not voting, 15.

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

Voting nay: Representative Nelson D.

Not voting: Representatives Adams, Bond, Conner, Fancher, Flanagan, Fortson, Gruger, Hanna, Kreidler, Leckenby, Lux, Nelson G. A., Oliver, Schmitten, Warnke.

House Bill No. 262 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.

POINT OF PERSONAL PRIVILEGE

Mr. Martinis: "The other day I spoke to the fact that the Senate amendment to House Bill No. 262 was surplus baggage in this bill. I'd like to point out that one time I was traveling with Senator Rasmussen and he was carrying an extra bag for a one-night stand. As we were rushing to the cab, the bag dropped and there was nothing in it. Believe me, this amendment that he has put on this bill has the same similarity."

MESSAGES FROM THE SENATE

March 10, 1977

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 26,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 10, 1977

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 113,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 10, 1977

Mr. Speaker:

Under the provisions of House Concurrent Resolution No. 26, the Senate herewith returns the following House Bills:

HOUSE BILL NO. 18,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 23,
 HOUSE BILL NO. 32,
 ENGROSSED HOUSE BILL NO. 38,
 ENGROSSED HOUSE BILL NO. 41,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 44,
 HOUSE BILL NO. 46,
 ENGROSSED HOUSE BILL NO. 47,
 HOUSE BILL NO. 49,
 SUBSTITUTE HOUSE BILL NO. 51,
 ENGROSSED HOUSE BILL NO. 59,
 HOUSE BILL NO. 64,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 68,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 70,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 71,
 ENGROSSED HOUSE BILL NO. 73,
 SUBSTITUTE HOUSE BILL NO. 79,
 ENGROSSED HOUSE BILL NO. 85,
 ENGROSSED HOUSE BILL NO. 91,

ENGROSSED HOUSE BILL NO. 98,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 100,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 102,
ENGROSSED HOUSE BILL NO. 104,
HOUSE BILL NO. 109,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 123,
ENGROSSED HOUSE BILL NO. 129,
HOUSE BILL NO. 130,
HOUSE BILL NO. 135,
HOUSE BILL NO. 139,
HOUSE BILL NO. 141,
HOUSE BILL NO. 143,
HOUSE BILL NO. 144,
HOUSE BILL NO. 178,
SUBSTITUTE HOUSE BILL NO. 183,
HOUSE BILL NO. 186,
HOUSE BILL NO. 191,
SUBSTITUTE HOUSE BILL NO. 194,
HOUSE BILL NO. 195,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 196,
HOUSE BILL NO. 199,
SUBSTITUTE HOUSE BILL NO. 204,
HOUSE BILL NO. 208,
HOUSE BILL NO. 213,
SUBSTITUTE HOUSE BILL NO. 217,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 227,
HOUSE BILL NO. 229,
ENGROSSED HOUSE BILL NO. 235,
HOUSE BILL NO. 240,
HOUSE BILL NO. 242,
SUBSTITUTE HOUSE BILL NO. 255,
ENGROSSED HOUSE BILL NO. 275,
HOUSE BILL NO. 279,
ENGROSSED HOUSE BILL NO. 280,
ENGROSSED HOUSE BILL NO. 285,
SUBSTITUTE HOUSE BILL NO. 288,
SUBSTITUTE HOUSE BILL NO. 294,
HOUSE BILL NO. 306,
HOUSE BILL NO. 313,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 323,
ENGROSSED HOUSE BILL NO. 338,
ENGROSSED HOUSE BILL NO. 358,
HOUSE BILL NO. 376,
SUBSTITUTE HOUSE BILL NO. 384,
ENGROSSED HOUSE BILL NO. 390,
SUBSTITUTE HOUSE BILL NO. 396,
HOUSE BILL NO. 397,
HOUSE BILL NO. 407,
ENGROSSED HOUSE BILL NO. 409,
HOUSE BILL NO. 413,
ENGROSSED HOUSE BILL NO. 414,
HOUSE BILL NO. 444,
ENGROSSED HOUSE BILL NO. 445,
HOUSE BILL NO. 484,
HOUSE BILL NO. 500,
HOUSE BILL NO. 503,
HOUSE BILL NO. 573,
HOUSE BILL NO. 613,
HOUSE BILL NO. 635,
HOUSE BILL NO. 661,
HOUSE JOINT RESOLUTION NO. 6,

HOUSE JOINT RESOLUTION NO. 7,
 HOUSE JOINT RESOLUTION NO. 21,
 HOUSE CONCURRENT RESOLUTION NO. 4,
 HOUSE CONCURRENT RESOLUTION NO. 25,

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 262,
 HOUSE CONCURRENT RESOLUTION NO. 26,
 SENATE CONCURRENT RESOLUTION NO. 113.

RESOLUTIONS

HOUSE RESOLUTION NO. 77-15, by Representatives King and Berentson:

BE IT RESOLVED, by the House of Representatives, That a committee of three be appointed to notify the Senate that the House is about to adjourn *sine die*.

MOTION

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

APPOINTMENT OF COMMITTEE

Under the provisions of House Resolution No. 77-15, the Speaker appointed Representatives Boldt, Grimm and Winsley to notify the Senate that the House was about to adjourn *sine die*.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 27, by Representatives King and Berentson:

Naming a committee to notify the Governor the Legislature about to adjourn *sine die*.

MOTIONS

On motion of Mr. King, the rules were suspended, House Concurrent Resolution No. 27 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 27 was placed on final passage and adopted.

APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 27, the Speaker appointed Representatives Newhouse, Valle and Gallagher to join with three Senate members to notify the Governor that the Legislature was about to adjourn *sine die*.

COMMITTEE FROM SENATE

A committee from the Senate appeared at the bar of the House and notified the House that the Senate was about to adjourn *sine die*.

The message was received and the committee retired.

MESSAGE FROM THE SENATE

March 10, 1977

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 27,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 27.

REPORT OF SPECIAL COMMITTEE

The committee appointed by the Speaker under the terms of House Resolution No. 77-15 returned from the Senate and announced that they had notified the Senate that the House was about to adjourn *sine die*.

The message was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The committee appointed under the terms of House Concurrent Resolution No. 27 appeared at the bar of the House and announced that they had notified the Governor that the Legislature was about to adjourn *sine die*.

The message was received and the committee was discharged.

MESSAGES FROM THE SENATE

March 10, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 262,
HOUSE CONCURRENT RESOLUTION NO. 26,
HOUSE CONCURRENT RESOLUTION NO. 27,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Mr. King, reading of the Journal of the Sixtieth Day of the Forty-fifth Legislature was dispensed with and it was ordered to stand approved.

On motion of Mr. King, the House of Representatives of the Forty-fifth Legislature adjourned *sine die*.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIRST EXTRAORDINARY SESSION

FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 11, 1977.

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 Bond, Conner, Fancher, Kreidler and Schmitten, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laurie Olson and Joan Kiefer. Prayer was offered by Reverend Richard Hart of the First Baptist Church of Olympia.

MESSAGE FROM THE SECRETARY OF STATE

March 11, 1977

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

I, Bruce K. Chapman, Secretary of State of the state of Washington and custodian of the official seal of the State, do hereby certify that I have compared the attached copy of the proclamation of the Governor calling an extraordinary session of the Legislature of the State of Washington to convene on the 11th day of March, 1977, with the original 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 the seal of the State of Washington. Done at the Capitol at Olympia on the 11th day of March, 1977.

(Seal)

Donald F. Whiting, Deputy Secretary of State.

PROCLAMATION BY THE GOVERNOR - See Page 546.

INTERIM COMMITTEE APPOINTMENT

The Speaker appointed Representative Wilson to the Oceanographic Commission.

MOTION

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

RESOLUTIONS

HOUSE RESOLUTION NO. 77-16, by Representative King:

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. King, the resolution was adopted.

HOUSE RESOLUTION NO. 77-17, by Representative King:

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 extraordinary session, and they are hereby authorized and directed to deliver the warrants to the Chief Clerk of the House.

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

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

APPOINTMENT OF COMMITTEE

Under the provisions of House Resolution No. 77-16, the Speaker appointed Representatives Becker, Bauer and Patterson to notify the Senate that the House was organized and ready for business.

MOTION

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

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 28, by Representatives King and Berentson:

Notifying the governor that the legislature is in session.

MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 28 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 28 was placed on final passage and adopted.

APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 28, the Speaker appointed Representatives Monohon, Shinpoch and Tilly to notify the Governor that the Legislature was in session.

COMMITTEE FROM THE SENATE

A committee from the Senate appeared at the bar of the House and announced that the Senate was organized and ready for business.

The report was received and the committee retired.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House was organized and ready for business appeared at the bar of the House and reported that the Senate had been notified.

The report was received and the committee was discharged.

MESSAGE FROM THE SENATE

March 11, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 114,

and the same is herewith transmitted.

Snyder R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 114, by Senators Walgren, Sandison, Matson and Newschwander:

Referring to reintroduction of legislation.

MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 114 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 114 was placed on final passage and adopted.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Governor that the Legislature was organized and ready for business appeared at the bar of the House and announced that the Governor had been notified.

The report was received and the committee was discharged.

REPORTS OF STANDING COMMITTEES

March 9, 1977

HOUSE BILL NO. 816, Prime Sponsor: Representative Maxie, giving tenants a priority for purchasing highway lands. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 15, strike all of subsection (3) and insert the following:

"(3) Offering of the residentially improved property for sale by negotiation and sale to a tenant of the department of highways who has resided thereon for not less than six months and who is not delinquent in paying rent to the state."

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Gaines, Gallagher, Grier, McCormick, Paris, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 9, 1977

HOUSE BILL NO. 879, Prime Sponsor: Representative Conner, allowing driving on certain highway shoulders to allow other vehicles to pass. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Gaines, Gallagher, Grier, McCormick, Paris, Sherman, Walk.

To Committee on Rules for second reading

MOTIONS

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

On motion of Mr. King, HOUSE BILL NO. 135 was rereferred to Committee on Agriculture.

On motion of Mr. King, HOUSE BILL NO. 139 was rereferred to Committee on Local Government.

On motion of Mr. King, HOUSE BILL NO. 141 and HOUSE BILL NO. 144 were rereferred to Committee on Local Government.

On motion of Mr. King, HOUSE BILL NO. 178 and ENGROSSED SUBSTITUTE HOUSE BILL NO. 196 were rereferred to Committee on Revenue.

HOUSE BILL NO. 18, by Representatives Sherman, Knedlik and North:

Adding municipal gasworks to utilities that can get lien for unpaid bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 18, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

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

Voting nay: Representative Gruger.

Not voting: Representatives Blair, Bond, Conner, Fischer, Haley, King, Kreidler, Lee, Schmitt, Tilly.

House Bill No. 18, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 23, by Committee on Social and Health Services (Originally sponsored by Representatives Valle, Burns, Charnley, Craswell, Erickson, Fischer, Grimm, Gruger, Hawkins, Kreidler, Maxie, Paris, Pruitt, Sanders and Whiteside):

Establishing a dental disciplinary board.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 23, and the bill passed the House by the following vote: Yeas, 84; nays, 6; not voting, 8.

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

Voting nay: Representatives Chandler, Ehlers, Hansen, Nelson G. A., Owen, Wilson.

Not voting: Representatives Bond, Conner, Dunlap, Fancher, Haley, Kreidler, Lee, Schmitten.

Engrossed Substitute 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.

STATEMENT FOR THE JOURNAL

Please record my vote on Engrossed Substitute House Bill No. 23 as "No."

RON DUNLAP, 41st District.

HOUSE BILL NO. 32, by Representatives Warnke, Valle and Conner:

Redefining the term "regular property taxes" for port districts.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 32, and the bill passed the House by the following vote: Yeas, 69; nays, 22; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Deccio, Douthwaite, Enbody, Erickson, Fischer, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Chandler, Craswell, Dunlap, Ehlers, Eng, Flanagan, Fortson, Greengo, Hansen, Hurley M., Leckenby, Lee, Lux, Lysen, Nelson G. A., North, Polk, Sanders, Tilly, Wilson.

Not voting: Representatives Bond, Conner, Fancher, Gilleland, Haley, Kreidler, Schmitten.

House Bill No. 32, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Ms. Becker to preside.

ENGROSSED HOUSE BILL NO. 38, by Representatives Hanna and Conner:

Including the Washington state patrol under the public employee collective bargaining laws.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 38, and the bill passed the House by the following vote: Yeas, 59; nays, 33; not voting, 6.

Voting yea: Representatives Adams, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., North, O'Brien, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Berentson, Chandler, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fuller, Gilleland, Greengo, Hansen, Hurley M., Leckenby, McKibbin, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Polk, Sanders, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitt.

Engrossed 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.

ENGROSSED HOUSE BILL NO. 41, by Representatives Hurley (Margaret), Lee and North:

Providing mounted rangers to two state parks.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 41, and the bill passed the House by the following vote: Yeas, 56; nays, 35; not voting, 7.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Berentson, Blair, Charnley, Clemente, Deccio, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hansen, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, Moreau, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Salatino, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Valle, Vrooman, Walk, Warnke, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bender, Boldt, Burns, Chandler, Charette, Clayton, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Greengo, Hanna, Hawkins, Heck, Lysen, McKibbin, Monohon, Nelson D., Nelson G. A., Newhouse, Owen, Polk, Pruitt, Sanders, Shinpoch, Thompson, Tilly, Whiteside, Williams, Wilson.

Not voting: Representatives Bond, Conner, Fancher, Haley, Hurley G. S., Kreidler, Schmitt.

Engrossed House Bill No. 41, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 44, by Committee on Parks and Recreation (Originally sponsored by Representatives Hurley (Margaret), North, Paris and Lee):

Establishing moorage fees in marine state parks.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 44, and the bill passed the House by the following vote: Yeas, 86; nays, 6; not voting, 6.

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

Voting nay: Representatives Barnes, Gilleland, Gruger, King, Polk, Sanders.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitt.

Engrossed Substitute House Bill No. 44, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 46, by Representatives Clemente, Lux and Fischer:

Authorizing adjustments of workmen's compensation payments.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 46, and the bill passed the House by the following vote: Yeas, 73; nays, 18; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Blair, Clayton, Craswell, Deccio, Dunlap, Flanagan, Gilleland, Greengo, Leckenby, Newhouse, Pardini, Patterson, Polk, Struthers, Taller.
 Not voting: Representatives Bond, Conner, Fancher, Haley, Hansen, Kreidler, Schmitten.

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.

ENGROSSED HOUSE BILL NO. 47, by Representatives Heck, King, Hawkins, Burns and Nelson (Dick):

Allowing persons to register and vote by absentee ballot during the thirty days immediately preceding an election.

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, 62; nays, 29; not voting, 7.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Chandler, Craswell, Deccio, Dunlap, Flanagan, Fuller, Gilleland, Greengo, Hurley M., Leckenby, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Clayton, Conner, Fancher, Haley, Kreidler, Schmitten.

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.

HOUSE BILL NO. 49, by Representatives Clemente, Lux, King, Gruger and Knedlik:

Changing the term "workman" to "worker" throughout the state industrial insurance laws.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 49, and the bill passed the House by the following vote: Yeas, 69; nays, 21; not voting, 8.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Pardini, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Boldt, Clayton, Craswell, Dunlap, Gilleland, Newhouse, Oliver, Owen, Paris, Patterson, Shinoda, Struthers, Taller, Tilly, Vrooman, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Conner, Deccio, Fancher, Haley, Kreidler, Schmitten, Sommers.

House Bill No. 49, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 51, by Committee on Labor (Originally sponsored by Representatives King, Charnley, Fischer, Burns and Pruitt):

Defining preschool for purposes of the state unemployment compensation laws.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 51, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitten.

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.

ENGROSSED HOUSE BILL NO. 59, by Representatives King, Burns, Fischer, Charnley, Pearsall, Bender, Douthwaite, Knowles, Lux, May, McKibbin, Moreau and Salatino:

Providing for collective bargaining at the state institutions of higher education.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 59, and the bill passed the House by the following vote: Yeas, 75; nays, 16; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Berentson, Clayton, Craswell, Dunlap, Gilleland, Hansen, Hurley M., Leckenby, Newhouse, Polk, Shinoda, Struthers, Taller, Tilly, Zimmerman.

Not voting: Representatives Bond, Conner, Fancher, Flanagan, Haley, Kreidler, Schmitten.

Engrossed House Bill No. 59, having received the 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. 64, by Representatives Nelson (Gary), Ehlers, Sommers, Bender, Boldt, Burns, Clayton, Deccio, Greengo, Heck, Knedlik, Lee, May, Polk, Sanders, Struthers and Taller:

Abolishing inactive or obsolete boards and commissions.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 64, and the bill passed the House by the following vote: Yeas, 85; nays, 2; not voting, 11.

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

Voting nay: Representatives Charette, Warnke.

Not voting: Representatives Bond, Conner, Deccio, Fancher, Haley, Kreidler, Lysen, Schmitten, Shinoda, Thompson, and Mr. Speaker.

House Bill No. 64, having received the 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 HOUSE BILL NO. 68, by Committee on State Government (Originally sponsored by Representatives Ehlers, Sommers, Nelson (Gary) and North):

Expanding the cemetery board and providing for its abolition in 1979.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 68, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

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

Voting nay: Representative Hansen.

Not voting: Representatives Bond, Conner, Fancher, Gruger, Haley, Kreidler, Schmitt.

Engrossed Substitute House 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 70, by Committee on State Government (Originally sponsored by Representatives O'Brien, Nelson (Gary), Ehlers, Burns, Greengo, Knedlik and Lysen – by Governor Evans request):

Providing for an office and advisory council on archaeology and historic preservation.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 70, and the bill passed the House by the following vote: Yeas, 65; nays, 27; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, McCormick, Monohon, Moreau, Nelson D., Nelson G. A., O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Dunlap, Fuller, Gilleland, Greengo, Grier, Hurley M., Leckenby, May, McKibbin, Newhouse, North, Oliver, Pardini, Patterson, Polk, Sanders, Struthers, Tilly, Whiteside, Winsley.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitt.

Engrossed Substitute House Bill No. 70, having received the 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 HOUSE BILL NO. 71, by Committee on Revenue (Originally sponsored by Representatives Sommers, Sherman, Burns, Charnley and Greengo – by Governor Evans request):

Authorizing property tax exemption for improvements to historic sites or structures.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 71, and the bill passed the House by the following vote: Yeas, 82; nays, 9; not voting, 7.

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

Voting nay: Representatives Boldt, Craswell, Ehlers, Eng, Grier, Leckenby, McKibbin, Nelson G. A., Patterson.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Martinis, Schmitt.

Engrossed Substitute House Bill No. 71, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 73, by Representatives Ehlers, Nelson (Gary), Bauer and Burns:

Implementing law relating to state agency housing.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 73, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris,

Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitt.

Engrossed House Bill No. 73, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 79, by Committee on Local Government (Originally sponsored by Representatives Erickson and Knedlik):

Permitting large counties to have five county commissioners.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 79, and the bill passed the House by the following vote: Yeas, 86; nays, 6; not voting, 6.

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

Voting nay: Representatives Berentson, Clayton, Deccio, Flanagan, Hansen, Newhouse.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitt.

Substitute House Bill No. 79, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 85, by Representatives Fischer, Pearsall and King:

Including certain law enforcement and court personnel under the public employee collective bargaining laws.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 85, and the bill passed the House by the following vote: Yeas, 63; nays, 29; not voting, 6.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fortson, Fuller, Gilleland, Greengo, Hansen, Hurley M., May, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitt.

Engrossed House Bill No. 85, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 91, by Representatives Erickson, Gallagher, Ehlers, Greengo, Grimm, Hughes, Salatino and Walk:

Excluding any church building or portion thereof maintained by a religious order as an exclusive residence for either clerics or nuns from the definition of nursing home.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 91, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson,

Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Clayton, Conner, Fancher, Haley, Kreidler, Schmitt.

Engrossed House Bill No. 91, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 98, by Representatives Bauer, Charnley, Douthwaite, Kilbury, Lee, Lysen, Nelson (Gary) and Smith:

Establishing thermal performance standards for new dwellings.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 98, and the bill passed the House by the following vote: Yeas, 86; nays, 6; not voting, 6.

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

Voting nay: Representatives Clayton, Newhouse, Pardini, Shinoda, Williams, Wilson.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitt.

Engrossed House Bill No. 98, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 100, by Committee on Insurance (Originally sponsored by Representatives North and Smith):

Requiring under certain conditions, reimbursement for cost of a loaner vehicle when owner's is destroyed.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 100, and the bill passed the House by the following vote: Yeas, 74; nays, 18; not voting, 6.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Sanders, Sherman, Shipoch, Smith, Sommers, Taller, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Blair, Charnley, Ehlers, Flanagan, Gilleland, Greengo, Leckenby, Nelson G. A., Newhouse, Pardini, Patterson, Salatino, Shinoda, Struthers, Thompson, Tilly.

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Schmitt.

Engrossed Substitute House Bill No. 100, having received the 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 HOUSE BILL NO. 102, by Committee on Revenue (Originally sponsored by Representatives McKibbin, Nelson (Gary) and Sommers):

Providing for highway permits and property taxes on mobile homes.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 102, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini,

Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

Engrossed Substitute House Bill No. 102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 104, by Representatives King, Berentson, Conner, Erickson, Fortson, Grier, Hansen, Knedlik, Kreidler, Moreau, North, Owen, Pearsall, Sherman, Shinpoch, Struthers, Vrooman and Walk:

Exempting volunteer firemen from the state minimum wage act.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 104, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt, Warnke.

Engrossed House Bill No. 104, having received the 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. 109, by Representatives Conner, McCormick, Patterson and Knedlik (by Department of Motor Vehicles request):

Repealing a provision of the Financial Responsibility Law declared unconstitutional by the U.S. Supreme Court.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 109, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Thompson.

Not voting: Representatives Bond, Conner, Fancher, Fuller, Kreidler, Schmitt.

House Bill No. 109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 123, by Committee on Higher Education (Originally sponsored by Representatives Charnley, Owen, Moreau, Burns, Gruger, Knedlik, Lux, Salatino and Vrooman):

Making unlawful the commercial selling of term papers, theses or other work assignments utilized for postsecondary education purposes.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 123, and the bill passed the House by the following vote: Yeas, 66; nays, 27; not voting, 5.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M.,

Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Berentson, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Eng, Flanagan, Gilleland, Leckenby, Maxie, Newhouse, Oliver, Pardini, Patterson, Polk, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

Engrossed Substitute House Bill No. 123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 129, by Representatives Amen, Flanagan, Shinpoch, Tilly, Thompson, Polk, Knedlik, Bond, Clayton, Fuller, Greengo, Lee, Sanders, Taller and Zimmerman (by Legislative Budget Committee request):

Requiring fiscal impact statements on proposed legislation.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 129, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

Engrossed 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.

HOUSE BILL NO. 130, by Representatives Erickson, Clemente, Lux, Chandler, Gaines, Grier, Grimm, Heck, Lee, Sherman and Walk:

Exempting fire districts from the 106 percent property tax limitation.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 130, and the bill passed the House by the following vote: Yeas, 62; nays, 31; not voting, 5.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fischer, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Martinis, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Thompson, Vrooman, Walk, Warnke, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Blair, Charnley, Craswell, Deccio, Eng, Flanagan, Fortson, Fuller, Gilleland, Greengo, Hansen, Hurley G. S., Hurley M., Leckenby, Lysen, Maxie, Nelson G. A., Oliver, Paris, Patterson, Polk, Sanders, Struthers, Taller, Tilly, Valle, Whiteside, Williams, Wilson.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 143, by Representatives Shinpoch, Flanagan, Polk and Taller (by Legislative Budget Committee request):

Deleting an obsolete restriction on employment of aliens.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 143, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller,

Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Whiteside.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 183, by Committee on Judiciary (Originally sponsored by Representatives Smith, Knowles, Enbody, Knedlik and Hanna):

Establishing procedures for guardianship of disabled persons.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 183, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

Substitute House Bill No. 183, having received the 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. 186, by Representatives Keller, King, Kreidler, Smith, Burns, Owen and Vrooman:

Permitting public employees to participate in nonpartisan political campaigns as well as partisan campaigns.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 186, and the bill passed the House by the following vote: Yeas, 68; nays, 25; not voting, 5.

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

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Dunlap, Fuller, Gilleland, Greengo, Haley, Nelson G. A., Newhouse, Pardini, Patterson, Polk, Shinoda, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 186, having received the 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. 191, by Representatives Shipoch, Knowles, Smith, Leckenby, Winsley and Knedlik:

Authorizing certain court proceedings in marriage dissolution to be expedited.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 191, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick,

McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 191, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 194, by Committee on Financial Institutions (Originally sponsored by Representative Eng):

Extending the definition of the "funds" of a mutual savings bank.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 194, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Charette.

Not voting: Representatives Bond, Chandler, Conner, Fancher, Kreidler, Schmitt.

Substitute House Bill No. 194, having received the 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. 195, by Representatives Shipoch, Warnke, Charnley, Hughes and Knedlik (by Office of Program Planning and Fiscal Management request):

Extending time bonds of the Washington Futures Program of 1972 may be issued.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 195, and the bill passed the House by the following vote: Yeas, 79; nays, 14; not voting, 5.

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

Voting nay: Representatives Clayton, Craswell, Deccio, Dunlap, Gilleland, Greengo, Leckenby, Nelson D., Newhouse, Oliver, Polk, Sanders, Struthers, Tilly.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 195, having received the 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. 199, by Representatives Sommers, Nelson (Dick), Knedlik and Lux:

Allowing the state fire marshal access to criminal offender record information.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 199, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers,

Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 199, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 204, by Committee on Elections and Governmental Ethics (Originally sponsored by Representatives Hawkins, Heck, Barnes, Burns, Charnley and Sherman):

Making punchcard voting more efficient and certain.

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, 74; nays, 19; not voting, 5.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Clayton, Craswell, Deccio, Fuller, Haley, Hurley M., Nelson G. A., Newhouse, Oliver, Patterson, Shinoda, Struthers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

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. 208, by Representatives Smith, Salatino, Knedlik, Erickson, Nelson (Gary), North, Enbody and Leckenby:

Providing attorneys' fees for the prevailing party in contract and lease dispute.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 208, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Hurley G. S.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 208, having received the 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. 213, by Representatives Shinpoch, Knedlik and Vrooman:

Requiring the school directors' association to mark its vehicles in conformance with state law.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 213, and the bill passed the House by the following vote: Yeas, 86; nays, 7; not voting, 5.

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

Voting nay: Representatives Craswell, Fischer, Flanagan, Fuller, Hansen, Sanders, Shinoda.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 217, by Committee on Insurance (Originally sponsored by Representatives Charnley, Newhouse, Knowles, Knedlik, Monohon and Grier):

Increasing insurance coverage required for auto transportation companies to obtain certificate of operation.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 217, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Bond, Conner, Fancher, Grier, Kreidler, Schmitt, and Mr. Speaker.

Substitute House Bill No. 217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 227, by Committee on Elections and Governmental Ethics (Originally sponsored by Representatives Hawkins, Nelson (Dick), Lysen, Burns, Fortson, Heck, Lux and Pruitt):

Establishing postcard voter registration.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 227, and the bill passed the House by the following vote: Yeas, 61; nays, 32; not voting, 5.

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

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Hurley M., Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

Engrossed Substitute House Bill No. 227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 229, by Representative Hurley (Margaret) – (by Parks and Recreation Commission request):

Permitting longer concessions and leases in state parks.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 229, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers,

Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Charnley.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 235, by Representatives Shinpoch, Polk and Thompson (by Legislative Budget Committee request):

Amending laws relating to public printing.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 235, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Lee.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

Engrossed House Bill No. 235, having received the 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. 240, by Representatives King, Vrooman, May, Hughes, Lux and Martinis:

Regulating motor vehicles used by railroad companies to transport employees.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 240, and the bill passed the House by the following vote: Yeas, 74; nays, 17; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Blair, Clayton, Craswell, Deccio, Flanagan, Gilleland, Greengo, Gruger, Haley, Newhouse, Pardini, Polk, Sanders, Shinoda, Whiteside.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Owen, Schmitt, Tilly.

House Bill No. 240, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 242, by Representative Hanna:

Deleting minimum requirement for instruction at cosmetology school.

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, 89; nays, 2; not voting, 7.

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

Voting nay: Representatives Charette, Winsley.

Not voting: Representatives Bond, Conner, Fancher, Hurley G. S., Kreidler, Schmitten, and Mr. Speaker.

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.

SUBSTITUTE HOUSE BILL NO. 255, by Committee on Local Government (Originally sponsored by Representatives Newhouse and Thompson):

Granting irrigation and port districts the power to designate their own treasurers.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 255, and the bill passed the House by the following vote: Yeas, 85; nays, 8; not voting, 5.

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

Voting nay: Representatives Ehlers, Erickson, Gallagher, Grimm, Hanna, Kilbury, Smith, Walk.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitten.

Substitute House Bill No. 255, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 275, by Representatives Martinis, Wilson and Moreau:

Prohibiting the application of the distribution percentage to fines and forfeitures transmitted to the director of game.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 275, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitten.

Engrossed House Bill No. 275, having received the 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. 279, by Representatives Martinis, Wilson and Moreau:

Allowing the director of game to determine the time and place of the drawing in special hunting seasons.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 279, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Sanders.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt, Shinoda.

House Bill No. 279, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 280, by Representatives Martinis, Wilson, Moreau, Hughes, North and Schmitt:

Prohibiting an owner or harbinger of dogs to permit such dogs to pursue or injure deer or elk.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 280, and the bill passed the House by the following vote: Yeas, 90; nays, 2; not voting, 6.

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

Voting nay: Representatives Clayton, Newhouse.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt, and Mr. Speaker.

Engrossed House Bill No. 280, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 285, by Representatives O'Brien and Hurley (Margaret):

Renaming Sun Lakes State Park to Victor Aloysius Meyers State Park.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 285, and the bill passed the House by the following vote: Yeas, 60; nays, 32; not voting, 6.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Martinis, Maxie, May, McCormick, Monohon, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Flanagan, Gilleland, Greengo, Haley, Hanna, Hansen, Leckenby, Lee, McKibbin, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Shinoda, Struthers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Owen, Schmitt.

Engrossed House Bill No. 285, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 288, by Committee on Judiciary (Originally sponsored by Representatives Hanna, Knowles, Smith and Haley):

Changing certain terms and provisions of the civil commitment law.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 288, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson,

Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Charette.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Nelson G. A., Schmitt.

Substitute House 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.

SUBSTITUTE HOUSE BILL NO. 294, by Committee on Ecology (Originally sponsored by Representatives Zimmerman, Heck and Bauer):

Authorizing historical buildings to be an exception to antipollution laws.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 294, and the bill passed the House by the following vote: Yeas, 88; nays, 4; not voting, 6.

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

Voting nay: Representatives Boldt, Charette, Salatino, and Mr. Speaker.

Not voting: Representatives Bond, Conner, Fancher, Gruger, Kreidler, Schmitt.

Substitute House Bill No. 294, having received the 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. 306, by Representative Nelson (Gary):

Repealing comic book laws.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 306, and the bill passed the House by the following vote: Yeas, 87; nays, 3; not voting, 8.

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

Voting nay: Representatives Charette, Pardini, Thompson.

Not voting: Representatives Bond, Conner, Craswell, Fancher, Grier, Kreidler, Pearsall, Schmitt.

House Bill No. 306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 313, by Representatives Knowles, Haley, McKibbin and Vrooman:

Relieving from liability hospitals and certain professionals for withdrawing blood when so directed by law enforcement officer pursuant to implied consent law.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 313, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Adams, Bond, Charette, Conner, Fancher, Kreidler, Schmitt, and Mr. Speaker.

House Bill No. 313, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, by Committee on Financial Institutions (Originally sponsored by Representatives Sommers, Pardini, Eng, Polk, Burns, Deccio, Lux, Douthwaite, Taller, O'Brien and Maxie):

Regulating lending practices of financial institutions.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 323, and the bill passed the House by the following vote: Yeas, 63; nays, 29; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Lee, Lux, Lysen, Martinis, Maxie, May, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fuller, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Knowles, Leckenby, McCormick, Newhouse, Oliver, Patterson, Polk, Struthers, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Chandler, Conner, Fancher, Kreidler, Schmitt.

Engrossed Substitute House Bill No. 323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 338, by Representative Eng:

Providing for the removal of bank officers and bank cease and desist orders by the supervisor.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 338, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Oliver, Schmitt.

Engrossed House Bill No. 338, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 358, by Representatives Clemente, Barnes, Heck and Kreidler (by State Board of Education request):

Authorizing state board of education rules to determine admission qualifications into pre-school, kindergarten and the first grade.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 358, and the bill passed the House by the following vote: Yeas, 83; nays, 9; not voting, 6.

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

Voting nay: Representatives Amen, Becker, Blair, Clayton, Greengo, Grimm, Leckenby, Walk, Zimmerman.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Newhouse, Schmitt.

Engrossed House Bill No. 358, having received the 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. 376, by Representative Martinis:

Removing requirement that ocean fishing regulations for Washington be made jointly with Oregon and California.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 376, and the bill passed the House by the following vote: Yeas, 81; nays, 12; not voting, 5.

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

Voting nay: Representatives Becker, Berentson, Charette, Craswell, Enbody, Fortson, Hurley G. S., Nelson D., Owen, Polk, Vrooman, Williams.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitten.

House Bill No. 376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 384, by Committee on Financial Institutions (Originally sponsored by Representatives Eng, Fischer and Vrooman):

Providing for the confidentiality of examination reports of financial institutions.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 384, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitten.

Substitute House Bill No. 384, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 390, by Representatives Berentson, Kilbury and Newhouse:

Fixing the rate of repaying damage to animals caused by dogs.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 390, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Bond, Conner, Ehlers, Fancher, Kreidler, Schmitten, Tilly.

Engrossed House Bill No. 390, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 396, by Committee on Judiciary (Originally sponsored by Representatives Tilly and Smith – by Judicial Council request):

Pertaining to selection of jurors.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 396, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt, and Mr. Speaker.

Substitute House Bill No. 396, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 397, by Representatives Tilly and Smith (by Judicial Council request):

Implementing code of responsibility criteria in awarding reasonable attorney's fees in eminent domain cases.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 397, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt, and Mr. Speaker.

House Bill No. 397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 407, by Representatives Enbody, Monohon and Smith (by Judicial Council request):

Modifying the fee for a writ of garnishment.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 407, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Kilbury.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Owen, Schmitt.

House Bill No. 407, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 409, by Representatives Knowles, Tilly and Smith (by Judicial Council request):

Eliminating exemptions from jury service.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 409, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Bond, Conner, Fancher, Haley, Kreidler, Lee, Schmitt, Tilly.

Engrossed House Bill No. 409, having received the 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. 413, by Representatives Knedlik, Knowles and Enbody (by Judicial Council request):

Increasing witness fees.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 413, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 413, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 414, by Representatives Tilly and Smith (by Judicial Council request):

Modifying the collection of jury costs.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 414, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Barr, Bond, Conner, Fancher, Kreidler, Martinis, Schmitt.

Engrossed House Bill No. 414, having received the 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. 444, by Representatives Conner, Charnley, Grier and Lux:

Increasing parents liability for property damage caused by their children to \$3,000.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 444, and the bill passed the House by the following vote: Yeas, 81; nays, 12; not voting, 5.

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

Voting nay: Representatives Berentson, Charette, Kilbury, King, Newhouse, North, Pardini, Smith, Struthers, Thompson, Vrooman, Williams.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 444, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 445, by Representatives Smith, Enbody and Leckenby:

Revising law relating to eminent domain.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 445, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

Engrossed House Bill No. 445, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 484, by Representatives Sommers, Flanagan and Sherman:

Regulating the retail sale of frozen fish and shellfish.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 484, and the bill passed the House by the following vote: Yeas, 87; nays, 5; not voting, 6.

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

Voting nay: Representatives Amen, Ehlers, Enbody, Nelson G. A., Struthers.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt, Smith.

House Bill No. 484, having received the 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. 500, by Representatives Sommers and Knedlik (by Department of Revenue request):

Making general procedural and housekeeping changes in the excise tax laws.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 500, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 500, having received the 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. 503, by Representatives Sommers and Knedlik (by Department of Revenue request):

Providing for the collection of use taxes on aircraft by the department of motor vehicles.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 503, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 503, having received the 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. 573, by Representatives Charette and Shinpoch:

Appropriating funds for session law publication.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 573, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Wilson.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Bill No. 573, having received the 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. 613, by Representatives Sommers and Nelson (Gary) - (by Department of Revenue request):

Repealing property tax revaluation ratio procedures.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 613, and the bill passed the House by the following vote: Yeas, 78; nays, 11; not voting, 9.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Erickson, Fischer, Flanagan, Fortson, Fuller, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, Knedlik, Knowles, Leckenby, Lux, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Becker, Chandler, Enbody, Eng, Greengo, Hansen, Hurley G. S., Lee, Taller, Wilson.

Not voting: Representatives Bond, Conner, Fancher, Gaines, Gilleland, King, Kreidler, Lysen, Schmitt.

House Bill No. 613, having received the 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. 635, by Representatives Enbody, Knowles, Monohon, Knedlik, Grier, McCormick and Hughes:

Defining what persons are lawfully on the property of another for the purposes of determining liability for dog bites.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 635, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Bond, Conner, Fancher, Gilleland, Kreidler, Pardini, Schmitt.

House Bill No. 635, having received the 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. 661, by Representative Douthwaite:

Permitting policy owners to return disability insurance policies within ten days.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 661, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Adams, Bond, Conner, Fancher, Kreidler, Schmitt, and Mr. Speaker.

House Bill No. 661, having received the 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. 6, by Representatives King, Fortson, Burns, Charnley, Grier, Knowles, Lux, Maxie, McCormick, Douthwaite, Eng, Gaines, Gruger, Hawkins, Lysen, Nelson (Dick), North, Pruitt and Whiteside:

Placing a proposition for a constitutional convention before the voters.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 6, and the resolution passed the House by the following vote: Yeas, 66; nays, 27; not voting, 5.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Grier, Grimm,

Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Monohon, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Hansen, Hurley M., Keller, May, Newhouse, Oliver, Polk, Sanders, Shinoda, Struthers, Taller, Tilly, Wilson.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Joint Resolution No. 6, having received the constitutional two-thirds majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 7, by Representatives King, Fortson, Charnley, Grier, Hughes, Knowles, Lee, Lux and McCormick:

Permitting constitutional amendments to include several sections within a single article, or several sections relating to one subject.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 7, and the resolution passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Hurley M.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Joint Resolution No. 7, having received the constitutional two-thirds majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 21, by Representatives Fortson, Patterson and Sommers (by State Auditor request):

Amending the Constitution to allow audits of the judicial branch.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 21, and the resolution passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

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

Voting nay: Representatives Boldt, Charette, Pardini.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Schmitt.

House Joint Resolution No. 21, having received the constitutional two-thirds majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4, by Representatives Sherman and North:

Directing that the next state ferry be named the "Issaquah."

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 4, and the resolution was adopted by the House by the following vote: Yeas, 83; nays, 9; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm,

Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Monohon, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Nelson G. A., Newhouse, Paris, Patterson, Polk, Shinoda, Tilly, Wilson.

Not voting: Representatives Bond, Conner, Fancher, Kreidler, Lee, Schmitt.

House Concurrent Resolution No. 4, having received the constitutional majority, was declared adopted.

MOTION

On motion of Mr. King, HOUSE CONCURRENT RESOLUTION NO. 25 was referred to Committee on Rules.

STATEMENT FOR THE JOURNAL

Having previously voted on final passage during the Regular Session of the Forty-fifth Legislature, 1977, and having been duly excused by the Speaker of the House on the 1st day of the First Extraordinary Session, I wish the record to show that I reaffirm my previous Regular Session vote and would have so voted if present on March 11, 1977 on the following bills:

House Bill No. 18	Nay
Engrossed Substitute House Bill No. 23	Yea
House Bill No. 32	Yea
Engrossed House Bill No. 38	Nay
Engrossed House Bill No. 41	Nay
Engrossed Substitute House Bill No. 44	Yea
House Bill No. 46	Nay
Engrossed House Bill No. 47	Nay
House Bill No. 49	Nay
Substitute House Bill No. 51	Yea
Engrossed House Bill No. 59	Yea
House Bill No. 64	Yea
Engrossed Substitute House Bill No. 68	Yea
Engrossed Substitute House Bill No. 70	Nay
Engrossed Substitute House Bill No. 71	Yea
Engrossed House Bill No. 73	Yea
Substitute House Bill No. 79	Yea
Engrossed House Bill No. 85	Nay
Engrossed House Bill No. 91	Yea
Engrossed House Bill No. 98	Yea
Engrossed Substitute House Bill No. 100	Nay
Engrossed Substitute House Bill No. 102	Yea
Engrossed House Bill No. 104	Yea
House Bill No. 109	Yea
Engrossed Substitute House Bill No. 123	Yea
Engrossed House Bill No. 129	Yea
House Bill No. 130	Yea
House Bill No. 135	Yea
House Bill No. 139	Yea
House Bill No. 141	Yea
House Bill No. 143	Yea
House Bill No. 144	Yea
House Bill No. 178	Yea
Substitute House Bill No. 183	Yea
House Bill No. 186	Nay
House Bill No. 191	Yea
Substitute House Bill No. 194	Yea
House Bill No. 195	Nay
Engrossed Substitute House Bill No. 196	Yea
House Bill No. 199	Nay
Substitute House Bill No. 204	Nay
House Bill No. 208	Yea

House Bill No. 213	Nay
Substitute House Bill No. 217	Yea
Engrossed Substitute House Bill No. 227	Nay
House Bill No. 229	Yea
Engrossed House Bill No. 235	Yea
House Bill No. 240	Yea
House Bill No. 242	Yea
Substitute House Bill No. 255	Yea
Engrossed House Bill No. 275	Yea
House Bill No. 279	Yea
Engrossed House Bill No. 280	Yea
Engrossed House Bill No. 285	Nay
Substitute House Bill No. 288	Yea
Substitute House Bill No. 294	Yea
House Bill No. 306	Yea
House Bill No. 313	Yea
Engrossed Substitute House Bill No. 323	Nay
Engrossed House Bill No. 338	Yea
Engrossed House Bill No. 358	Yea
House Bill No. 376	Yea
Substitute House Bill No. 384	Yea
Engrossed House Bill No. 390	Yea
Substitute House Bill No. 396	Yea
House Bill No. 397	Yea
House Bill No. 407	Yea
Engrossed House Bill No. 409	Yea
House Bill No. 413	Yea
Engrossed House Bill No. 414	Yea
House Bill No. 444	Yea
Engrossed House Bill No. 445	Yea
House Bill No. 484	Yea
House Bill No. 500	Yea
House Bill No. 503	Yea
House Bill No. 573	Yea
House Bill No. 613	Yea
House Bill No. 635	Yea
House Bill No. 661	Yea
House Joint Resolution No. 6	Nay
House Joint Resolution No. 7	Yea
House Joint Resolution No. 21	Yea
House Concurrent Resolution No. 4	Yea

ROLLIE SCHMITTEN, 12th District.

STATEMENT FOR THE JOURNAL

I wish the record to show that I reaffirm my previous regular session vote and would have voted if present on March 11, 1977, on the following bills:

House Bill No. 18	Yea
Engrossed Substitute House Bill No. 23	Yea
House Bill No. 32	Nay
Engrossed House Bill No. 38	Nay
Engrossed House Bill No. 41	Yea
Engrossed Substitute House Bill No. 44	Yea
House Bill No. 46	Nay
Engrossed House Bill No. 47	Nay
House Bill No. 49	Nay
Substitute House Bill No. 51	Yea
Engrossed House Bill No. 59	Nay
House Bill No. 64	Yea
Engrossed Substitute House Bill No. 68	Yea
Engrossed Substitute House Bill No. 70	Nay
Engrossed Substitute House Bill No. 71	Yea

Engrossed House Bill No. 73	Yea
Substitute House Bill No. 79	Yea
Engrossed House Bill No. 85	Nay
Engrossed House Bill No. 91	Yea
Engrossed House Bill No. 98	Yea
Engrossed Substitute House Bill No. 100	Yea
Engrossed Substitute House Bill No. 102	Yea
Engrossed House Bill No. 104	Yea
House Bill No. 109	Yea
Engrossed Substitute House Bill No. 123	Nay
Engrossed House Bill No. 129	Yea
House Bill No. 130	Yea
House Bill No. 135	Yea
House Bill No. 139	Yea
House Bill No. 141	Yea
House Bill No. 143	Yea
House Bill No. 144	Yea
House Bill No. 178	Yea
Substitute House Bill No. 183	Yea
House Bill No. 186	Nay
House Bill No. 191	Yea
Substitute House Bill No. 194	Yea
House Bill No. 195	Yea
Engrossed Substitute House Bill No. 196	Yea
House Bill No. 199	Yea
Substitute House Bill No. 204	Nay
House Bill No. 208	Yea
House Bill No. 213	Yea
Substitute House Bill No. 217	Yea
Engrossed Substitute House Bill No. 227	Nay
House Bill No. 229	Yea
Engrossed House Bill No. 235	Yea
House Bill No. 240	Yea
House Bill No. 242	Yea
Substitute House Bill No. 255	Yea
Engrossed House Bill No. 275	Yea
House Bill No. 279	Yea
Engrossed House Bill No. 280	Yea
Engrossed House Bill No. 285	Nay
Substitute House Bill No. 288	Yea
Substitute House Bill No. 294	Yea
House Bill No. 306	Yea
House Bill No. 313	Yea
Engrossed Substitute House Bill No. 323	Nay
Engrossed House Bill No. 338	Yea
Engrossed House Bill No. 358	Yea
House Bill No. 376	Yea
Substitute House Bill No. 384	Yea
Engrossed House Bill No. 390	Yea
Substitute House Bill No. 396	Yea
House Bill No. 397	Yea
House Bill No. 407	Yea
Engrossed House Bill No. 409	Yea
House Bill No. 413	Yea
Engrossed House Bill No. 414	Yea
House Bill No. 444	Yea
Engrossed House Bill No. 445	Yea
House Bill No. 484	Yea
House Bill No. 500	Yea
House Bill No. 503	Yea
House Bill No. 573	Yea

House Bill No. 613	Yea
House Bill No. 635	Yea
House Bill No. 661	Yea
House Joint Resolution No. 6	Nay
House Joint Resolution No. 7	Yea
House Joint Resolution No. 21	Nay
House Concurrent Resolution No. 4	Yea

HELEN FANCHER, 7th District.

STATEMENT FOR THE JOURNAL

I was excused on the first day of the First Extraordinary Session and would like the record to show my votes on the following House Bills:

House Bill No. 18	Yea
Engrossed Substitute House Bill No. 23	Yea
House Bill No. 32	Yea
Engrossed House Bill No. 38	Nay
Engrossed House Bill No. 41	Yea
Engrossed Substitute House Bill No. 44	Yea
House Bill No. 46	Yea
Engrossed House Bill No. 47	Yea
House Bill No. 49	Yea
Substitute House Bill No. 51	Yea
Engrossed House Bill No. 59	Yea
House Bill No. 64	Yea
Engrossed Substitute House Bill No. 68	Yea
Engrossed Substitute House Bill No. 70	Yea
Engrossed Substitute House Bill No. 71	Yea
Engrossed House Bill No. 73	Yea
Substitute House Bill No. 79	Yea
Engrossed House Bill No. 85	Yea
Engrossed House Bill No. 91	Yea
Engrossed House Bill No. 98	Yea
Engrossed Substitute House Bill No. 100	Yea
Engrossed Substitute House Bill No. 102	Yea
Engrossed House Bill No. 104	Yea
House Bill No. 109	Yea
Engrossed Substitute House Bill No. 123	Yea
Engrossed House Bill No. 129	Yea
House Bill No. 130	Yea
House Bill No. 143	Yea
Substitute House Bill No. 183	Yea
House Bill No. 213	Nay
Engrossed House Bill No. 227	Yea
House Bill No. 229	Yea
Engrossed House Bill No. 235	Yea
House Bill No. 240	Nay
House Bill No. 242	Yea
Substitute House Bill No. 255	Yea
Engrossed House Bill No. 275	Yea
House Bill No. 279	Yea
Engrossed House Bill No. 280	Yea
Engrossed House Bill No. 285	Yea
Substitute House Bill No. 288	Yea
Substitute House Bill No. 294	Yea
House Bill No. 306	Yea
House Bill No. 313	Yea
Engrossed Substitute House Bill No. 323	Yea
Engrossed House Bill No. 338	Yea
Engrossed House Bill No. 358	Yea
House Bill No. 376	Yea
Substitute House Bill No. 384	Yea

Engrossed House Bill No. 390	Yea
Substitute House Bill No. 396	Yea
House Bill No. 397	Yea
House Bill No. 407	Yea
Engrossed House Bill No. 409	Yea
House Bill No. 413	Yea
Engrossed House Bill No. 414	Yea
House Bill No. 444	Nay
Engrossed House Bill No. 445	Yea
House Bill No. 484	Yea
House Bill No. 500	Yea
House Bill No. 503	Yea
House Bill No. 573	Yea
House Bill No. 613	Yea
House Bill No. 635	Yea
House Bill No. 661	Yea
House Joint Resolution No. 6	Yea
House Joint Resolution No. 7	Yea
House Joint Resolution No. 21	Yea
House Concurrent Resolution No. 4	Yea

MYRON B. KREIDLER, 22nd District.

MOTION FOR RECONSIDERATION

On motion of Mr. Newhouse, the House moved to immediately reconsider the vote by which ENGROSSED HOUSE BILL NO. 91 was passed.

MOTION

On motion of Mr. King, Engrossed House Bill No. 91 was rereferred to Committee on Rules.

MESSAGE FROM THE SENATE

March 11, 1977

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 28,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Ms. Becker presiding) declared the House to be at ease.

The Speaker called the House to order.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 28,
SENATE CONCURRENT RESOLUTION NO. 114.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, March 14, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 14, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Candy Deccio and Greg Metzger. Prayer was offered by Reverend Wallace Misterek of Trinity Lutheran Church of Olympia.

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

MESSAGES FROM THE SENATE

March 11, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2371,
SENATE BILL NO. 2678,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 11, 1977

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 114,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 114.

RESIGNATION OF MEMBER

March 14, 1977

TO THE SPEAKER
OF THE HOUSE OF REPRESENTATIVES
OLYMPIA, WASHINGTON
DEAR MR. SPEAKER:

I would like to submit my resignation from the House of Representatives 19th Legislative District Position No. 2 effective 11:00 a.m., March 14, 1977.

It has been an honor to serve as Representative, and I would like to thank you for all the help and support that you have given to me during my brief stay in the House of Representatives.

Sincerely,
CAROL MONOHON.

APPOINTMENT OF MEMBER

March 13, 1977

THE HONORABLE DIXY LEE RAY
GOVERNOR, STATE OF WASHINGTON
OLYMPIA, WASHINGTON
DEAR GOVERNOR RAY:

The Board of County Commissioners has today met in a special meeting with the Board of County Commissioners of Pacific County, and as prescribed by law has unanimously appointed Representative Carol Monohon to the vacated 49th Legislative District State Senate position.

We have also unanimously appointed John Erak to fill the 19th Legislative District Representative's position caused by the appointment of Representative Monohon to the State Senate position.

We have enclosed a copy of the minutes of the meeting as certified by our Auditor and Clerk of the Board covering the proceedings of our appointments.

Sincerely,
 Rolland "Omar" Youmans, Chairman of the Board,
 John Pearsall, Commissioner,
 Mike Murphy, Commissioner.

CERTIFICATE OF ELECTION

March 13, 1977

HONORABLE GOVERNOR DIXY LEE RAY
 LEGISLATIVE BUILDING
 OLYMPIA, WASHINGTON
 HONORABLE GOVERNOR RAY:

The Board of Pacific County Commissioners, meeting in Joint Session with the Board of Grays Harbor County Commissioners, has selected a Democratic Candidate from the 19th Legislative District to fill the House Seat left vacant by the resignation of Carol Monohon.

By unanimous vote, John Erak has been appointed to the House Seat for the 19th Legislative District for the unexpired term.

A certified copy of the minutes of the Joint Meeting is enclosed for your information.

With best regards,
 Board of County Commissioners
 Pacific County, Washington
 Clara L. Korevaar, Chairman
 Bill Crossman, Commissioner
 Eldred Penttila, Commissioner

(Seal) ATTEST: Robert M. Johnson, County Auditor & Ex-officio Clerk of the Board.

MESSAGE FROM THE GOVERNOR

March 14, 1977

HOUSE OF REPRESENTATIVES
 LEGISLATIVE BUILDING
 OLYMPIA, WASHINGTON
 HONORABLE REPRESENTATIVES

This is to notify you that I have received the resignation of Carol Monohon from the Washington State House of Representatives representing the 19th District, Position No. 2, effective 11:00 a.m., March 14, 1977.

Sincerely,
 DIXY LEE RAY, Governor.

OATH OF OFFICE

The Speaker appointed Representatives Charette and Warnke to escort Mr. John Erak to the rostrum.

The Speaker administered the oath of office to him, and requested the escort committee to escort Representative Erak to his seat in the House Chamber.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1226, by Representatives Kilbury, Boldt, Becker, Monohon and Pearsall:

AN ACT Relating to consumer commodities; creating a new section; and prescribing penalties.

To Committee on Agriculture

HOUSE BILL NO. 1227, by Representatives Charette, Shinpoch, Williams and Taller:

AN ACT Relating to vendor payments; and amending section 74.09.160, chapter 26, Laws of 1959 as amended by section 1, chapter 48, Laws of 1973 1st ex. sess. and RCW 74.09.160.

MOTION

On motion of Mr. King, House Bill No. 1227 was referred to Committee on Appropriations.

HOUSE BILL NO. 1228, by Representatives Flanagan, Berentson, Newhouse, Clayton, Hansen, Oliver and Leckenby:

AN ACT Relating to revenue and taxation; amending section 3, chapter 87, Laws of 1970 ex. sess. as amended by section 3, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.030; amending section 4, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.035; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1229, by Representative Bender:

AN ACT Relating to boilers; amending section 28, chapter 32, Laws of 1951 as amended by section 1, chapter 21, Laws of 1970 ex. sess. and RCW 70.79.290; amending section 32, chapter 32, Laws of 1951 as last amended by section 2, chapter 21, Laws of 1970 ex. sess. and RCW 70.79.330; and amending section 34, chapter 32, Laws of 1951 and RCW 70.79.350.

To Committee on Labor

SENATE BILL NO. 2371, by Senators Walgren, Henry and Guess:

Updating the Model Traffic Ordinance.

To Committee on Transportation

SENATE BILL NO. 2678, by Senators Walgren, Bailey and Newschwander:

Authorizing additional distribution of the computer tape on state-wide registered voters.

To Committee on Elections and Governmental Ethics

REPORTS OF STANDING COMMITTEES

March 11, 1977

HOUSE BILL NO. 874, Prime Sponsor: Representative Salatino, modifying the conditions for receiving state funds for probation services. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

SECOND READING

HOUSE BILL NO. 251, by Representatives Fortson, Adams, Kreidler, Pruitt, Hanna, Shinpoch, Whiteside, Gruger, Pearsall, Lux, May, Bauer, Burns, Deccio, Fischer, Gaines, Grimm, Hansen, Hurley (George), Knowles, Knedlik, Martinis, Maxie, McCormick, Nelson (Dick), North, Sherman, Tilly and Vrooman:

Making changes in the senior citizens services act.

The bill was read the second time.

On motion of Mr. Adams, Second Substitute House Bill No. 251 was substituted for House Bill No. 251, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 251 was read the second time.

MOTION

Mr. Adams moved that the rules be suspended, and additional sponsors be allowed to sign on Second Substitute House Bill No. 251.

POINT OF ORDER

Mr. Newhouse: "This is a rather unusual procedure since a substitute bill normally does not have sponsors. How would you propose to increase the sponsorship on this one?"

The Speaker: "The bill is still a substitute bill by the committee and if the body decides to suspend the rules, the additional sponsors would be added in the same manner as the original sponsors would appear on the bill."

Mr. Newhouse: "Again a rather unusual circumstance—the first substitute bill in this case was by the Committee on Social and Health Services and I understand the second substitute is by the Appropriations Committee."

The Speaker: "That is correct."

The motion to suspend the rules was carried.

ADDITIONAL SPONSORS

Those signing on as additional sponsors to Second Substitute House Bill No. 251 were: Representatives Amen, Barr, Bender, Charnley, Clayton, Douthwaite, Ehlers, Erak, Erickson, Fancher, Fuller, Gilleland, Haley, Hawkins, Lee, Nelson (Gary), O'Brien, Oliver, Pardini, Patterson, Salatino, Sanders, Schmitten, Shinoda, Taller, Walk, Warnke, Williams, Wilson, Winsley and Grier.

MOTION

On motion of Mr. King, further consideration of Second Substitute House Bill No. 251 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Nelson (Dick).

Mr. Nelson (Dick): "I wonder if you could tell us why Second Substitute House Bill No. 251 was moved to the bottom of today's agenda?"

Mr. King: "It was placed at the bottom of the agenda because friends of the bill wanted to check out an amendment to make sure that it would actually help the bill. It is our intention to move the bill back up if all those questions are worked out before we get to the bottom of today's second reading calendar. It is not an attempt to delay the bill at all."

HOUSE BILL NO. 287, by Representatives Hansen, Dunlap and Gilleland:

Requiring certain county electrical projects to be by contract.

The bill was read the second time.

Committee on Local Government recommendation: Do pass as amended. (For amendments, see Journal, 47th Day, February 25, 1977.)

Mr. Thompson moved adoption of the committee amendment to page 1, line 11.

The Clerk read the following amendment to the committee amendment by Representatives Lux and Charnley:

On page 1, line 11 strike "two thousand five hundred" and insert "fifteen thousand"

MOTION

On motion of Mr. King, further consideration of House Bill No. 287 was deferred, and the bill was ordered placed on the second reading calendar immediately following House Bill No. 716.

HOUSE BILL NO. 340, by Representatives Polk and O'Brien:

Exempting securities issued by nonprofit recognized religious denominations from state securities regulation laws.

The bill was read the second time.

On motion of Mr. Eng, Substitute House Bill No. 340 was substituted for House Bill No. 340, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 340 was read the second time.

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

On page 5, line 4 after "Natural" strike "," and insert "or"

On page 5, line 4 after "adopted" strike "or illegitimate"

On page 7, line 21 after "days," strike "Ever" and insert "Every"

Substitute House Bill No. 340 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 318, by Representatives Hansen, Fortson, Fancher, Gaines, Kilbury, Boldt, Charnley, Amen and Knedlik:

Permitting owners of property subject to condemnation proceedings to give the property to governmental unit involved.

The bill was read the second time.

On motion of Mr. Knowles, 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 and passed to Committee on Rules for third reading.

HOUSE BILL NO. 618, by Representatives Fischer and Eng:

Revising laws regulating sale of securities.

The bill was read the second time.

MOTION

On motion of Mr. King, further consideration of House Bill No. 618 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

HOUSE BILL NO. 716, by Representatives Shinpoch and Hanna:

Providing for the issuance of bonds to pay for the construction of a visitors' parking garage.

The bill was read the second time.

Committee on Appropriations recommendation: Do pass as amended. (For amendments, see Journal, 52nd Day, March 2, 1977.)

On motion of Mr. Shinpoch, the committee amendments were adopted.

Mr. Shinpoch moved adoption of the following amendment by Representatives Shinpoch and Keller:

On page 1, line 8 after "garage" strike "on the site of the present state library parking lot" and insert "to be located on the west capitol campus"

Mr. Shinpoch spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Newhouse.

Mr. Newhouse: "We've been concerned, Representative Shinpoch, that someone should have an overall plan for the development of the campus. Would the Capitol Committee have that plan and would this properly give authority to the Capitol Committee to place to best advantage any proposed parking garage?"

Mr. Shinpoch: "It is my understanding that removal of this language and the next amendment, which also defines structure, would give the Capitol Committee that ability."

Mr. Blair spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Shinpoch, the following amendments by Representatives Shinpoch and Keller were adopted:

On page 3, line 28 after "garage" strike "on the site of the present state library parking lot" and insert "to be located on the west capitol campus"

On page 3, line 29 strike the entire paragraph.

House Bill No. 716 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 287:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment by Representatives Lux and Charnley to the committee amendment.

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

Mr. Lux moved adoption of the following amendment by Representatives Lux, Charnley and Flanagan to the committee amendment:

On page 1, line 11 strike "two thousand five hundred" and insert "ten thousand"

Representatives Lux, Flanagan and Dunlap spoke in favor of the amendment to the amendment, and Representatives Polk and Hansen spoke against it.

POINT OF INQUIRY

Mr. Dunlap yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Dunlap, when you read the legislation and that section of the law that is being amended, the question I have is would the \$10,000 be part of the original \$25,000 limitation, or would that be an addition thereto? Would this extend the project if it included electrical to a total of \$35,000?"

Mr. Dunlap: "That is not my understanding."

Mr. Patterson: "It would be part of the \$25,000?"

Mr. Dunlap: "That is my understanding, yes."

Representatives Charnley, Douthwaite and Lux spoke in favor of the amendment to the committee amendment, and Representatives Thompson, Polk and Hansen spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Lux, Charnley and Flanagan to the committee amendment to House Bill No. 287, and the amendment was not adopted by the following vote: Yeas, 33; nays, 61; not voting, 4.

Voting yea: Representatives Amen, Barr, Burns, Chandler, Charnley, Clayton, Douthwaite, Ehlers, Enbody, Erak, Flanagan, Gallagher, Gruger, Hughes, Hurley G. S., Hurley M., King, Kreidler, Lux, Maxie, Nelson D., Newhouse, North, O'Brien, Owen, Patterson, Pruitt, Sherman, Shinpoch, Sommers, Struthers, Williams, Zimmerman.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Charette, Clemente, Craswell, Deccio, Dunlap, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Keller, Kilbury, Knedlik, Knowles, Leckenby, Lee, Lysen, Martinis, May, McCormick, McKibbin, Nelson G. A., Oliver, Pardini, Paris, Pearsall, Polk, Salatino, Sanders, Schmitten, Shinoda, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Conner, Moreau, Smith, Valle.

The committee amendment to page 1, line 11 was adopted.

On motion of Mr. Thompson, the committee amendment to page 1, line 21 was adopted.

House Bill No. 287 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Conner, Moreau, Smith and Valle, who were excused.

SECOND READING

HOUSE BILL NO. 165, by Representatives Valle, Zimmerman and Thompson:

Enacting the "Public Water System Coordination Act of 1977."

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 165 was substituted for House Bill No. 165, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 165 was read the second time.

Mr. Wilson moved adoption of the following amendment:
On page 3, line 23 strike "one hundred" and insert "fifty"

Representatives Wilson and Thompson spoke in favor of the amendment, and Mr. Zimmerman spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Wilson to Substitute House Bill No. 165, and the amendment was adopted by the following vote: Yeas, 77; nays, 12; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Charette, Erak, Fortson, Gaines, Hansen, Heck, Kilbury, North, O'Brien, Paris, Pruitt, Zimmerman.

Not voting: Representatives Boldt, Bond, Conner, Deccio, Martinis, Moreau, Owen, Smith, Valle.

Mr. Leckenby moved adoption of the following amendment:

On page 7, following section 10 insert a new section as follows:

"NEW SECTION. Sec. 11. Nothing in this chapter shall be construed to alter in any way the existing authority of purveyors and municipal corporations to establish, administer and apply water rates and rate provisions."

Re-number the remaining sections consecutively.

Representatives Leckenby and Thompson spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 165 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 559, by Representatives Ehlers, Berentson, Taller, Whiteside, Grimm and Gaines:

Adding a retired person to the state employees' insurance board.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day, February 24, 1977.)

On motion of Mr. Ehlers, the committee amendment was adopted.

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

On page 3, following line 15 add a new section as follows:

"NEW SECTION. Sec. 2. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title strike "and" and on line 3 of the title after "41.05.020" insert "; and declaring an emergency"

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Newhouse.

Mr. Newhouse: "I notice that the section we are addressing in the bill really amends a chapter of the 1977 Laws, and if my digest is correct that was a code correction. Is that right? Is that what we are doing here? It says House Bill No. 173, which is a code correction."

Mr. Ehlers: "The only thing I can say, Representative Newhouse, is that this goes back to the problem we had earlier where we were amending the same section and we didn't want to have the problem of two laws amending the same section. That's the only explanation I can see."

House Bill No. 559 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 153, by Representatives Gallagher, Pearsall, Grier and Wilson:

Revising the law on public works contracts.

On motion of Mr. Thompson, Substitute House Bill No. 153 was substituted for House Bill No. 153, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 153 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 301, by Representatives Bauer, Vrooman, Douthwaite and Leckenby:

Dispensing with the competitive bid requirement for counties when the amount involved is less than \$2500 instead of the present \$1000.

The bill was read the second time.

Mrs. North moved adoption of the following amendment:

On page 1, line 19 strike "and" and insert "((and)) : PROVIDED, That such advertisements for public works contracts shall be additionally published"

Mr. Thompson spoke in favor of the amendment, and it was adopted.

On motion of Mrs. North, the following amendments were adopted:

On page 1, line 21 after the semicolon insert "AND" and after "PROVIDED" strike "HOWEVER" and insert "((HOWEVER)) FURTHER"

On page 1, line 23 after "such" strike "work is" and insert "((work-is)) public works are"

House Bill No. 301 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 225, by Representatives Burns, Lux, Zimmerman, Chandler, Gruger, Pruitt and Sanders (by Commission on Asian-American Affairs request):

Granting resident status to immigrant refugees for college tuition.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 225 was substituted for House Bill No. 225, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 225 was read the second time.

Mr. Burns moved adoption of the following amendment:

On page 1, line 23 after "status," insert "as defined in 8 U.S.C. section 1182d(5),"

Mr. Burns spoke in favor of the amendment.

MOTION

Mr. Charette moved that further action on Substitute House Bill No. 225 be deferred, and that the bill be placed on tomorrow's second reading calendar.

Representatives Charette and King spoke in favor of the motion, and Mr. Burns spoke against it.

The motion was carried.

HOUSE BILL NO. 459, by Representatives Conner, Pearsall, Kilbury, Thompson, Moreau, Nelson (Dick) and Lux:

Affecting workmen's compensation where a change of circumstances has occurred.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day, February 22, 1977.)

On motion of Mr. Lux, the committee amendment was adopted.

House Bill No. 459 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 572, by Representative Douthwaite:

Permitting variable interest loans on life insurance.

The bill was read the second time.

On motion of Mr. Douthwaite, Substitute House Bill No. 572 was substituted for House Bill No. 572, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 572 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 357, by Representatives Gaines, Warnke, Douthwaite, Gallagher and Grier:

Requiring smoke detectors.

The bill was read the second time. (For previous action on second reading, see Journal, 44th Day, February 22, 1977.)

The Speaker declared the question before the House to be an amendment by Representative Deccio, adding a new section 2.

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

Mr. Deccio moved adoption of the following amendment:

On page 1, following section 1 add a new section as follows:

"NEW SECTION. Sec. 2. Each manufacturer, distributor and commercial installer shall be required to carry a minimum of \$250,000 per each accident and \$500,000 per occurrence, products and completed operations liability insurance and furnish a certificate of such insurance to every purchaser or owner."

Renumber the remaining section consecutively.

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

POINT OF INQUIRY

Mr. Deccio yielded to question by Mr. Warnke.

Mr. Warnke: "I wonder if you could tell me the difference between \$250,000 per accident or \$500,000 per occurrence?"

Mr. Deccio: "\$250,000 would be a limit per action and \$500,000 per occurrence is different from an accident and that would be the total amount. That's the way the limits are set up in a policy."

Mr. Warnke spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Deccio yielded to question by Mr. Amen.

Mr. Amen: "Representative Deccio, I'm still not clear on this. \$250,000 for each accident—how are you going to determine beforehand how much insurance a manufacturer, distributor or commercial installer has to have before there's any accident?"

Mr. Deccio: "The \$250,000 and the \$500,000 is the way all insurance policies are written. I'm installing the language as it now exists in a liability insurance policy. A limit for one accident and a double limit for total amount paid during the policy term."

Mr. Amen: "How do you determine how much accident liability the manufacturer is to have if it goes so much per accident, before an accident has happened?"

Mr. Deccio: "Representative Amen, I don't understand your question. If a suit is filed against a manufacturer, distributor or installer, they would have up to \$250,000 liability for injury applying to one accident or a total of \$500,000 if more than one accident were to occur during the policy year."

POINT OF INQUIRY

Mr. Deccio yielded to question by Mr. Knedlik.

Mr. Knedlik: "I'm interested in why it is that we are singling out one kind of manufacturer, distributor and commercial installer and requiring these levels for liability and products liability insurance when, in fact, there are thousands and thousands of other products which are just as dangerous or not any more dangerous and we are not requiring this of them?"

Mr. Deccio: "The installer does not have to be a licensed electrician; does not have to comply with state law to be a licensed electrician; does not have to be licensed as a general or specialty contractor. Anybody can put these things in and I suppose as soon as the state

requires the mandatory purchase of any kind of manufactured equipment we would do the same thing, but here we're talking about smoke detectors."

Representatives Knedlik and Leckenby spoke against the amendment, and Representatives Blair and Deccio spoke in favor of it.

The amendment was not adopted.

House Bill No. 357 was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 793, by Representatives King and Lux:

Authorizing the department of labor and industries to insure employers against liability for compensation and benefits for injuries and death under the federal longshoremen's and harbor workers' compensation act.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day, February 24, 1977.)

On motion of Mr. Lux, the committee amendment was adopted.

House Bill No. 793 was ordered engrossed, and passed to Committee on Rules for third reading.

HOUSE BILL NO. 541, by Representatives King, Lux, Paris and Pearsall:

Adjusting workmen's compensation for permanent partial disabilities.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day, February 28, 1977.)

On motion of Mr. Lux, the committee amendments were adopted.

Mr. Newhouse moved adoption of the following amendment:

On page 5, line 1 beginning with "(5)" strike all the material down to and including "fund." on line 19. Renumber the remaining section consecutively.

Mr. Newhouse spoke in favor of the amendment, and Mr. King spoke against it.

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

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

Mr. Lux spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to House Bill No. 541, and the amendment was not adopted by the following vote: Yeas, 19; nays, 71; not voting, 8.

Voting yea: Representatives Amen, Berentson, Bond, Chandler, Clayton, Craswell, Dunlap, Fancher, Flanagan, Gilleland, Greengo, Haley, Newhouse, Pardini, Patterson, Polk, Schmitt, Tally, Tilly.

Voting nay: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Struthers, Thompson, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Blair, Conner, Moreau, Smith, Sommers, Valle, Winsley, and Mr. Speaker.

House Bill No. 541 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 660, by Representatives Thompson and Polk:

Establishing the LEAP committee.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 660 was substituted for House Bill No. 660, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 660 was read the second time.

On motion of Mr. Thompson, the following amendment by Representatives Thompson and Polk was adopted:

On page 2, beginning on line 26 after "appropriated by" strike all the material down to and including the period on line 28 and insert "law for the committee: PROVIDED, That the senate and the house may authorize the committee to draw on funds appropriated by the legislature for legislative expenses."

Mr. Thompson moved adoption of the following amendment by Representatives Thompson and Polk:

On page 4, following line 26 insert a new section as follows:
 "NEW SECTION. Sec. 13. The committee is hereby expressly exempted from the provisions of chapter 43.105 RCW."

ReNumber the remaining sections consecutively.

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

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

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

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "Representative Shinpoch, to get into this field, it's a field of almost foreign language to many of us and we take the words of experts. I assume that Representatives Polk, Thompson and yourself are experts. I notice that in the City of Seattle they have run into millions of dollars in debt on data processing and they don't seem to know whether they are going backwards or forwards in those data processing systems, so I assume that with the data processing system we should adopt here, or would adopt or would not adopt, we should know the direction we are going. I wonder if you think we should have some total of the money that is being spent on this system?"

Mr. Shinpoch: "Representative Hurley, the Legislature will have the control of the money that is being spent irrespective of whether the Data Processing Authority must review it for conformity to programming language—for conformity to the types of machines they are going to run on, to the software, the hardware. Irrespective of that, the Legislature makes the decision about how much money is going to be spent. The Legislature makes the decision about what kind of a system it is that we are going to have. We determine our own requirements and we fund it. That is not a function of the Data Processing Authority's responsibility."

Mr. Hurley (George): "Do you mean that if the amendment is adopted it will still be a good bill?"

Mr. Shinpoch: "I think it would be much less of a bill than it is now."

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Shinpoch, if the amendment is defeated and the LEAP system is under data processing, would that have a probable impact of locking us into one supplier of equipment, one supplier of systems and one supplier of software?"

Mr. Shinpoch: "I'm not sure how to answer your question. I think the answer to your question is that number one, the Data Processing Authority does not make those determinations relative to the type of software that we are going to buy. That's our determination of the kind of system we want. We determine our requirements and we fund our requirements. Relative to what kind of software we have or hardware we have, I don't think we care what kind of hardware it runs on as long as we get our data. I'm not real sure where you were going or what

your question was, so I'm not sure how to answer it."

Mr. Pardini: "If the attempt is to standardize and to integrate under the Data Processing Authority the computers, the software systems, their compatibles, as they speak with each other, maximum utilization of all that—in driving toward that goal do we then become so systematized that only one supplier can provide us either with hardware, software, programs that speak to each other, drives, tapes—that intermix?"

Mr. Shinpoch: "I think if you'll look at the equipment that is used on some kind of a common basis, you'll find that is not necessarily the case. We buy Univac; we buy IBM—I guess I don't think that for people who don't know anything about the computers, that's the key question. The key question is what kind of interface equipment do you have? That interface equipment is what is necessary in order to allow you to use the different systems. I'm sure that our software system has the flexibility with operating systems that can operate off of Univac or IBM and probably operates on both now."

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Flanagan.

Mr. Flanagan: "These computer people talk a language that I and about ninety percent of the other people in here don't understand. Would you explain what is software and what is hardware?"

Mr. Shinpoch: "I'll try. I'm not sure that I fully understand. Hardware is simply the computer that runs. Software to me has two connotations: One is the operating system that carries the program through the hardware. I call all of those programs, whether it's operating systems or the applications themselves, software."

Mr. Polk spoke again in favor of the amendment.

POINT OF ORDER

Mr. Shinpoch: "The efficiency or nonefficiency of the State Data Processing Authority has no bearing on this amendment, which is to exempt the Legislature from acts of the Legislature. The administration of RCW 43.105 has nothing to do with this amendment."

The Speaker (Mr. O'Brien presiding): "Representative Polk, will you hold your remarks to the amendment. Hold them as closely as possible for the reasons for adopting this amendment."

Mr. Polk continued his remarks in favor of the amendment.

POINT OF ORDER

Mr. Shinpoch: "I just raised this point of order. The administration of this act has no bearing on the validity of whether we should be exempted or not. It was my understanding that you had just instructed him to talk about the amendment rather than about the administration of the Data Processing Authority."

The Speaker (Mr. O'Brien presiding): "I understand the purpose of this amendment, Representative Polk, and I'm sure you understand it. Let's keep your remarks relevant to this issue."

POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, can I speak about the efficiency or the operation of a state agency if we're discussing whether to put something under that state agency? To me that seems to be a relevant factor."

The Speaker (Mr. O'Brien presiding): "You can state in your remarks why you want to be excluded from under the Data Processing Commission. I suppose this is the purpose of your amendment, and you can discuss that."

Mr. Polk continued his remarks.

POINT OF ORDER

Mr. Shinpoch: "Mr. Speaker, once more, the ability of an administrator does not have anything to do with the law. If you're trying to be exempted from the law—"

POINT OF ORDER

Mr. Berentson: "It just seems to me, Mr. Speaker, that you should make a ruling as to whether Representative Polk is going to be able to speak to the amendment or not. This is a dangerous precedent—if any member can just stand up and object because he doesn't like what he is hearing, we're in for a lot of trouble. Either the amendment by Mr. Polk allows him to speak about the way the Data Processing Authority is administered or it doesn't, but if he's going to be continuously interrupted I think the decision has to come from the Chair whether he is going to be allowed to speak or not."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Reed's Rule 160 states as follows: 'Amendments must be germane. Notwithstanding what has been said as to the wide range which amendments may take, yet there is a limitation. They must be germane or relevant to the subject matter of the original proposition. It is impossible to lay down any precise rule upon this subject, and much depends on the good sense of the presiding officer.' I would hope, Representative Shinpoch, that you would let him continue for a little while. Reed's Rule 161 states, 'Incompatibility or inconsistency. . . ' This is up to the judgment and the decision of the body. I would think what should happen is that Representative Polk should discuss his amendment and then let the body decide whether they think this is incompatible or not germane."

POINT OF ORDER

Mr. Shinpoch: "I've been trying to speak to my point of order for a while—"

POINT OF ORDER

Mr. Berentson: "Representative Shinpoch has already stated his point of order. It's up to you to rule whether it's really a point of order or whether you are going to allow Representative Polk to continue his debate."

The Speaker (Mr. O'Brien presiding): "The Speaker will allow Representative Shinpoch to speak to his point of order and if you wish to speak to the point of order after, Representative Polk, I will you allow you to speak to the point of order."

Representatives Shinpoch and Polk spoke to the point of order.

The Speaker (Mr. O'Brien presiding): "Representative Polk, you have the floor if you wish to speak to your amendment."

Mr. Polk concluded his remarks in favor of the amendment.

Mr. Thompson demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Thompson and Polk to Substitute House Bill No. 660, and the amendment was adopted by the following vote: Yeas, 49; nays, 42; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Boldt, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Fancher, Flanagan, Fuller, Gaines, Gallagher, Grier, Grimm, Hughes, Hurley M., Knowles, Leckenby, Martinis, Maxie, McCormick, Nelson D., O'Brien, Oliver, Pardini, Patterson, Polk, Pruitt, Salatino, Schmitt, Shinoda, Struthers, Teller, Thompson, Tilly, Valle, Walk, Whiteside, and Mr. Speaker.

Voting nay: Representatives Bauer, Bender, Blair, Burns, Charnley, Clemente, Eng, Erak, Erickson, Fischer, Fortson, Greengo, Gruger, Haley, Hanna, Hansen, Hawkins, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, May, McKibbin, Nelson G. A., Newhouse, North, Owen, Paris, Pearsall, Sanders, Sherman, Shinpoch, Sommers, Vrooman, Warnke, Williams, Wilson.

Not voting: Representatives Conner, Gilleland, Heck, Moreau, Smith, Winsley, Zimmerman.

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

On page 5, beginning on line 1 insert:

"**NEW SECTION.** Sec. 16. 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 line 3 of the title strike the period and insert "and declaring an emergency."

Substitute House Bill No. 660 was ordered engrossed and passed to Committee on Rules for third reading.

SECOND SUBSTITUTE HOUSE BILL NO. 251:

The House resumed consideration of the bill on second reading.

Mr. Williams moved adoption of the following amendment:

On page 3, line 3 after "means" and before "income" strike "initial resources or subsequent" and insert "~~((initial resources or subsequent))~~"

Mr. Williams spoke in favor of the amendment, and Representatives Whiteside and Shinpoch spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representative Williams:

On page 3, beginning on line 12 after "(8)" strike all the material down to and including "(9)" on line 16 and insert "~~((("Resource" shall have the same meaning as RCW 74.04.005(11), as now or hereafter amended.~~
(9)))"

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

Mr. Haley moved adoption of the following amendments:

On page 4, line 9 after "health" strike "screening" and insert "~~((screening))~~"

On page 5, line 8 strike "screening" and insert "~~((screening))~~ evaluation"

Representative Haley spoke in favor of the amendments, and Representatives Gruger, Fortson, Adams, Pruitt and Whiteside spoke against them.

POINT OF INQUIRY

Mr. Haley yielded to question by Mr. Leckenby.

Mr. Leckenby: "Dr. Haley, you made the point that if this phraseology is changed to eliminate the screening and go to evaluation that there would be released considerable funds to be used for other purposes. It seems to me that this is where the judgment should rest with the members of the House and I think we need to know more. I realize that we're dealing in a very sophisticated area and most of us are not acquainted with the thing as deeply as you are, but how would these funds that would be released if we went to the evaluation system rather than the screening be used, and is there a greater benefit in that case?"

Mr. Haley: "There isn't enough money to go around for all the services that will be provided to senior citizens. If, instead of screening everyone, we just screened those who have some symptom or other, maybe we will be closer to being able to provide the health evaluation that is needed. There certainly is not enough money here (15% of this total) to be able to screen everyone. It's a matter of setting a little higher priority and get to evaluating all those people who have symptoms. Otherwise if we simply try to screen everyone we'll see far fewer people who really have the health problems. In screening you pick up a lot of people who have nothing appreciable wrong with them and that takes time and money. In other words, you see a lot of people who have nothing more than osteoarthritis and what can you tell them to do? Take aspirin and use heat. So you've just wasted money and you've wasted time doing that, whereas if you allowed them to only come if they have symptoms, you are much more likely to be cost effective with that dollar."

Mr. Leckenby spoke in favor of the amendments.

Ms. Becker demanded an electric roll call and the demand was sustained.

Representatives Pardini, Haley and Barr spoke in favor of the amendments, and Representatives Lux and Adams spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Haley to Second Substitute House Bill No. 251, and the amendments were not adopted by the following vote: Yeas, 21; nays, 67; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Chandler, Clayton, Douthwaite, Dunlap, Fancher, Fuller, Gilleland, Greengo, Haley, Knowles, Leckenby, Lee, Newhouse, Pardini, Paris, Polk, Sommers, Struthers.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Craswell, Deccio, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G.

A., North, O'Brien, Oliver, Owen, Patterson, Pearsall, Pruitt, Salatino, Schmitt, Sherman, Shinpoch, Tallier, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Berentson, Bond, Conner, Flanagan, Moreau, Sanders, Shinoda, Smith, Winsley, Zimmerman.

Second Substitute House Bill No. 251 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Tuesday, March 15, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 15, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Conner, Erickson, Gallagher, Pearsall and Valle, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Bennett and Phil Spanel. Prayer was offered by Reverend Wallace T. Misterek of the Trinity Lutheran Church of Olympia.

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

MESSAGES FROM THE SENATE

March 14, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2014,
SENATE BILL NO. 2029,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2032,
SENATE BILL NO. 2048,
SUBSTITUTE SENATE BILL NO. 2052,
SENATE BILL NO. 2055,
ENGROSSED SENATE BILL NO. 2057,
SENATE BILL NO. 2059,
ENGROSSED SENATE BILL NO. 2062,
SUBSTITUTE SENATE BILL NO. 2063,
SENATE BILL NO. 2064,
ENGROSSED SENATE BILL NO. 2069,
SENATE BILL NO. 2080,
SENATE BILL NO. 2097,
ENGROSSED SENATE BILL NO. 2108,
REENGROSSED SUBSTITUTE SENATE BILL NO. 2112,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2113,
SENATE BILL NO. 2116,
REENGROSSED SENATE BILL NO. 2119,
ENGROSSED SENATE BILL NO. 2122,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2129,
ENGROSSED SENATE BILL NO. 2156,
SENATE BILL NO. 2158,
ENGROSSED SENATE BILL NO. 2159,
SUBSTITUTE SENATE BILL NO. 2169,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 14, 1977

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 28,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1230, by Representative Kilbury:

AN ACT Relating to irrigation; amending section 15, page 679, Laws of 1889-90 as last amended by section 95, chapter 56, Laws of 1970 ex. sess. and RCW 87.03.200; amending section 12, chapter 162, Laws of 1917 as last amended by section 2, chapter 70, Laws of 1970 ex. sess. and RCW 87.03.490; and declaring an emergency.

To Committee on Insurance

HOUSE BILL NO. 1231, by Representative Kilbury:

AN ACT Relating to insurance rates; amending section .19.01, chapter 79, Laws of 1947 and RCW 48.19-.010; amending section .19.19, chapter 79, Laws of 1947 and RCW 48.19.190; amending section .19.22, chapter 79, Laws of 1947 and RCW 48.19.220; amending section .19.27, chapter 79, Laws of 1947 and RCW 48.19.270; amending section .19.30, chapter 79, Laws of 1947 and RCW 48.19.300; amending section .19.31, chapter 79, Laws of 1947 and RCW 48.19.310; amending section .19.33, chapter 79, Laws of 1947 and RCW 48.19.330; amending section .19.34, chapter 79, Laws of 1947 and RCW 48.19.340; amending section .19.37, chapter 79, Laws of 1947 and RCW 48.19.370; amending section .19.39, chapter 79, Laws of 1947 and RCW 48.19.390; amending section .19.41, chapter 79, Laws of 1947 and RCW 48.19.410; 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, 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 .19.09, chapter 79, Laws of 1947 and RCW 48.19.090; 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 .19.14, chapter 79, Laws of 1947 and RCW 48.19.140; repealing section .19.15, chapter 79, Laws of 1947 and RCW 48.19.150; repealing section .19.16, chapter 79, Laws of 1947 and RCW 48.19.160; repealing section .19.17, chapter 79, Laws of 1947 and RCW 48.19.170; repealing section .19.18, chapter 79, Laws of 1947 and RCW 48.19.180; repealing section .19.20, chapter 79, Laws of 1947 and RCW 48.19.200; repealing section .19.21, chapter 79, Laws of 1947 and RCW 48.19.210; repealing section .19.23, chapter 79, Laws of 1947 and RCW 48.19.230; repealing section .19.24, chapter 79, Laws of 1947 and RCW 48.19.240; repealing section .19.25, chapter 79, Laws of 1947 and RCW 48.19.250; repealing section .19.26, chapter 79, Laws of 1947 and RCW 48.19.260; repealing section .19.28, chapter 79, Laws of 1947, 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; repealing section .19.32, chapter 79, Laws of 1947 and RCW 48.19.320; repealing section .19.35, chapter 79, Laws of 1947 and RCW 48.19.350; repealing section .19.38, chapter 79, Laws of 1947 and RCW 48.19.380; repealing section .19.42, chapter 79, Laws of 1947 and RCW 48.19.420; repealing section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440; providing an effective date; and providing penalties.

To Committee on Insurance

REPORTS OF STANDING COMMITTEES

March 14, 1977

HOUSE BILL NO. 349, Prime Sponsor: Representative Becker, authorizing the utilization of certain municipal excise taxes for law enforcement services in certain border towns. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Eng, Gilleland, Keller, Shinoda, Vrooman.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 356, Prime Sponsor: Representative Gaines, limiting the liability relative to unintentional injuries of public and private landowners when such lands are being used by the public for outdoor recreation. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 17 after "nature study," insert "water or snow skiing,"

On page 1, section 1, line 28 after "adverse possession" insert "or dedication"

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

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 580, Prime Sponsor: Representative Knowles, making the possession of a device to evade telephone toll charges a felony. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 593, Prime Sponsor: Representative Sommers, establishing a redistricting commission. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Heck.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 797, Prime Sponsor: Representative Charette, giving jurisdiction to the court of the county wherein an habitual traffic offender is arrested for subsequently driving without a license. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 872, Prime Sponsor: Representative Ehlers, revising mileage expenses. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 after "management" strike "in" and insert "after"

On page 1, line 19 strike "appropriation" and insert "appropriations"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

MOTION

On motion of Mr. King, House Bill No. 872 was rereferred to Committee on Appropriations.

March 14, 1977

HOUSE BILL NO. 883, Prime Sponsor: Representative Ehlers, revising per diem rates. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 after "management" strike "in" and insert "after"

On page 1, line 10 strike "committees" and insert "committee"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sherman, Sommers, Struthers.

MOTION

On motion of Mr. King, House Bill No. 883 was rereferred to Committee on Appropriations.

March 14, 1977

HOUSE JOINT RESOLUTION NO. 32, Prime Sponsor: Representative Sommers, amending the Constitution to provide for a redistricting commission. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Heck.

MOTION

On motion of Mr. King, House Joint Resolution No. 32 was rereferred to Committee on Appropriations.

March 13, 1977

ENGROSSED SENATE BILL NO. 2069, Prime Sponsor: Senator Goltz, establishing a youth service corps to promote youth employment and service to local communities. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt, Sanders.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 287, by Representatives Hansen, Dunlap and Gilleland:

Requiring certain county electrical projects to be by contract.

The bill was read the third time and placed on final passage.

Representatives Hansen and Dunlap spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 287, and the bill passed the House by the following vote: Yeas, 72; nays, 16; not voting, 10.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Chandler, Clemente, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kroidler, Leckenby, Lee, Lysen, Martinis, Maxie, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Struthers, Taller, Thompson, Tilly, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Burns, Charette, Charnley, Douthwaite, Erak, Flanagan, Hawkins, Hurley G. S., Lux, Newhouse, Owen, Smith, Sommers, Williams, Zimmerman.

Not voting: Representatives Bond, Clayton, Conner, Erickson, Gallagher, May, McKibbin, Pearsall, Valle, Vrooman.

Engrossed House Bill No. 287, having received the 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 HOUSE BILL NO. 340, by Committee on Financial Institutions (Originally sponsored by Representatives Polk and O'Brien):

Exempting securities issued by nonprofit recognized religious denominations from state securities regulation laws.

The bill was read the third time and placed on final passage.

Mr. Polk 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. 340, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting, 7.

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

Voting nay: Representatives Blair, Hawkins, Knedlik.

Not voting: Representatives Bond, Conner, Deccio, Erickson, Gallagher, Pearsall, Valle.

Engrossed Substitute House Bill No. 340, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please let the record show that I wished to vote "Aye" on Engrossed Substitute House Bill No. 340.

ALEX DECCIO, 14th District.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 660, by Committee on Appropriations (Originally sponsored by Representatives Thompson and Polk):

Establishing the LEAP committee.

The bill was read the third time and placed on final passage.

Representatives Thompson and Shinpoch 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. 660, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Conner, Erickson, Gallagher, Haley, Pearsall, Valle.

Engrossed Substitute House Bill No. 660, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 165, by Committee on Local Government (Originally sponsored by Representatives Valle, Zimmerman and Thompson):

Enacting the "Public Water System Coordination Act of 1977."

The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of passage of the bill, and Representatives North and Becker spoke against it.

Mr. Thompson spoke again in favor of the bill, and Representatives Zimmerman and Lee also spoke in favor of it.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Thompson, I'm afraid the people are talking this bill to death and we've been reading it in the process. In section 8 it says that the secretary shall adopt performance standards for fire protection incorporated in the systems. I recognize your proviso says that it shall not apply to existing systems; however, the words 'expanding systems' bothers me. When an existing system expands to one new household then may the secretary require that they have capacity facilities for a fire protection system that they have never had before?"

Mr. Thompson: "I think you've correctly identified the situation. Any expansion of an existing system would comply necessarily with the fire protection standards. I'm pleased to say that on the floor of the House. Are we not interested in providing adequately for fire protection? Do not purchasers of homes expect it—require it? Should not purveyors provide it in the course of doing business?"

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 165, and the bill passed the House by the following vote: Yeas, 69; nays, 23; not voting, 6.

Voting yea: Representatives Adams, Barr, Bauer, Bender, Blair, Burns, Chandler, Charette, Charnley, Clayton, Craswell, Douthwaite, Ehlers, Enbody, Eng, Fancher, Fischer, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, O'Brien, Oliver, Pardini, Paris, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Boldt, Bond, Clemente, Deccio, Dunlap, Erak, Flanagan, Fortson, Hansen, Hurley G. S., Kilbury, Moreau, Nelson G. A., North, Owen, Patterson, Polk, Walk, and Mr. Speaker.

Not voting: Representatives Conner, Erickson, Gallagher, Lux, Pearsall, Valle.

Engrossed Substitute House Bill No. 165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 301, by Representatives Bauer, Vrooman, Douthwaite and Leckenby:

Dispensing with the competitive bid requirement for counties when the amount involved is less than \$2500 instead of the present \$1000.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 301, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Pardini.

Not voting: Representatives Conner, Erickson, Gallagher, Pearsall, Valle.

Engrossed House Bill No. 301, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 357, by Representatives Gaines, Warnke, Douthwaite, Gallagher and Grier:

Requiring smoke detectors.

The bill was read the third time and placed on final passage.

Mr. Gaines spoke in favor of passage of the bill, and Mr. Polk spoke against it.

POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Eng.

Mr. Eng: "Representative Polk, you say that all this bill does is apply to rental property. We amended the bill on second reading, but the bill still states, 'Not occupied by owners.' Does this mean that each rental unit within that unit would have to have a smoke detector?"

Mr. Polk: "That's my understanding of the bill. I should expand it just a little bit, Representative Eng, to say that maybe I'm not correct in saying just rental property because it could be a property that you are not charging rent on as well. For instance, if you have your mother-in-law living in a residence that you own, that would also fall under this bill."

Mr. Eng: "So that date, June 30, 1977, has nothing to do with it at all in relation to subsection (a)? All that means is that any rental unit, old or new, that is in existence right now would fall into the category of having to put in the smoke detectors?"

Mr. Polk: "Yes, that's my understanding. Line 9, which deals with subsection (a), is the only new thing being done by this bill. The rest of it is current law now."

Mr. Eng spoke against passage of the bill.

POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Deccio.

Mr. Deccio: "Would the bill require that if you sold your home you would have to install smoke detectors before that sale could be consummated?"

Mr. Polk: "No, that language was stripped out on second reading."

Mr. Deccio: "Then it would apply strictly to any new construction or any existing construction as far as rental units are concerned?"

Mr. Polk: "Any new construction is in the law right now, but this only applies to rental units. The way I read the bill, if you have rental units, or if you have property that you are not occupying, you are required by this bill to install smoke detectors."

Representatives Erak, Warnke, Dunlap and Grier spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 357, and the bill passed the House by the following vote: Yeas, 65; nays, 27; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Fancher, Fortson, Fuller, Gaines, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Owen, Pardini, Paris, Pruitt, Salatino, Sanders, Schmitt, Shinoda, Shipoch, Smith, Taller, Thompson, Vrooman, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Eng, Flanagan, Gilleland, Gruger, Hurley M., Nelson G. A., Newhouse, North, Oliver, Patterson, Polk, Sherman, Sommers, Struthers, Tilly, Whiteside, Williams, Zimmerman.

Not voting: Representatives Conner, Erickson, Fischer, Gallagher, Pearsall, Valle.

Engrossed House Bill No. 357, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Erickson, Gallagher, Leckenby and Pearsall.

THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 251, by Committee on Appropriations (Originally sponsored by Representatives Fortson, Adams, Kreidler, Pruitt, Hanna, Shipoch, Whiteside, Gruger, Pearsall, Lux, May, Bauer, Burns, Deccio, Fischer, Gaines, Grimm, Hansen, Hurley (George), Knowles, Knedlik, Martinis, Maxie, McCormick, Nelson (Dick), North, Sherman, Tilly, Vrooman, Amen, Barr, Bender, Charnley, Clayton, Douthwaite, Ehlers, Erak, Erickson, Fancher, Fuller, Gilleland, Haley, Hawkins, Lee, Nelson (Gary), O'Brien, Oliver, Pardini, Patterson, Salatino, Sanders, Schmitt, Shinoda, Taller, Walk, Warnke, Williams, Wilson, Winsley and Grier:

Making changes in the senior citizens services act.

The bill was read the third time and placed on final passage.

Representatives Fortson, Shinpoch, Whiteside, Vrooman and Taller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 251, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Conner, Erickson, Gallagher, Leckenby, Pearsall.

Second Substitute 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.

MOTION

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

SECOND READING

HOUSE BILL NO. 618, by Representatives Fischer and Eng:

Revising laws regulating sale of securities.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day, February 28, 1977.)

On motion of Mr. Eng, the committee amendments were adopted.

House Bill No. 618 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 161, by Representatives Gaines, Charette, Deccio and Moreau:

Liberalizing the mutual savings bank law.

The bill was read the second time.

On motion of Mr. Eng, Substitute House Bill No. 161 was substituted for House Bill No. 161, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 161 was read the second time.

Mrs. Winsley moved adoption of the following amendment by Representatives Winsley, Knowles and Hurley (Margaret):

On page 5, line 25 strike all of section 3 and renumber the remaining sections consecutively.

Mrs. Winsley spoke in favor of the amendment.

POINT OF PARLIAMENTARY INQUIRY

Mr. Warnke: "Mr. Speaker, will the amendment to strike all of section 3 remove only the new language and place back in the old language, or will it strike the entire new and old language?"

The Speaker: "This amendment would remove section 3. It would not affect section 32.21.060. That part of the RCW would remain exactly as it is now."

Representatives Knowles, Hurley (Margaret), Struthers, Oliver and Winsley spoke in favor of the amendment, and Representatives Hurley (George), Eng, Pardini and Lux spoke against it.

Mr. Eng spoke again in opposition to the amendment.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Pardini, a new element has been brought into the discussion this afternoon and something that I think the body should be enlightened about. We have had reference made to the conversion now of the mutual savings banks back to becoming savings and loans. Could you identify what the basic difference would be between a savings and loan and a mutual savings bank and why they would convert?"

Mr. Pardini: "Representative Patterson, in my opinion the basic difference between a savings and loan association and a mutual savings bank is that a savings and loan association has a primary obligation to accumulate funds in whatever manner it can and to serve its borrowers, contrasted with a mutual savings bank. I think that this philosophy exists in the management of savings and loans and mutual savings banks. The primary function of a mutual savings bank is to protect its depositors and to make loans wherever it can to the maximum advantages of its savers. The history of the mutual savings bank is unparalleled in safety. A mutual savings bank has never been closed in the United States, even through the depression. It is because the management has primary consideration for the protection of savers. That's why this particular amendment is being offered—for additional diversification and additional earnings power. In the case of the savings and loan association by which I am employed and which converted to a mutual savings bank in 1968, we converted simply because we could not live with the unending regulations of the Federal Home Loan Bank Board. Contrary to what Representative Oliver has said, it is not an easy task to convert. A conversion from a savings and loan to a mutual savings bank is very difficult, and I don't know of anybody who has achieved it in less than two years. Two years in which you must reduce your loans and get down to certain requirements the Mutual Savings Bank Code has. I think the primary reason for conversion is rules and regulations of the Federal Home Loan Bank Board."

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Winsley, Hurley (Margaret) and Knowles to page 5, line 25 of Substitute House Bill No. 161, and the amendment was adopted by the following vote: Yeas, 47; nays, 43; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dunlap, Erak, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hughes, Hurley M., Keller, Kilbury, Knowles, Lee, Martinis, May, McCormick, Newhouse, North, Oliver, Paris, Patterson, Salatino, Schmitt, Shinoda, Struthers, Tallor, Thompson, Tilly, Walk, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Deccio, Douthwaite, Ehlers, Enbody, Eng, Fischer, Gaines, Hanna, Hawkins, Heck, Hurley G. S., King, Knedlik, Kreidler, Lux, Lysen, Maxie, McKibbin, Moreau, Nelson D., Nelson G. A., O'Brien, Owen, Pardini, Polk, Pruitt, Sanders, Sherman, Shinpoch, Smith, Sommers, Valle, Vrooman, Warnke, Williams.

Not voting: Representatives Blair, Chandler, Conner, Erickson, Gallagher, Leckenby, Pearsall, Wilson.

Mrs. Winsley moved adoption of the following amendment by Representatives Winsley, Hurley (Margaret) and Knowles:

On page 9, line 19 strike all of section 6 and renumber the remaining sections consecutively.

Representatives Winsley, Hurley (Margaret) and Knowles spoke in favor of the amendment, and Representatives Eng and Hurley (George) spoke against it.

Mrs. Winsley spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Winsley, Hurley (Margaret) and Knowles to Substitute House Bill No. 161, and the amendment was not adopted by the following vote: Yeas, 44; nays, 44; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bond, Clayton, Craswell, Dunlap, Enbody, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hughes, Hurley M., Keller, Knowles, Lee, Martinis, May, McCormick, Newhouse, North, Oliver, Paris, Patterson, Salatino, Schmitt, Struthers, Tallor, Thompson, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Deccio, Douthwaite, Ehlers, Eng, Erak, Fischer, Gaines, Hanna, Hawkins, Heck, Hurley G. S., Kilbury, King, Kreidler, Lux, Lysen, Maxie, McKibbin, Moreau, Nelson D., Nelson G. A., O'Brien, Owen, Pardini, Polk, Pruitt, Sanders, Sherman, Shinpoch, Smith, Sommers, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Berentson, Blair, Chandler, Conner, Erickson, Gallagher, Knedlik, Leckenby, Pearsall, Shinoda.

Mrs. Winsley moved adoption of the following amendment by Representatives Winsley, Hurley (Margaret) and Knowles:

On page 10, line 16 strike all of subsection (4) through and including line 21 and insert:

"(4) Nothing in this section shall permit a mutual savings bank to make secured or unsecured loans on or for inventory as that term is defined in section 9-109(4), chapter 157, Laws of 1965, RCW 62A.9-109(4)."

Representatives Winsley and Oliver spoke in favor of the amendment, and Mr. Lux spoke against it.

POINT OF INQUIRY

Mrs. Winsley yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Winsley, you have made some allusions here to the fact that if this amendment is not adopted the manager of the bank will have certain authority to make loans as seems prudent under his judgment. Could you tell me if managers of a commercial bank can make loans presently under the law for secured or unsecured loans for any term?"

Mrs. Winsley: "Yes. What in essence we were doing with the mutual banks is we're going into territory of the commercial banks now. I think if they want this power and they want to make loans on inventory and commercial enterprises they need to convert to commercial banks."

Representatives Charnley and Eng spoke against adoption of the amendment, and Representatives Struthers and Polk spoke in favor of it.

Mr. Knowles demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment to page 10, line 16 of Substitute House Bill No. 161, and the amendment was adopted by the following vote: Yeas, 53; nays, 37; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dunlap, Enbody, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hughes, Hurley M., Keller, Knowles, Lee, Lysen, Martinis, May, McCormick, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Polk, Pruitt, Salatino, Sanders, Schmitt, Smith, Struthers, Tally, Thompson, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Deccio, Douthwaite, Ehlers, Eng, Erak, Fischer, Gaines, Hanna, Hawkins, Heck, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Lux, Maxie, McKibbin, Moreau, Owen, Pardini, Patterson, Sherman, Shipoch, Sommers, Valle, Vrooman, Warnke, Williams.

Not voting: Representatives Blair, Chandler, Conner, Erickson, Gallagher, Leckenby, Pearsall, Shinoda.

On motion of Mrs. Winsley, the following amendment to the title was adopted:

On line 5 of the title strike "amending section 32.20.160, chapter 13, Laws of 1955 and RCW 32.20.160;"

Substitute House Bill No. 161 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 371, by Representatives Becker, Hanna, Deccio, Knowles, Fischer, Salatino, Nelson (Dick) and Maxie:

Revising the juvenile justice and care system.

The bill was read the second time.

On motion of Mr. Hanna, Substitute House Bill No. 371 was substituted for House Bill No. 371, and the substitute bill was placed on the calendar for second reading.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 371 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

SUBSTITUTE HOUSE BILL NO. 225, by Committee on Higher Education (Originally sponsored by Representatives Burns, Lux, Zimmerman, Chandler, Gruger, Pruitt and Sanders – by Commission on Asian-American Affairs request):

Granting resident status to immigrant refugees for college tuition.

The bill was read the second time. (For previous action see yesterday's Journal, 4th Day ex. sess., March 14, 1977.)

The Speaker stated the question before the House to be the amendment by Representative Burns to page 1, line 23.

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

On motion of Mr. Burns, the following amendment by Representatives Burns and Charette was adopted:

On page 1, after line 12 insert the following new section:

"**NEW SECTION.** Sec. 2. As used herein, the term parole status shall mean that resident status heretofore granted by the attorney general of the United States under the provisions of Title 8, United States Code, section 1182 d5."

Re-number the remaining sections consecutively.

The Clerk read the following amendment by Representatives Chandler and Enbody:
On page 1, line 8 after "to" strike "Indo-Chinese"

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

Mr. Enbody moved adoption of the following amendment:

On page 1, line 8 after "Indo-Chinese" insert "and other"

POINT OF ORDER

Mr. Taller: "If I understand this, we're going back to line 8 after we just passed new section 2 which was on line 12. Is that correct procedure?"

The Speaker: "That's correct and that's permissible."

Mr. Taller: "The other thing I would like to point out: We have two sections two."

The Speaker: "We'll renumber before we're done."

Mr. Enbody spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Enbody yielded to question by Mr. Tilly.

Mr. Tilly: "I almost feel that we should question this on scope and object because I think you are greatly expanding the intent of this bill. I wonder if you could explain to the body what the fiscal impact of this amendment would be?"

Mr. Enbody: "No, I can't explain the fiscal impact because the figures that we would need from the State Department have not been made available to the departments of Washington State. But what it does do, it only applies to those immigrant refugees who have entered the country since 1975 and further qualifies them to the parole status, which limits it to those people who cannot go back to their own country of origin because of religious or political beliefs. In answer to your question, no, I can't give you a fiscal impact, but I would hope you could use your own judgment and experience as to how many of those people are in Washington State and are entering a college."

Mr. Tilly spoke against adoption of the amendment, and Representatives Chandler and Shinpoch spoke in favor of it.

POINT OF INQUIRY

Mr. Enbody yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "On line 20 the words appear 'and before or after the effective date of this act, is settled in Washington state for one year immediately prior to enrollment, and is either (1) on parole status, (2) has received an immigrant visa, or (3) has applied for United States citizenship.' It seems to me that anyone who has applied for U.S. citizenship qualifies regardless of these other two conditions. I know that is probably not the intent, and I would like to hear you state for the record that simply applying for U.S. citizenship is not enough to qualify here."

Mr. Enbody: "I think it's a question of construction of the statute, and it's my understanding that the problem you pose would not arise in that on line 20 it states that it applies to immigrant refugees who have entered the U.S. after January 1, 1975 and—then it goes on to say the rest. I don't think we have the problem you pose."

The amendment was adopted.

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

On page 1, line 19 after "refugee" insert "including but not limited to those immigrant refugees"

Substitute House Bill No. 225 was ordered engrossed and passed to Committee on Rules for third reading.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 346 was rereferred from Committee on Rules to Committee on Ecology.

On motion of Mr. Bender, HOUSE BILL NO. 411 was rereferred from Committee on Judiciary to Committee on Insurance.

On motion of Mr. Bender, HOUSE BILL NO. 935 was rereferred from Committee on Natural Resources to Committee on Ecology.

On motion of Mr. King, the House adjourned until 11:00 a.m., Wednesday, March 16, 1976.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 16, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Gallagher, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Renita Keller and Brenda Sinclair. Prayer was offered by the Reverend Mary Ann Swenson of Orchards United Methodist Church of Vancouver, Washington.

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

MESSAGE FROM THE SENATE

March 16, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2175,
 SENATE BILL NO. 2180,
 ENGROSSED SENATE BILL NO. 2185,
 ENGROSSED SENATE BILL NO. 2189,
 SENATE BILL NO. 2195,
 ENGROSSED SENATE BILL NO. 2199,
 ENGROSSED SENATE BILL NO. 2200,
 SENATE BILL NO. 2202,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1232, by Representatives Gaines and Grier:

AN ACT Relating to motor vehicles; adding a new section to chapter 43.21A RCW; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1233, by Representatives Sommers and Blair:

AN ACT Relating to retirement plans of certain institutions of higher education; amending section 28B.10-400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 212, Laws of 1975 1st ex. sess. and RCW 28B.10.400; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1234, by Representatives Thompson and Patterson:

AN ACT Relating to higher education; and adding a new section to chapter 250, Laws of 1971 ex. sess. and to chapter 42.30 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1235, by Representatives Lysen, Pearsall, Fortson, Pruitt, Hurley (Margaret), O'Brien and Eng:

AN ACT Relating to social services; creating the Washington commission on the family; and adding a new chapter to Title 26 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1236, by Representative O'Brien:

AN ACT Relating to wholesalers of duty free distilled spirits; and amending section 90-A added to chapter 62, Laws of 1933 ex. sess. by section 2, chapter 48, Laws of 1945 as last amended by section 1, chapter 275, Laws of 1969 ex. sess. and RCW 66.28.020.

To Committee on Commerce

HOUSE BILL NO. 1237, by Representatives Erickson, Flanagan, Nelson (Gary), Lysen, Lee, North and Burns:

AN ACT Relating to revenue and taxation; amending section 12, chapter 65, Laws of 1955 as last amended by section 32, chapter 42, Laws of 1970 ex. sess. and RCW 53.36.030; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 1238, by Representatives Boldt, Tilly, Oliver, Newhouse, Kilbury, Clayton, Schmitt, Flanagan, Hansen, Whiteside and Deccio:

AN ACT Relating to water; amending section 3, chapter 295, Laws of 1975 1st ex. sess. as amended by section 1, chapter 36, Laws of 1975-'76 2nd ex. sess. and RCW 43.83B.210; creating new sections; making an appropriation; prescribing penalties; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1239, by Representatives Boldt, Tilly, Oliver, Newhouse, Kilbury, Clayton, Schmitt, Flanagan, Hansen, Whiteside and Deccio:

AN ACT Relating to water withdrawal and distribution; providing for the planning, acquisition, construction, and improvement of water supply facilities; providing for the financing thereof by the issuance of bonds and anticipation notes; creating new sections; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1240, by Representative Fischer:

AN ACT Relating to branch banks; and amending section 30.40.020, chapter 33, Laws of 1955 as last amended by section 35, chapter 53, Laws of 1973 1st ex. sess. and RCW 30.40.020.

To Committee on Financial Institutions

HOUSE BILL NO. 1241, by Representatives Lux, Polk, Pruitt, Gaines, Chandler, Bond, Grimm, Kreidler, Fuller, Oliver, Charnley, Hansen and Douthwaite:

AN ACT Relating to business and occupation taxes; and amending section 82.04.430, chapter 15, Laws of 1961 as last amended by section 1, chapter 13, Laws of 1971 and RCW 82.04.430.

To Committee on Revenue

HOUSE BILL NO. 1242, by Representative Fischer:

AN ACT Relating to the statute law committee; and adding a new section to chapter 1.08 RCW.

To Committee on Appropriations

HOUSE BILL NO. 1243, by Representative Fischer:

AN ACT Relating to state government; and amending section 10, chapter 6, Laws of 1895 and RCW 44.16.110.

To Committee on State Government

HOUSE BILL NO. 1244, by Representative Knowles:

AN ACT Relating to courts; amending section 87, chapter 299, Laws of 1961 and RCW 3.50.380; amending section 89, chapter 299, Laws of 1961 and RCW 3.50.400; amending section 90, chapter 299, Laws of 1961 as amended by section 15, chapter 81, Laws of 1971 and RCW 3.50.410; amending section 6, chapter 29, Laws of 1891 and RCW 10.10.010; amending section 8, chapter 29, Laws of 1891 and RCW 10.10.040; amending section 1, chapter 58, Laws of 1929 and RCW 12.36.010; amending section 8, chapter 58, Laws of 1929 and RCW 12.36.090; amending section 35.20.070, chapter 7, Laws of 1965 as amended by section 88, chapter 81, Laws of 1971 and RCW 35.20.070; amending section 35.22.530, chapter 7, Laws of 1965 and RCW 35.22.530; amending section 35.22.550, chapter 7, Laws of 1965 and RCW 35.22.550; amending section 35.22.560, chapter 7, Laws of 1965 as amended by section 89, chapter 81, Laws of 1971 and RCW 35.22.560; adding a new section to chapter 10.10 RCW; adding a new section to chapter 12.36 RCW; adding a new section to chapter 35.20 RCW; and adding a new section to chapter 35.22 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1245, by Representatives Enbody, Knowles, Smith, Hanna, Knedlik and Nelson (Dick):

AN ACT Relating to crimes and criminal procedures; and amending section 9A.32.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.060.

To Committee on Judiciary

HOUSE BILL NO. 1246, by Representative Gaines:

AN ACT Relating to the consolidation of sewer districts and water districts; and adding a new chapter to Title 56 RCW.

To Committee on Local Government

HOUSE JOINT MEMORIAL NO. 11, by Representatives Lux, Bender, Pruitt, Williams, Burns, Hurley (George) and Gruger:

Requesting Congress to enact legislation regulating the insurance industry.

To Committee on Insurance

ENGROSSED SENATE BILL NO. 2189, by Senators Guess, Benitz, Henry, Hayner and Donohue:

Adopting the international registration plan.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 2199, by Senator Lewis:

Making more specific the degree of alcoholism which prevents a person from getting a driver's license.

To Committee on Transportation

SENATE BILL NO. 2202, by Senators Donohue and Odegaard (by Department of Natural Resources request):

Regulating funds and properties managed by the department of natural resources.

To Committee on Natural Resources

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and were passed to the committees designated.

REPORTS OF STANDING COMMITTEES

March 15, 1977

HOUSE BILL NO. 48, Prime Sponsor: Representative Hurley (Margaret), allowing limited possession and consumption of alcohol in state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Paris.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 238, Prime Sponsor: Representative Gallagher, revising law relating to public works contracts. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

March 15, 1977

HOUSE BILL NO. 286, Prime Sponsor: Representative Nelson (Gary), authorizing humane societies to purchase, possess, and administer sodium pentobarbital for the sole purpose of euthanizing injured, sick, homeless, or unwanted domestic pets and animals. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Hansen.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 394, Prime Sponsor; Representative Knowles, increasing the number of judges in the superior court of Spokane county. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 440, Prime Sponsor: Representative Smith, increasing the homestead exemption. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

March 15, 1977

HOUSE BILL NO. 443, Prime Sponsor: Representative Hurley (Margaret), authorizing the parks and recreation commission to control vehicular traffic on beaches. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 strike "((reasonable))" and insert "reasonable"

On page 1, line 20 after "beds" insert ": PROVIDED FURTHER, That driving shall be permitted on all ocean beaches between the Columbia river and Moclips river during legal razor clam digging hours, except that driving may be restricted in specific areas after agreement with the Washington director of fisheries"

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

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 643, Prime Sponsor: Representative Deccio, granting grandparent visitation rights. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Smith, Tilly.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 703, Prime Sponsor: Representative Conner, revising the laws regulating motor vehicle wreckers. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Burns, Charnley, Clayton, Clemente, Dunlap, Gallagher, Grier, McCormick, Paris, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 727, Prime Sponsor: Representative Conner, changing laws on reporting of vehicle accidents. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 28 after "and towns" strike all the amendatory material down to and including "is required," on line 2 of page 2 and insert "."

Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Gallagher, Grier, McCormick, Paris, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 733, Prime Sponsor: Representative Conner, prescribing penalties for misuse of transporter plates. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Dunlap, Gallagher, Grier, McCormick, Paris, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 14, 1977

HOUSE BILL NO. 755, Prime Sponsor: Representative Conner, providing for tamper-proof licenses and identicards. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Dunlap, Gallagher, Grier, McCormick, Paris, Sherman, Wilson.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 541, by Representatives King, Lux, Paris and Pearsall:

Adjusting workmen's compensation for permanent partial disabilities.

The bill was read the third time and placed on final passage.

Representatives King and Charette spoke in favor of passage of the bill, and Representatives Bond and Newhouse spoke against it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "We had a joint hearing on the subject of workmen's compensation and accidents with the Labor Committee and the Insurance Committee about three weeks ago. One of our concerns was accident prevention. I think I have seen notice that there is a bill or two on the subject of safety inspectors and the ways and means to reduce the loss and reduce the human misery here. Could you advise us what progress is being made in the area of reducing the accidents?"

Mr. Charette: "You must be referring to the matter that is before the Senate Ways and Means Committee and the Appropriations Committee in the House where a number of people are asking for more safety inspectors for the Department of Labor and Industries. If my memory serves me correctly, the cost of that number of additional inspectors would be \$300,000, \$150,000 of which would go to the state. This came about as a result of an accident that happened in Hoquiam within the last month or six weeks where there were four people killed while they were working. In line with this and in line with the remarks Mr. Newhouse has made, it is also interesting to note that because that insurer was self-insured they did not have the benefit of a provision of the state insurance they would have had. Their accident fund I'm sure will be charged by whatever private insurance carrier they have, but if they had been insured by the state, because it was more than three deaths, under our definition it would be a catastrophe and the employer is not charged. It possibly could cost that employer \$100,000 to \$150,000 in additional premiums to a private company within the next few years because actually their experience rating is going to go up. I think that it is important that we do have safety programs across the state. During the fiscal year 1975 we had sixty-six people killed in industry in the state of Washington. We had sixty killed in 1976. One of the reasons I have always been interested in this is that category 50-1 has the greatest number of deaths. In 1975 they were the highest by ten more than the next one, thirty-three deaths in the logging industry in

Washington and in 1976 they had twenty deaths. Building construction went from five in 1975 to seventeen in 1976. This is one of the reasons we have the law, and safety inspections would certainly avoid some of these deaths and probably a lot of accidents."

Mr. Haley spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative King, I'd like to ask you why, on pages 4 and 5 in the new language, that escalation or reduction will be based on the year's annual wage rate as compared to previous years rather than the consumer price index?"

Mr. King: "I believe there are probably several reasons. First, that is a figure that is used for a number of other purposes in unemployment compensation, and is a statistic that is used by the department. The other reason is it seems to us to make more sense to use something which is supposed to compensate a person for lost earnings—to tie that to a figure which reflects generally the ability of the workers in this state to earn an income, and that is annual income. I think that is why the figure was selected. I don't really know that it will result in anything greatly different from any other index of inflation that could be used. It just seems that's more directly related to the loss that occurs."

Representatives Pruitt, Sanders, King and Lux spoke in favor of passage of the bill, and Representatives Leckenby, Bond, Clayton and Berentson spoke against it.

Mr. Bender 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. 541, and the bill passed the House by the following vote: Yeas, 79; nays, 18; not voting, 1.

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

Voting nay: Representatives Amen, Berentson, Blair, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Gilleland, Leckenby, Nelson G. A., Newhouse, Pardini, Patterson, Polk, Tilly.

Not voting: Representative Gallagher.

Engrossed House Bill No. 541, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STANDING COMMITTEE APPOINTMENTS

The Speaker (Mr. O'Brien presiding) announced that Representative Sherman was taken off the Committee on State Government and placed on the Committee on Judiciary.

The Speaker (Mr. O'Brien presiding) announced that Representative Erak has been appointed to the Committee on Agriculture as Vice Chairman; Committee on Insurance and Committee on State Government.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Berentson, Gallagher and Vrooman, who were excused.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 153, by Committee on Local Government (Originally sponsored by Representatives Gallagher, Pearsall, Grier and Wilson):

Revising the law on public works contracts.

The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of passage of the bill, and Representatives Flanagan, Struthers and Haley spoke against it.

POINT OF INQUIRY

Mrs. Lee yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Lee, my concern is over jobs that are very technical and I understand that this legislation originated because of workmen that were hired in the rewinding project at Wells Hydroelectric Dam. I'm wondering about the purpose of the amendment—I understand that you were maybe responsible for it—on page 1, line 18. Would this mean that the contractor responsible for the warranty would have the right to bring in workers of his own choosing from out of state if he determines that they are the only ones qualified to do the work?"

Mrs. Lee: "The particular proviso that you are talking about—which removes from that counting the number of employees who must be from the state of Washington when they are available—if it is a piece of equipment that is under manufactured warranty, you would be correct. For example, if there is a generator that has to be rewound and the company will only warrantee that if factory-trained personnel are there to do that work and they are told the workers are not available in the state of Washington, then they are removed from this particular restriction within the bill for Washington labor. It wouldn't apply only to things such as generators, but it would apply to things such as air pollution control equipment, certain kinds of instrumentation, computerization, and so on. It seems very, very clear that this bill was not intended to effect that kind of thing. What they are talking about is the person that a contractor hires to do the work; they are saying that if there are workers available in the state of Washington to do those jobs and they are qualified to do so, that they should have first preference."

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Thompson, regarding the committee amendment on page 2, line 24, the words, 'within a reasonable time.' Is it fair to assume that if a project is nearing completion and this project has been of considerable duration, and it has employed out-of-state workers from the beginning, would this amendment insure that those workers will be allowed to complete the project rather than be fired and replaced by resident workers? Especially in a situation where such a procedure would be costly and time-consuming?"

Mr. Thompson: "Representative Tilly, the language you are interested in represents a change in the law as it now applies to counties and cities. This is a fundamental change from those that originally existed and it substitutes the word 'reasonable' for 'immediate.' The significance of this change, I think, is this: The term 'reasonable' would go against consideration of a cost saving and project delay. Those considerations might permit the hiring of Washington state residents if they become available before the completion of a project if they are qualified by training and experience, but I should think that the consideration as a result of this changed language would also permit some consideration of the costs and the delays that might result from it."

Representatives Tilly and Leckenby spoke against passage of the bill, and Mrs. Lee spoke in favor of it.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Nelson (Gary).

Mr. Nelson (Gary): "Representative Thompson, looking at this bill now, I would sure like to know what your committee did in answer to the question of retaliation that Representative Leckenby brought out. Since we still have a board that's a reciprocity board, I'm just wondering what other states have this same kind of legislation that would prohibit, on top of

what already exists, port districts, PUD's, school districts, cities and counties from hiring people for the particular kind of construction and remodeling that some of these would do? And the second question would be, why did we continue to exempt Oregon and Idaho from specific projects where the employees in those states are included in the bill, but not maybe Montana, Alaska and some of the other far-western states?"

Mr. Thompson: "It is my understanding that this preference is not uncommon in this country and I want to stress the word 'preference.' This is not protective legislation. The example used by Representative Leckenby is not appropriate; this law should exist and if it exists in Alaska, would not prevent the construction of the pipeline, because obviously there wouldn't be enough native Alaskans or resident Alaskans to undertake a project of that size. This bill simply provides for preference for Washington state labor if qualified by training experience. Representative Lee has already enumerated and explained the economic reasons for this bill and I don't want to be repetitive, but such legislation is common in this country. It is not unusual; we've nothing to fear from the standpoint of retaliation. The contractors in this state advocated passage, the people in the building trades advocated the passage, and I advocate the passage."

Mr. Nelson (Gary) spoke against passage of the bill, and Mr. Greengo spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 153, and the bill passed the House by the following vote: Yeas, 67; nays, 24; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bond, Chandler, Clayton, Craswell, Dunlap, Flanagan, Gilleland, Gruger, Haley, Heck, Leckenby, Nelson G. A., Newhouse, Pardini, Patterson, Polk, Schmitten, Shipoch, Struthers, Taller, Tilly, Zimmerman.

Not voting: Representatives Berentson, Gallagher, Kreidler, North, Oliver, Owen, Shinoda.

Substitute House Bill No. 153, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish the record to show that I voted "Aye" on Substitute House Bill No. 153.

MYRON B. KREIDLER, 22nd District.

EXPLANATION OF VOTE

I opposed Substitute House Bill No. 153, regarding restrictions on hiring to 95% being Washington residents, because it is bad economics, shortsighted, and will not benefit the public. Its logic would mean we should require that 95% of sugar sold in the state be Washington produced and processed; that 95% of the beef sold in the state be Washington-raised and butchered; that 95% of the wheat or timber be Washington grown and processed.

The bill is a form of state trade barrier, a state "tariff wall," and will hurt our economy. Washington and America are great because they are large and diverse and they allow for specializing. Substitute House Bill No. 153 may well result in higher prices, may create unemployment, and cause government to develop public jobs and thus almost everyone loses.

HAL ZIMMERMAN, 17th District.

MOTION

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

SECOND READING

Ms. Becker moved that Substitute House Bill No. 371 be rereferred to Committee on Institutions.

Ms. Becker spoke in favor of the motion.

POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Becker, is it your intent if it goes back into Institutions Committee that from there it would then go to Appropriations Committee before coming back out here?"

Ms. Becker: "Yes, that is my intent. There is a special hearing in the Institutions Committee on Friday, and from there it will be sent to Appropriations."

Mr. Struthers spoke in favor of the motion, and it was carried.

SECOND SUBSTITUTE HOUSE BILL NO. 282, by Committee on Appropriations (Originally sponsored by Representatives Hawkins, Barnes, Fortson, Nelson (Dick), Lux, Heck, Sherman, Hughes, Keller, Chandler, Erickson and Wilson):

Establishing a presidential preference primary.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 47th Day, February 25, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Hughes:

On page 4, line 16 after "select" strike "at least seventy-five percent of"

Representatives Hughes and Blair spoke in favor of the amendment, and Representatives Barnes and Nelson (Dick) spoke against it.

Mr. Hurley (George) spoke in opposition to the amendment.

POINT OF ORDER

Mr. Douthwaite: "Mr. Speaker, the amendment deals with six words which read 'at least seventy-five percent of' and we're talking about representation. I don't think this really deals with the destruction and overthrow of the American system of politics or anything else and we should try to speak to the point."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Hurley, Reed's Rule 216 states in part, 'Relevancy in Debate—All debate should be relevant and confined to the subject of debate.' Will you hold your remarks to the amendment."

Mr. Hurley (George) continued his remarks against the amendment, and Mr. Hughes spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hughes to Second Substitute House Bill No. 282, and the amendment was not adopted by the following vote: Yeas, 39; nays, 55; not voting, 4.

Voting yea: Representatives Amen, Blair, Chandler, Charette, Conner, Dunlap, Ehlers, Erak, Erickson, Fuller, Gilleland, Greengo, Grier, Haley, Hughes, Hurley M., Knedlik, Knowles, Leckenby, Lee, Nelson G. A., Newhouse, Owen, Pardini, Paris, Patterson, Polk, Schmitten, Shinoda, Sommers, Struthers, Tallier, Thompson, Tilly, Valle, Walk, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Boldt, Burns, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Enbody, Eng, Fancher, Fischer, Flanagan, Fortson, Gaines, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Vrooman, Warnke, Whiteside, Williams.

Not voting: Representatives Berentson, Bond, Gallagher, and Mr. Speaker.

Mr. Barnes moved adoption of the following amendment:

On page 4, beginning on line 15 after "party" strike all of the material down to and including "of" on line 16 and insert "may select"

Mr. Barnes spoke in favor of the amendment, and Mr. Hawkins spoke against it.

Mr. Barnes spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to Second Substitute House Bill No. 282, and the amendment was not adopted by the following vote: Yeas, 29; nays, 62; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxle, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Walk, Warnke, Williams, Winsley.

Not voting: Representatives Berentson, Bond, Enbody, Erak, Gallagher, Vrooman, and Mr. Speaker.

POINT OF PERSONAL PRIVILEGE

Mr. Hawkins: "I was going to offer a motion to reconsider the Hawkins' amendment that was amended by Representative Douthwaite. However, instead of taking the time to consider that, I would like to draw your attention to several matters that were distributed on your desks. In our debate on the Douthwaite amendment there were several questions asking for precise proof as to the necessity for providing accountability. Those matters are on your desks; reflect on them. One is a mailgram and one is an accounting of the Nader case from Connecticut dealing with party accountability. If and when this bill is dealt with by the Senate and returned to this—"

POINT OF ORDER

Mr. Pardini: "Mr. Speaker, he's talking about an amendment; he's not speaking on a point of personal privilege. If he wants to lobby for this bill he can lobby the members individually. He can't lobby us captively."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your point is pretty well taken, Representative Pardini. Representative Hawkins, Rule 63 states as follows: 'Any member may rise to a question of privilege and explain a personal matter by leave of the speaker, but the member shall not discuss any pending question in such explanations.'"

Mr. Tilly moved adoption of the following amendments:

On page 4, line 19 strike "votes on at least the first two ballots" and insert "their vote on the first ballot"

On page 4, lines 35 and 36, strike "two ballots" and insert "ballot"

Mr. Tilly spoke in favor of the amendments, and Mr. Hawkins spoke against them.

The amendments were not adopted.

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

On page 6, line 11 after "vacancy," insert "If, after such a vacancy occurs, there are no remaining delegates who are committed to the same preference as the vacating person, the delegates to a state convention of the same political party as the vacating person or the state central committee of that party shall fill the vacancy by appointing a person who shall be committed to the same preference as the vacating person."

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

On page 9 at line 23 add a new section as follows:

"NEW SECTION. Sec. 13. This act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, 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."

Representative Hurley (Margaret) spoke in favor of the amendment, and Representatives Hawkins and Blair spoke against it.

Representative Hurley (Margaret) spoke again in favor of the amendment, and Mr. Bond spoke against it.

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

Mr. Hawkins spoke again in opposition to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) to Second Substitute House Bill No. 282, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Blair, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greeno, Hansen, Hurley G. S., Hurley M., Leckenby, Lee, Martinis, May, McCormick, Nelson G. A., Newhouse, North, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, McKibbin, Moreau, Nelson D., O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams.

Not voting: Representatives Berentson, Enbody, Gallagher, Vrooman, and Mr. Speaker.

Mr. Charette moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. In each year when a president of the United States is to be nominated and elected, there shall be held a presidential preference primary at which voters may vote for any one candidate of a major political party for nomination for president. The presidential preference primary shall be held on the fourth Tuesday in May of each presidential election year.

NEW SECTION. Sec. 2. Each voter shall have the opportunity to vote on the official presidential preference primary ballot for one person to be the candidate for nomination by a major political party for president of the United States. The name of any such candidate for a major political party nomination for president of the United States shall be printed on the ballots only:

(1) If the secretary of state shall have determined that the individual's candidacy is generally advocated or recognized in the national news media throughout the United States and shall have certified to each major political party, on or before the sixtieth day preceding the presidential preference primary, the names of the individuals he or she has determined to be recognized candidates for the nomination of that party to the office of president; or

(2) If members of the political party of the candidate shall have presented a petition for nomination of such candidate which shall have attached thereto a sheet or sheets containing the signatures of at least a number of registered voters who declare themselves in the petition as being affiliated with the same political party as such presidential candidate, equal to one percent of the vote cast in the state for the candidate of such political party for president at the last presidential election, or at least three thousand such registered voters, whichever number is the greater. The petition shall be filed with the secretary of state not later than the seventy-fifty day prior to the presidential preference primary. The signature sheets shall also contain the residence address and name or number of the precinct of each registered voter whose signature appears thereon and shall be certified to in the manner prescribed in RCW 29.79.200 and 29.79.210.

NEW SECTION. Sec. 3. Each major political party shall select delegates and alternate delegates to its national nominating convention by the method and under such rules and regulations as such party may prescribe: **PROVIDED,** That each candidate for the position of delegate, prior to the selection of delegates, shall submit to the state chairman of the appropriate political party the following pledge:

Delegate Pledge

I,, do hereby swear that I am a supporter of for the office of President of the United States; and that if elected as a delegate to the Party National Convention I pledge to cast my ballot as a delegate to said convention for said candidate on the first two ballots unless released by said candidate, and I pledge furthermore to do all that I can to advance the cause of said candidate at the national convention.

NEW SECTION. Sec. 4. The presidential candidate of each political party who receives the highest number of votes in each congressional district at the primary shall be entitled to all of the delegate votes allotted to such congressional district by the respective national committee: **PROVIDED,** That if the rules of any national party require or permit proportional representation, the presidential candidates of such political party may be awarded a pro rata portion of the authorized delegate votes of that political party to be determined as follows:

(1) The aggregate vote received by the candidates in each congressional district, when combined, shall be equal to one hundred percent, except that if any candidate receives less than ten percent of the total vote cast in any congressional district, such candidate shall not share in such pro rata portion of the delegate votes for that district, and the votes received by such candidate in that district shall not be included in the aggregate vote; and

(2) The total vote in each congressional district received by each candidate of such political party shall be mathematically converted to a percentage directly proportional to the aggregate vote received by all candidates in that district of such political party who meet the requirements of this section; and

(3) Such political party shall then apportion the percentage or percentages determined in subsection (2) of this section to the total number of delegate votes as are allotted to each congressional district of this state by the national committee of such political party: **PROVIDED,** That no delegate vote shall be fractionalized to accommodate a proportion determined in subsection (2) of this section.

If no candidate of a political party receives ten percent or more of the total vote cast in any congressional district, the delegates to a congressional district convention of such political party shall determine how delegate votes allotted to each congressional district of this state by the national committee shall be awarded.

Each delegate shall be bound at the party's national nominating convention to vote for each candidate as determined by the primary until released by said candidate or until two convention nominating ballots have been cast. Delegate votes released by any candidate shall be considered uncommitted. In the event of the death of a candidate who has been allotted delegate votes prior to the nomination thereof, all such delegate votes shall be uncommitted.

NEW SECTION. Sec. 5. Insofar as is practicable, and where the provisions of this chapter do not specifically indicate otherwise, the presidential preference primary shall be conducted in the same manner as a state primary, including the certification of the election returns by the state canvassing board: **PROVIDED**, That the secretary of state shall certify the names of all candidates who will appear on the presidential preference primary ballot to the respective county auditors on or before the fourth Tuesday in April of each presidential year. County auditors, at their discretion, may combine and consolidate two or more precincts for the purpose of conducting this election only: **PROVIDED FURTHER**, That no voter shall be required because of such consolidation to go to a location different from that of the last regular election. The secretary of state as chief election officer may make rules in accordance with chapter 34.04 RCW to facilitate the operation, accomplishment, and purpose of this chapter.

NEW SECTION. Sec. 6. The arrangement and form of presidential primary ballots shall be substantially as provided for any primary election within the state except as may be modified by this chapter or by rule of the secretary of state as provided for in section 5 of this 1977 amendatory act to adequately reflect the intent of this chapter.

The names of presidential candidates shall be listed alphabetically in separate columns according to political party affiliation. There shall be a adjacent to the name of each candidate. In each column there shall be a blank space following such list for writing in the name of another candidate if desired.

The ballot, in providing for a choice of president, shall set forth only such candidates with their political party affiliation as have qualified for a place thereon under section 2 of this 1977 amendatory act.

NEW SECTION. Sec. 7. At a presidential preference primary, a voter may cast no more than one vote on a ballot. Any presidential preference primary ballot with more than one vote shall be void and notice to this effect, couched in clear, simple language, and printed in large type, shall appear on the face of each presidential preference primary ballot. Where voting machines or electronic voting devices are in use, the notice shall be displayed on or about each machine or device.

NEW SECTION. Sec. 8. Whenever a presidential preference primary election is held as provided by this chapter, the state of Washington shall assume all costs of holding such election if held alone: **PROVIDED**, That if any other election or elections shall be held at the same time, the state shall be liable only for its prorated share. The county auditor shall determine the election costs, including the state's prorated share, if applicable, and shall file a certified claim therefore with the state auditor. The state auditor shall compile such claims for presentation to the next succeeding legislature in the same manner as other legislative relief claims.

Sec. 9. Section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 111, Laws of 1975-'76 2nd ex. sess. and RCW 29.13.010 are each amended to read as follows:

All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: **PROVIDED**, That the state-wide general election held in odd-numbered years shall be limited to (1) city, town, and district general elections as provided for in RCW 29.13.020 as now or hereafter amended, or as otherwise provided by law; (2) the election of federal officers for the remainder of any unexpired terms in the membership of either branch of the congress of the United States; (3) the election of state and county officers for the remainder of any unexpired terms of offices created by or whose duties are described in Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the state Constitution and RCW 2.06.080; (4) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and (5) the approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to the electorate: **PROVIDED FURTHER**, That this section shall not be construed as fixing the time for holding primary elections, or elections for the recall of any elective public officer: **PROVIDED HOWEVER**, That the county legislative authority may, if they deem an emergency to exist, call a special county election by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. A special election called by the county legislative authority shall be held on one of the following dates as decided by such governing body:

- (a) The first Tuesday after the first Monday in February;
- (b) The second Tuesday in March;
- (c) The first Tuesday after the first Monday in April;
- (d) The ((third)) fourth Tuesday in May;
- (e) The day of the primary as specified by RCW 29.13.070; or
- (f) The first Tuesday after the first Monday in November.

In addition to the dates set forth in (a) through (f) above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from failure of a county to pass a special levy for the first time or from fire, flood, earthquake, or other act of God. Such county special election shall be noticed and conducted in the manner provided by law.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

Sec. 10. Section 29.13.020, chapter 9, Laws of 1965 as last amended by section 2, chapter 111, Laws of 1975-'76 2nd ex. sess. and RCW 29.13.020 are each amended to read as follows:

All city, town, and district general elections shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years.

This section shall not apply to:

(1) Elections for the recall of any elective public officer((-));

(2) Public utility districts, or district elections whereat the ownership of property within said districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto((-));

(3) Consolidation proposals as provided for in RCW 28A.57.180 and nonhigh capital fund aid proposals as provided for in chapter 28A.56 RCW.

The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election in such city, town, or district and for the purpose of such special election he may combine, unite, or divide precincts. A special election called by such governing body shall be held on one of the following dates as decided by the governing body:

(a) The first Tuesday after the first Monday in February;

(b) The second Tuesday in March;

(c) The first Tuesday after the first Monday in April;

(d) The ((third)) fourth Tuesday in May;

(e) The day of the primary election as specified by RCW 29.13.070; or

(f) The first Tuesday after the first Monday in November.

In addition to (a) through (f) above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from failure of a school or junior taxing district to pass a special levy for the first time or from fire, flood, earthquake, or other act of God. Such special election shall be conducted and notice thereof given in the manner provided by law.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

NEW SECTION. Sec. 11. Sections 1 through 8 of this 1977 amendatory act shall constitute a new chapter in Title 29 RCW.

NEW SECTION. Sec. 12. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

The Clerk read the following amendment to the Charette amendment by Representative Tilly:

In section 3, line 30 strike "two ballots" and insert "ballot"

With the consent of the House, Mr. Tilly withdrew the amendment to the amendment.

Mr. Charette spoke in favor of his amendment.

POINT OF PARLIAMENTARY INQUIRY

Mr. Ehlers: "I wonder if the Chair could rule on Rule 66 on conflict of interest and if I have to vote on this measure?"

The Speaker (Mr. O'Brien presiding): "What is your conflict of interest?"

Mr. Ehlers: "Obviously, I'm the only one on the floor who has presidential ambitions."

Representatives Hawkins and Douthwaite spoke against the amendment, and Representatives Taller and Chandler spoke in favor of it.

Mr. Charette spoke again in favor of the amendment, and Mr. Hawkins spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charette to Second Substitute House Bill No. 282, and the amendment was not adopted by the following vote: Yeas, 45; Nays, 47; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Blair, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Ehlers, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Grengo, Haley,

Hansen, Hurley M., Knedlik, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Struthers, Toller, Thompson, Tilly, Whiteside, Wilson, Winslow, Zimmerman.

Voting nay: Representatives Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erickson, Fischer, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Valle, Walk, Warnke, Williams.

Not voting: Representatives Bauer, Berentson, Erak, Gallagher, Vrooman, and Mr. Speaker.

Second Substitute House Bill No. 282 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 335, by Representatives Bauer, Bender, Lee and Gilleland:

Modifying the procedure for awarding public works contracts by cities and towns of the second, third, and fourth class.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 595, by Representatives Ehlers, Nelson (Gary) and Sommers:

Changing the number of members and means of appointment, respectively, of the nursing home council and the emergency medical and ambulance review committee.

The bill was read the second time.

On motion of Mr. Ehlers, the following amendment by Representatives Ehlers, Nelson (Gary) and Sommers was adopted:

On page 2, following line 32 add a new section as follows:

"**NEW SECTION.** Sec. 4. The council and committee established by this act shall cease to exist on June 30, 1979, unless extended by law for an additional fixed period of time."

House Bill No. 595 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 314, by Representatives Adams, Whiteside, Thompson, Newhouse and Kreidler:

Authorizing pharmacy assistants and providing for their regulation.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 314 was substituted for House Bill No. 314, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 314 was read the second time.

MOTION

On motion of Mr. Bender, further consideration of Substitute House Bill No. 314 was deferred, and the bill was ordered placed on the second reading calendar for tomorrow.

HOUSE BILL NO. 852, by Representatives Boldt, Berentson, Lysen, Schmitt and Kilbury:

Permitting certain amendments to contracts for nuclear generating projects.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 236, by Representatives Shipoch, Flanagan, Thompson, Amen, Knedlik, Polk, Deccio, Ehlers and Knowles (by Legislative Budget Committee request):

Establishing a civil penalty in certain cases where state officers or employees violate budgetary provisions.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 54th Day, March 4, 1977.)

On motion of Mr. Ehlers, the committee amendment was adopted.

House Bill No. 236 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 261, by Representatives Smith, Martinis, Conner, Nelson (Gary), Kilbury, Wilson, Oliver, Greengo, Knedlik, Hughes, Gilleland, Bond, Haley, Fuller, Flanagan, Gaines, Clemente and Sanders:

Authorizing private ownership and operation of release-recapture salmon rearing facilities.

The bill was read the second time.

On motion of Mr. Martinis, Substitute House Bill No. 261 was substituted for House Bill No. 261, and the substitute bill was placed on the calendar for second reading.

Ms. Becker moved adoption of the following amendments by Representatives Becker, Enbody and Hughes:

On page 1, line 10 strike "release-recapture"

On page 1, line 11 after "salmon" insert "propagation"

On page 1, line 22 strike "release-recapture"

On page 2, line 30 strike "release-recapture"

On page 2, line 30 after "salmon" insert "propagation"

On page 3, line 7 strike "release-recapture"

On page 5, line 20 after "shall have" strike "a" and insert "no"

On page 5, line 20 after "take" insert "salmon"

On page 5, line 21 after "purposes" strike all the material down to and including "final" on line 22.

On page 5, line 35 strike "release-recapture"

On page 6, beginning on line 7 strike all of subsection (12) and renumber the following subsection consecutively.

On page 7, line 3 insert a new section to read as follows:

"NEW SECTION. Sec. 7. (1) The state shall contract with each permittee to raise and release salmon at a price which is fair and reasonable but is not more than the cost which the state would incur in producing such salmon in its own hatcheries.

(2) Any salmon returning to any facility licensed under this chapter shall be disposed of by the department in the manner set forth in RCW 75.12.130, and the department shall reimburse the permittee for the reasonable costs incurred by the permittee in any recapturing and any handling of such salmon by the permittee."

Renumber the remaining sections consecutively.

On page 7, beginning on line 10 strike "chapters 75.16 and 75.32" and insert "chapter 75.16"

On page 7, beginning on line 12 after "chapter." strike the remainder of the section.

POINT OF ORDER

Mr. Greengo: "Mr. Speaker, it appears that the amendment that is presented completely changes the nature of the bill. Could we have a ruling from the Speaker as to the scope and object of all these amendments? They have nothing to do with the release and recapture of salmon."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Greengo, Reed's Rule 131 states 'The object of an amendment is to so change the main proposition that it may more nearly conform to the judgment of the assembly.' The amendments presented here have a partial effect on the overall object and subject of the bill, and it is my opinion that the amendments are germane and it is up to the House itself to determine whether or not the House wants to adopt the amendments."

Ms. Becker spoke in favor of the amendments, and Representatives Martinis, Zimmerman and Smith spoke against them.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Hanna.

Mr. Hanna: "The question is that it's very hard for someone like myself—I have a lot of gillnetters and purse seiners in my district and they are very strongly opposed to this. It's a situation where you have scientists on one hand saying one thing and scientists on the other hand saying the other. I wonder if you would dispute the feeling of the gillnetters and purse seiners about why this is poor legislation? They suggested that if I vote for it I might be something like keelhauled, whatever that means."

Mr. Martinis: "Do you think I want to become disinherited? Representative Hanna, like I expressed earlier, it's strange I imagine to many members of this body who have watched me

either help defeat or draft new legislation for an industry that I dearly love. They are not correct in their position on this, and I think this time we have to be statesmen and we have to take a look at a new concept in the raising of fixed protein in the state of Washington. A new concept that the state of Oregon is pioneering; the state of Alaska has proved it somewhat on a nonprofit basis. The state of Alaska is a very unique state, it has many inlets and canals. We don't have that. We have Puget Sound which is not sectioned off; maybe Hood Canal, yes, but we don't have other areas where certain groups of fishermen fish, so the Alaska concept won't work. The Oregon concept is workable in the state of Washington. Oregon, by regulation, has limited it to the coast. John Donaldson, the Director of Fish and Wildlife in Oregon, is the father of ocean ranching and he recommended to me, in a conversation that I do not have documented, to leave it on the coast and make sure it's in the tidal areas, and it will work fine and you won't hurt the industry and you won't hurt the resources if you leave it there. Representative Hanna, the fishermen are dead set against this and I'm for it."

POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Lysen.

Mr. Lysen: "Representative Smith, I know you are a supporter of this measure and you're also an attorney. Some questions have been raised by some of the fishermen in my district saying that with the Indians and the Boldt decision, the questions of allocation have become very confusing and they haven't been able to work them out. Now this is adding a new element, a new competitor in a sense, to the distribution and allocation of the number of those fish. Their concerns are expressed that this additional element in the puzzle, so to speak—and they are trying to survive the Boldt years—will just complicate things all the more. I'd like you to respond to that and secondly, I think another concern they have is when the Director of Fisheries decides who can fish and when they can fish and when they can't fish, sometimes that becomes a very subjective kind of decision, and with the pressures for the investors to get a return on their investment, if their return hasn't developed significantly to justify their investment in a given year, there may be extreme pressures to reduce the number of days allowed to the various other types of commercial fishermen. I think this is a very legitimate concern they have and ultimately becomes a subjective and possibly even a political question on the decision the Director of Fisheries will make. That's the level I would like to hear some discussion on."

Mr. Smith: "You've asked two questions. I'll answer the first question first. You asked whether passage of this bill, should it become law and ocean ranchers are operating in this industry, would it cause additional problems with the Boldt decision for the Department of Fisheries in dealing with the Boldt decision. The answer is no, it will not cause any additional problems with the Boldt decision as it is sitting on our desks today. As I originally envisioned this it perhaps would have been a complicating factor, but by amendment in committee we have eliminated Puget Sound, the Straits of Juan de Fuca and Hood Canal as possible locations for sites and those are the decision areas for the Boldt decision. So it will have no effect on the Boldt decision. Your second question is a more pervasive issue in this question of private ocean ranchers and I think it is the bottom line reason that the commercial fishing industry opposes ocean ranching. They are fearful that some future Legislature will change the ground rules. This bill is much tighter in restrictions on ocean ranches than the Oregon proposal and it's tighter because every time the commercial fishing industry has expressed some concern we put language in the bill to address that concern. Fruitlessly, I might add, as they have never come off their position of opposition, but they will tell you that the bill is not dangerous as written. But what if some future legislature succumbs to the pressures of corporations and changes the regulations? Or what if the Department of Fisheries makes a judgment in order to return a higher yield of fish to the ocean ranches? If they did that and the Department of Fisheries made such rules and regulations, the commercial fishermen would have them in court the next day, and as this bill is written they would prevail because the bill is written to require these fish to contribute to the commercial sports fisheries. The best argument against that I can think of is, in this time of full public disclosure, we are going to know who is contributing to what legislators if they vote to change this law and the political forces are free then to operate on that. The other answer is that we have problems to disburse in the Department of Fisheries every day in making decisions as to harvest and how those regulations affect various user groups. This is just going to be another user group. They can't however, under the provisions of this bill, take into consideration the return to the ocean ranchers and set their regulations in order to enhance that return."

MOTIONS

On motion of Mr. King, further consideration of Substitute House Bill No. 261 was deferred and the bill was ordered placed on tomorrow's second reading calendar.

On motion of Mr. King, the House adjourned until 11:00 a.m., Thursday, March 17, 1977.

DEAN R. FOSTER, Chief Clerk.

JOHN BAGNARIOL, Speaker.

SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 17, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Conner, Erickson, Gallagher, Martinis, Pearsall and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan McDermott and Brian Jovanovich. Prayer was offered by Father Thomas Dunn of St. Edwards Church of Seattle and member of the Society of St. Columbian Fathers from Kilkenny, Ireland.

SPEAKER'S PRIVILEGE

The Speaker stated that it being St. Patrick's Day he would ask Representative O'Brien to preside.

The Speaker (Mr. O'Brien presiding) introduced Miss Carol Oakley of the Seattle Opera, who sang "The Last Rose of Summer" and "The Kerry Dance" in honor of St. Patrick's Day. Miss Oakley was accompanied by Mr. Robert DeCuenyck, Assistant Director of the Seattle Opera.

RESOLUTION

HOUSE RESOLUTION NO. 77-17, by Representatives Bagnariol, Deccio and Pardini:

WHEREAS, March 17 is traditionally a day of frivolity, comradeship and high spirits, and

WHEREAS, The Irish on this particular day recall their roots and traditions, and

WHEREAS, Americans of all backgrounds and nationalities join with them in celebrating this happy occasion,

NOW, THEREFORE, BE IT RESOLVED, That all good Irishmen be gently reminded that the great and glorious St. Patrick was an Italian immigrant.

Mr. Pardini moved adoption of the resolution.

Mr. Deccio spoke in favor of the resolution, and it was adopted.

The Speaker resumed the Chair.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 17, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2114,
 ENGROSSED SENATE BILL NO. 2172,
 ENGROSSED SENATE BILL NO. 2174,
 SENATE BILL NO. 2208,
 ENGROSSED SENATE BILL NO. 2215,
 SENATE BILL NO. 2230,
 SENATE BILL NO. 2251,
 ENGROSSED SENATE BILL NO. 2258,
 ENGROSSED SENATE BILL NO. 2263,
 ENGROSSED SENATE BILL NO. 2273,
 SENATE BILL NO. 2292,
 ENGROSSED SENATE BILL NO. 2300,

ENGROSSED SENATE BILL NO. 2310,
 SENATE BILL NO. 2314,
 SENATE BILL NO. 2315,
 ENGROSSED SENATE BILL NO. 2324,
 ENGROSSED SENATE BILL NO. 2325,

REENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2620,
 REENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2632,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1247, by Representatives Knedlik, Lux, Nelson (Dick), Douthwaite, Kreidler and Smith:

AN ACT Relating to motor vehicle licenses; and adding a new section to chapter 46.16 RCW.

To Committee on Transportation

HOUSE BILL NO. 1248, by Representatives Knedlik, Enbody, Grimm and Salatino:

AN ACT Relating to juries; amending section 4, chapter 57, Laws of 1911 as last amended by section 1, chapter 65, Laws of 1965 and RCW 2.36.090; and amending section 1, chapter 56, Laws of 1907 as last amended by section 1, chapter 76, Laws of 1975 1st ex. sess. and RCW 2.36.150.

To Committee on Judiciary

HOUSE BILL NO. 1249, by Representatives Knedlik, Salatino, Smith and Enbody:

AN ACT Relating to comparative negligence; and adding a new section to chapter 4.22 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1250, by Representative Knedlik:

AN ACT Relating to admission to the bar; and adding new sections to chapter 2.48 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1251, by Representatives Blair and Charnley:

AN ACT Relating to state government; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 113, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.010; and adding a new section to chapter 44.04 RCW.

To Committee on State Government

HOUSE BILL NO. 1252, by Representatives Shipoch, Blair and Thompson:

AN ACT Relating to the support of state government; providing for the planning, acquisition, construction, remodeling, improving, and equipping of detention facilities and correction facilities; providing for the financing thereof by the issuance of bonds and anticipation notes; creating new sections; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 1253, by Representatives Taller, Schmitt, Fancher, Sanders, Craswell, Barr, Fuller, Struthers, Shinoda and Clayton (by Secretary of State request):

AN ACT Relating to state government; amending section 1, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.010; amending section 8, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.080; amending section 13, chapter 234, Laws of 1969 ex. sess. as amended by section 1, chapter 137, Laws of 1973 and RCW 42.18.130; amending section 15, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.150; amending section 16, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.160; amending section 17, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.170; amending section 18, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.180; amending section 19, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.190; amending section 20, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.200; amending section 22, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.220; amending section 23, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.230; amending section 24, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.240; amending section 25, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.250; amending section 28, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.280; amending section 29, chapter 234, Laws of 1969 ex. sess. as amended by section 2, chapter 137, Laws of 1973 and RCW 42.18.290; amending section 31, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.310; adding a new section to chapter 42.17 RCW; adding new sections to chapter 42.18 RCW; and declaring an emergency.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1254, by Representatives Charnley, Leckenby, McKibbin and Blair:

AN ACT Relating to vessels and boating; adding a new chapter to Title 88 RCW; declaring an emergency; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1255, by Representative Gaines:

AN ACT Relating to liquor; amending section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 13, chapter 21, Laws of 1969 ex. sess. and RCW 66.04.010; amending section 79, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 62, Laws of 1971 and RCW 66.08.030; amending section 17, chapter 62, Laws of 1933 ex. sess. and RCW 66.20.070; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 66, Laws of 1974 ex. sess. and RCW 66.24.010; amending section 23-U, added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 11, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.025; amending section 23-S-1, added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 5, Laws of 1949 as amended by section 1, chapter 208, Laws of 1971 ex. sess. and RCW 66.24.400; amending section 2, chapter 263, Laws of 1957 as amended by section 1, chapter 112, Laws of 1969 ex. sess. and RCW 66.24.410; amending section 23-T, added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 6, chapter 5, Laws of 1949 and RCW 66.24.450; amending section 1, chapter 55, Laws of 1967 as amended by section 7, chapter 178, Laws of 1969 ex. sess. and RCW 66.24.490; amending section 52, chapter 62, Laws of 1933 ex. sess. as amended by section 7, chapter 174, Laws of 1935 and RCW 66.28.090; and amending section 70, chapter 62, Laws of 1933 ex. sess. as last amended by section 28, chapter 199, Laws of 1969 ex. sess. and RCW 66.44.010.

To Committee on Commerce

HOUSE BILL NO. 1256, by Representative Eng:

AN ACT Relating to higher education; creating the Washington postsecondary education assistance authority; adding a new chapter to Title 28B RCW; repealing sections 1 through 21, chapter 120, Laws of 1973 1st ex. sess. and RCW 28B.17.010, 28B.17.020, 28B.17.030, 28B.17.040, 28B.17.050, 28B.17.060, 28B.17.070, 28B.17.080, 28B.17.090, 28B.17.100, 28B.17.110, 28B.17.120, 28B.17.130, 28B.17.140, 28B.17.150, 28B.17.160, 28B.17.170, 28B.17.180, 28B.17.190, 28B.17.200 and 28B.17.210; and prescribing penalties.

To Committee on Higher Education

HOUSE BILL NO. 1257, by Representatives Kilbury and Boldt:

AN ACT Relating to mosquito control districts; amending section 7, chapter 64, Laws of 1959 and RCW 17.28.255; and adding new sections to chapter 17.28 RCW.

To Committee on Agriculture

HOUSE BILL NO. 1258, by Representatives Vrooman, Knowles, Berentson, Walk, McCormick, Lee, Wilson and North:

AN ACT Relating to county roads; and adding a new section to chapter 36.75 RCW.

To Committee on Local Government

HOUSE BILL NO. 1259, by Representative Eng:

AN ACT Relating to financial institutions; and adding a new section to chapter 31.12 RCW.

To Committee on Financial Institutions

HOUSE BILL NO. 1260, by Representatives Douthwaite, Maxie, Grier and Haley (by Insurance Commissioner request):

AN ACT Relating to insurance; amending section .14.01, chapter 79, Laws of 1947 as last amended by section 8, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.010; amending section .15.07, chapter 79, Laws of 1947 as amended by section 4, chapter 225, Laws of 1959 and RCW 48.15.070; amending section .17.11, chapter 79, Laws of 1947 as last amended by section 16, chapter 150, Laws of 1967 and RCW 48.17.110; amending section .17.25, chapter 79, Laws of 1947 and RCW 48.17.250; amending section .17.43, chapter 79, Laws of 1947 and RCW 48.17.430; amending section .17.50, chapter 79, Laws of 1947 as last amended by section 20, chapter 70, Laws of 1965 ex. sess. and RCW 48.17.500; providing an effective date; and declaring an emergency.

To Committee on Insurance

HOUSE BILL NO. 1261, by Representatives Douthwaite, Maxie, Grier and Haley (by Insurance Commissioner request):

AN ACT Relating to insurance; amending section 19, chapter 241, Laws of 1969 ex. sess. and RCW 48.18-.291; and amending section 20, chapter 241, Laws of 1969 ex. sess. as amended by section 3, chapter 152, Laws of 1973 1st ex. sess. and RCW 48.18.292.

To Committee on Insurance

HOUSE BILL NO. 1262, by Representatives Douthwaite, Maxie, Grier and Haley (by Insurance Commissioner request):

AN ACT Relating to insurance; amending section 11, chapter 109, Laws of 1975-'76 2nd ex. sess. and RCW 48.32.145; amending section 9, chapter 259, Laws of 1971 ex. sess. as amended by section 1, chapter 133, Laws of 1975 1st ex. sess. and RCW 48.32A.090; and repealing section 14, chapter 265, Laws of 1971 ex. sess. and RCW 48.32.140.

To Committee on Insurance

HOUSE BILL NO. 1263, by Representatives Lysen, Thompson and Dunlap:

AN ACT Relating to operating agencies; amending section 43.52.250, chapter 8, Laws of 1965 and RCW 43.52.250; amending section 43.52.260, chapter 8, Laws of 1965 and RCW 43.52.260; amending section 43.52.290, chapter 8, Laws of 1965 and RCW 43.52.290; amending section 43.52.300, chapter 8, Laws of 1965 as amended by section 1, chapter 37, Laws of 1975 1st ex. sess. and RCW 43.52.300; amending section 43.52.350, chapter 8, Laws of 1965 and RCW 43.52.350; amending section 43.52.360, chapter 8, Laws of 1965 and RCW 43.52.360; amending section 43.52.370, chapter 8, Laws of 1965 and RCW 43.52.370; amending section 43.52.391, chapter 8, Laws of 1965 and RCW 43.52.391; amending section 43.52.410, chapter 8, Laws of 1965 and RCW 43.52.410; amending section 43.52.430, chapter 8, Laws of 1965 as amended by section 113, chapter 81, Laws of 1971 and RCW 43.52.430; amending section 43.52.450, chapter 8, Laws of 1965 and RCW 43.52.450; and repealing section 43.52.340, chapter 8, Laws of 1965 and RCW 43.52.340.

To Committee on Energy and Utilities

HOUSE BILL NO. 1264, by Representative Shinpoch:

AN ACT Relating to the refunding of bonds; amending section 3, chapter 138, Laws of 1965 ex. sess. as amended by section 2, chapter 111, Laws of 1974 ex. sess. and RCW 39.53.020; amending section 5, chapter 138, Laws of 1965 ex. sess. as amended by section 3, chapter 25, Laws of 1973 1st ex. sess. and RCW 39.53.040; amending section 6, chapter 138, Laws of 1965 ex. sess. as amended by section 3, chapter 111, Laws of 1974 ex. sess. and RCW 39.53.050; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1265, by Representative Shinpoch:

AN ACT Relating to the advance refunding of certain limited obligation revenue bonds of the various institutions of higher education with state general obligation bonds, herein authorized; providing for reimbursement of the general fund for debt service on the bonds to be issued and the transfer of reserves to the general fund; adding a new chapter to Title 28B RCW; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1266, by Representative Eng:

AN ACT Relating to the department of general administration; and amending section 43.19.100, chapter 8, Laws of 1965 and RCW 43.19.100.

To Committee on Financial Institutions

HOUSE BILL NO. 1267, by Representatives Eng and Pardini:

AN ACT Relating to available funds; and amending section 30.04.090, chapter 33, Laws of 1955 as last amended by section 1, chapter 54, Laws of 1967 ex. sess. and RCW 30.04.090.

To Committee on Financial Institutions

HOUSE BILL NO. 1268, by Representative Ehlers:

AN ACT Relating to motor vehicle lighting devices; and amending section 46.37.320, chapter 12, Laws of 1961 and RCW 46.37.320.

To Committee on Transportation

HOUSE BILL NO. 1269, by Representative Knowles:

AN ACT Relating to civil procedure in justice courts; and amending section 95, page 240, Laws of 1854 as last amended by section 1795, Code of 1881 and RCW 12.24.100.

To Committee on Judiciary

HOUSE JOINT MEMORIAL NO. 12, by Representative Lysen:

Memorializing the President and Congress to terminate airline mutual aid pacts.

To Committee on Transportation

HOUSE JOINT RESOLUTION NO. 62, by Representatives Fortson, Lysen, Valle, Becker and Nelson (Dick):

Amending the Constitution to permit laws to be enacted which would regulate the amount of money which could be spent for or against ballot propositions.

To Committee on Constitution

ENGROSSED SENATE BILL NO. 2114, by Senators von Reichbauer and Van Hollebeke (by Parks and Recreation Commission request):

Permitting longer concessions and leases in state parks.

To Committee on Parks and Recreation

ENGROSSED SENATE BILL NO. 2263, by Senators Van Hollebeke and Morrison (by Department of Motor Vehicles request):

Revising the laws regulating employment agencies.

To Committee on Commerce

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

March 16, 1977

HOUSE BILL NO. 226, Prime Sponsor: Representative Fortson, implementing mandatory common school testing program. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

March 16, 1977

HOUSE BILL NO. 281, Prime Sponsor: Representative Becker, restoring number of educational service districts in existence on July 1, 1976. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 23 after "no" strike all material down to and including "legislature" on line 26 and insert "reduction in the number of educational service districts will take effect without a majority approval vote by the affected school directors by a mail ballot"

Signed by Representatives Bender, Boldt, Ehlers, Fortson, Fuller, Lee, Schmitten, Valle, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Ranking Minority Member; Bauer, Craswell, Dunlap, Whiteside.

To Committee on Rules for second reading.

March 16, 1977

HOUSE BILL NO. 601, Prime Sponsor: Representative Hanna, revising gambling laws on card games. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Hansen, Hawkins, Owen, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

March 16, 1977

HOUSE BILL NO. 678, Prime Sponsor: Representative Kilbury, modifying the law on theft of livestock. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Agriculture.

March 16, 1977

HOUSE BILL NO. 691, Prime Sponsor: Representative Fischer, revising the liability of a public depository. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 2 strike "five" and insert "(five) ten"

On page 2, beginning on line 6 after "greater" strike all material down to and including "date" on line 8 and insert "(~~less any assessments made under this chapter~~)"

Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Kreidler, Lux, Pardini.

To Committee on Rules for second reading.

March 15, 1977

HOUSE BILL NO. 890, Prime Sponsor: Representative Becker, regulating non-dairy products. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

March 16, 1977

HOUSE BILL NO. 987, Prime Sponsor: Representative Gaines, relating to barbering and men's hair styling. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Commerce.

March 16, 1977

HOUSE JOINT RESOLUTION NO. 38, Prime Sponsor: Representative McKibbin, amending the Constitution to authorize passage of special levies by majority vote. Reported by Committee on Constitution.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 50, by Committee on Transportation (Originally sponsored by Representatives Kilbury, Boldt and Martinis):

Requiring speedometers on locomotives.

The bill was read the third time and placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill, and Mr. Patterson spoke 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, 51; nays, 38; not voting, 9.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Fortson, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Gruger, Haley, Leckenby, Lee, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tallor, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Conner, Erickson, Gaines, Gallagher, Knedlik, Lysen, Martinis, Pearsall, Williams.

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.

STATEMENT FOR THE JOURNAL

It was my intention to vote "Yea" on Engrossed Substitute House Bill No. 50. My voting machine malfunctioned.

KING LYSEN, 31st District.

HOUSE BILL NO. 335, by Representatives Bauer, Bender, Lee and Gilleland:

Modifying the procedure for awarding public works contracts by cities and towns of the second, third and fourth class.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 335, and the bill passed the House by the following vote: Yeas, 78; nays, 10; not voting, 10.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Fortson, Fuller, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Oliver, Pardini, Paris, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipnepoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Flanagan, Haley, Nelson G. A., Newhouse, North, Owen, Patterson, Smith.

Not voting: Representatives Conner, Erickson, Gaines, Gallagher, Heck, Hurley G. S., Martinis, Pearsall, Schmitten, Williams.

House Bill No. 335, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish the record to show that I voted "Aye" on House Bill No. 335.

DENNIS L. HECK, 17th District.

SUBSTITUTE HOUSE BILL NO. 572, by Committee on Insurance (Originally sponsored by Representative Douthwaite):

Permitting variable interest loans on life insurance.

The bill was read the third time and placed on final passage.

Representatives Douthwaite and Haley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 572, and the bill passed the House by the following vote: Yeas, 85; nays, 3; not voting, 10.

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

Voting nay: Representatives Lee, Pruitt, Smith.

Not voting: Representatives Berentson, Conner, Erickson, Gaines, Gallagher, Haley, Lysen, Martinis, Pearsall, Williams.

Substitute House Bill No. 572, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 161, by Committee on Financial Institutions (Originally sponsored by Representatives Gaines, Charette, Deccio and Moreau):

Liberalizing the mutual savings bank law.

The bill was read the third time and placed on final passage.

Mr. Eng 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. 161, and the bill passed the House by the following vote: Yeas, 71; nays, 18; not voting, 9.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., O'Brien, Owen, Pardini, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shipoch, Smith, Sommers, Taller, Tilly, Valle, Vrooman, Warake, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Barnes, Berentson, Bond, Clayton, Craswell, Fancher, Grimm, Hansen, Newhouse, North, Oliver, Paris, Struthers, Thompson, Walk, Winsley, Zimmerman.

Not voting: Representatives Chandler, Conner, Erickson, Gaines, Gallagher, Martinis, Pearsall, Shinoda, Williams.

Engrossed Substitute House Bill No. 161, having received the constitutional majority, was declared passed, There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I wish to explain that I did not vote on Engrossed Substitute House Bill No. 161, nor on the proposed amendments to it, because of what I consider to be a conflict of interest. ESHB No. 161 directly affects mutual savings banks. I am an employee of Washington Mutual Savings Bank and receive a salary even during legislative sessions. For this reason I refrained from voting on this bill and plan to abstain from other votes on issues of interest to mutual savings banks.

ROD CHANDLER, 45th District.

ENGROSSED HOUSE BILL NO. 716, by Representatives Shipoch and Hanna:

Providing for the issuance of bonds to pay for the construction of a visitors' parking garage.

The bill was read the third time and placed on final passage.

Mr. Shipoch spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Shipoch yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Shipoch, we have numerous parking lots around the capitol that seem to be filled up with employees' cars and I notice in this bill there is a provision to devote part of it to employee parking. Is there any assurance at all that when the thing gets built it won't be exclusively devoted to employee parking and the citizens will be in the same boat they are right now?"

Mr. Shipoch: "I can only speak to the intent of the bill and I can speak to the fact that the current Director of General Administration says that he will see that it happens that way. I probably would not be the Appropriations Committee Chairman by the time we get this garage built, but if I am, I can assure you it will be available for the public."

Mr. Charnley spoke against passage of the bill, and Mrs. North spoke in favor of it.

POINT OF INQUIRY

Mr. Shipoch yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Shipoch, during the Appropriations Committee hearing on this bill I think the intent of the committee was that two of the levels would be for public parking during session and the other level would be for legislative employees during session. Would you agree with that interpretation?"

Mr. Shinpoch: "No. Assuming the garage did go on the library lot—there's nothing that says that's where it's going to go, it can go in one of three potential places on the campus—the first level was reserved for those people who are currently parking on that lot. They asked to have one level reserved for people who are now parking in that lot; so we are replacing the parking that we are taking away when we put a structure on that parking lot that's there now. Then the additional two hundred spaces are for the public, so the public can participate in this process. It was not for legislative employees. I don't know whether any legislative employees park in that lot or not. I seriously doubt it because that is not a lot we normally access for the legislative session."

Mr. Hanna spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Polk.

Mr. Polk: "The appropriation for \$1.7 million that is contained in the bill I understand was estimated by the Department of General Administration as the cost to build a garage on the library parking lot and that the cost to build a garage over near the General Administration building was in the range of \$4.6 million. I'm concerned that we may determine the size or configuration of the parking garage based upon the amount of dollars that we are appropriating, rather than appropriating the amount of dollars to build the necessary facility. The question is, do you understand or is it your intention that that appropriation is money which can be used for the essential front-end cost to get the design and construction document ready, but there may be another appropriation needed to build the facility?"

Mr. Shinpoch: "Representative Polk, I have a letter back from the Department of General Administration and they lay out the costs in it. There are several other things, including moving the greenhouse, straightening the street and numerous other things that enter into the \$1.6 million. If that was what it was determined to be, then it would be my intent that we start with this money and then the additional would have to be appropriated the next time we are back here. You'd have to understand that you would be accepting other than just a parking garage in order to do that. I do understand that potentially if we went underground it would require additional funds, but I think those of you who participated when we were talking to General Administration know that we did make it clear to them that it was a choice of how it fit into the plans and we would make the money available. What we were interested in is providing the parking space and not designating how or where it would be provided as long as it fits in with the overall plan."

Mr. Keller spoke in favor of the bill.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Hansen.

Mr. Hansen: "There are approximately one hundred fifty legislators and three hundred registered lobbyists. Are the lobbyists considered the people who would be using this facility or would they be using facilities other than this?"

Mr. Shinpoch: "I guess I can't answer your question. I'm certain the legislators are not going to be using it; we're probably going to be parking where we are now. It was never intended to be used for legislative use. I guess I candidly never thought about lobbyists. I assume they are citizens, too. I never questioned that they were, but I candidly never thought about them in relationship to a constituent coming from a district looking for a place to park."

Representatives Oliver, Charnley and Greengo spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 716, and the bill passed the House by the following vote: Yeas, 66; nays, 24; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Charette, Clayton, Clemente, Deccio, Ehlers, Enbody, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Patterson, Polk, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Tallor, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Bond, Burns, Chandler, Charnley, Craswell, Douthwaite, Dunlap, Eng, Fancher, Gilleland, Greengo, Hurley G. S., Lux, Nelson D., Nelson G. A., Oliver, Owen, Paris, Pruitt, Salatino, Struthers, Wilson, Winsley.

Not voting: Representatives Conner, Gaines, Gallagher, Leckenby, Martinis, Pearsall, Sommers, Williams.

Engrossed House Bill No. 716, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 459, by Representatives Conner, Pearsall, Kilbury, Thompson, Moreau, Nelson (Dick) and Lux:

Affecting workmen's compensation where a change of circumstances has occurred.

The bill was read the third time and placed on final passage.

Representatives Lux and Bond spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 459, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

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

Voting nay: Representative Polk.

Not voting: Representatives Conner, Gallagher, Martinis, Williams.

Engrossed House Bill No. 459, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

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

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

AFTERNOON SESSION

The House was called to order at 1:45 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Conner, Gallagher, Knowles, Martinis, McCormick and Moreau. Representatives Conner, Gallagher, Knowles and Martinis were excused.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 261, by Committee on Natural Resources (Originally sponsored by Representatives Smith, Martinis, Conner, Nelson [Gary], Kilbury, Wilson, Oliver, Greengo, Knedlik, Hughes, Gilleland, Bond, Haley, Fuller, Flanagan, Gaines, Clemente and Sanders):

Authorizing private ownership and operation of release-recapture salmon rearing facilities.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 6th Day ex. sess., March 16, 1977.)

The Speaker stated the question before the House to be the amendments by Representatives Becker, Enbody and Hughes.

Representatives Enbody and Becker spoke in favor of the amendments, and Representatives Wilson, Schmitten and Fuller spoke against them.

The Speaker called on Mr. O'Brien to preside.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Becker, Enbody and Hughes to Substitute House Bill No. 261, and the amendments were not adopted by the following vote: Yeas, 20; nays, 62; not voting, 16.

Voting yea: Representatives Becker, Berentson, Charette, Douthwaite, Ehlers, Enbody, Eng, Fortson, Gruger, Hanna, Hansen, Hawkins, King, Lysen, Maxie, Nelson D., Owen, Salatino, Valle, Vrooman.

Voting nay: Representatives Adams, Barnes, Barr, Bender, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Dunlap, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Haley, Heck, Hurley M., Kilbury, Knedlik, Kreidler, Leckenby, Lee, May, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Amen, Bauer, Conner, Gallagher, Hughes, Hurley G. S., Keller, Knowles, Lux, Martinis, McCormick, Moreau, Paris, Sommers, Williams, and Mr. Speaker.

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

On page 7, line 17 strike all language through the period on line 21.

Renumber the remaining sections consecutively.

On page 1, line 2 of the title strike the semicolon, insert a period and strike the remainder of the title.

Substitute House Bill No. 261 was ordered engrossed and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 314, by Committee on Social and Health Services (Originally sponsored by Representatives Adams, Whiteside, Thompson, Newhouse and Kreidler):

Authorizing pharmacy assistants and providing for their regulation.

The bill was read the second time.

Mr. Fischer moved adoption of the following amendment by Representatives Fischer and Lysen:

On page 1, line 12 after "assistant" insert "Level A"

Representatives Fischer, Lysen, Pruitt and Smith spoke in favor of the amendment, and Representatives Adams, Newhouse, Charette, Kreidler and Gruger spoke against it.

Mr. Fischer spoke again in favor of the amendment, and Mrs. Valle also spoke in favor of it.

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

Mr. Lux spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Fischer and Lysen to Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 24; nays, 59; not voting, 15.

Voting yea: Representatives Amen, Barnes, Becker, Bender, Clemente, Craswell, Dunlap, Eng, Fischer, Hawkins, Heck, Hurley G. S., King, Leckenby, Lee, Lysen, McKibbin, North, Pardini, Pruitt, Salatino, Shinpoch, Smith, Valle.

Voting nay: Representatives Adams, Barr, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Deccio, Douthwaite, Ehlers, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hughes, Hurley M., Kilbury, Knedlik, Kreidler, Lux, May, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Sanders, Schmitten, Sherman, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bauer, Blair, Bond, Conner, Enbody, Gallagher, Keller, Knowles, Martinis, Maxie, McCormick, Moreau, Shinoda, Williams, and Mr. Speaker.

Mr. Fischer moved adoption of the following amendment by Representatives Fischer and Lysen:

On page 1, line 14 after "A" insert "Two year" and after "approved" strike "training" and insert "college level"

Mr. Fischer spoke in favor of the amendment, and Representatives Adams, Charnley and Kreidler spoke against it.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Fischer.

Mr. Fischer: "I guess you know more about this bill than I do and I've read it over several times. Would you tell me on what line it states there is an eighteen months requirement for their education?"

Mr. Adams: "In section 7, on line 13."

Mr. Fischer spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Fischer moved adoption of the following amendment by Representatives Fischer and Lysen:

On page 1, after line 19 insert:

"(5) Pharmacy assistant level B means a person certified by the board to perform limited functions in the pharmacy."

Renumber the remaining subsections consecutively.

Mr. Fischer spoke in favor of the amendment, and Mr. Adams spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representatives Fischer and Lysen:

On page 1, section 2, line 23 after "34.04 RCW" insert "and section 1 of this act"

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

Mr. Fischer moved adoption of the following amendment by Representatives Fischer and Lysen:

On page 2, line 20 after "functions" insert "including typing of prescription labels"

Mr. Fischer spoke in favor of the amendment, and Mr. Adams spoke against it.

The amendment was not adopted.

Mr. Fischer moved adoption of the following amendment by Representatives Fischer and Lysen:

On page 2, section 3, line 21 after "pharmacy" insert "on a one to one ratio of pharmacist to pharmacist assistant"

Representatives Fischer, Leckenby and Pruitt spoke in favor of the amendment, and Representatives Kreidler and Adams spoke against it.

Mr. Fischer spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Fischer and Lysen to Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 24; nays, 62; not voting, 12.

Voting yea: Representatives Barnes, Bauer, Blair, Bond, Clemente, Craswell, Deccio, Douthwaite, Eng, Fischer, Hawkins, Heck, Hurley G. S., Leckenby, Lee, Lysen, McKibbin, North, Pruitt, Salatino, Smith, Sommers, Tallier, Valle.

Voting nay: Representatives Adams, Amen, Barr, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Dunlap, Ehlers, Enbody, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Maxie, May, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Sherman, Shipoch, Struthers, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Berentson, Conner, Erak, Gallagher, Knowles, Martinis, McCormick, Moreau, Schmitt, Shinoda, Williams, and Mr. Speaker.

Mr. Clemente moved adoption of the following amendment:

On page 2, line 21 after "pharmacy," insert "That there shall be no more than one technician, or registered pharmacy intern, involved in the dispensing task under the direct supervision and control of a licensed pharmacist at any given time and such direct supervision and control shall be construed to necessarily

require the immediate personal presence of the supervising pharmacist at all times that the practice of pharmacy occurs."

Representatives Clemente and Amen spoke in favor of the amendment, and Mr. Adams spoke against it.

POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Fuller.

Mr. Fuller: "I have two questions I would like to ask you as a former pharmacist. Can a pharmacy be open without a pharmacist on duty?"

Mr. Amen: "No. Prescriptions cannot be filled without a pharmacist."

Mr. Fuller: "Does this proposed amendment mean that the pharmacist has to make a choice whether he wants assistant A or assistant B?"

Mr. Amen: "I guess not, it just says there has to be a pharmacist there or no more than one technician. It would be under control of the pharmacist."

Mr. Fuller: "We are reestablishing a ratio of one to one?"

Mr. Amen: "That's correct."

Mr. Fischer spoke in favor of the amendment, and Mr. Adams spoke against it.

POINT OF PARLIAMENTARY INQUIRY

Mr. Douthwaite: "If we have once dealt with an amendment which is substantially the same as the amendment we are now dealing with, is there not a rule which prevents further consideration of the same thing?"

The Speaker (Mr. O'Brien presiding): "That point could probably be well taken, but the question would have to be raised immediately before discussion was entered into regarding the amendment."

Mr. Douthwaite spoke against the amendment.

POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Amen, I think the major difference in this amendment and the preceding amendment are the words on the second line, 'involved in the dispensing task.' Is dispensing a pharmaceutical term which deals with one specific thing? Is that when you hand it over the counter to the customer?"

Mr. Amen: "Dispensing, in my estimation, is filling the prescription."

Mr. Clemente spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clemente to Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 36; nays, 51; not voting, 11.

Voting yea: Representatives Amen, Barnes, Bauer, Bender, Berentson, Blair, Bond, Clemente, Craswell, Deccio, Eng, Fischer, Flanagan, Greengo, Grier, Hawkins, Heck, Hurley G. S., King, Leckenby, Lee, Lysen, McKibbin, North, Oliver, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Shinpoch, Smith, Tallor, Valle, Zimmerman.

Voting nay: Representatives Adams, Barr, Becker, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fortson, Fuller, Gaines, Gilleland, Grimm, Gruger, Haley, Hanna, Hansen, Hughes, Hurley M., Keller, Kilbury, Knedlik, Kreidler, Lux, Maxie, May, Nelson D., Nelson G. A., Newhouse, O'Brien, Owen, Paris, Sanders, Schmitt, Sherman, Sommers, Struthers, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley.

Not voting: Representatives Conner, Dunlap, Fancher, Gallagher, Knowles, Martinis, McCormick, Moreau, Shinoda, Williams, and Mr. Speaker.

Mr. Hurley (George) moved adoption of the following amendment:

On page 2, after line 26 insert the following:

"(3) The following duties may be performed only by a licensed and registered pharmacist or registered pharmacy intern:

- (1) Taking any telephone inquiry regarding professional matters including receipt of prescriptions.
- (2) Making final inspection of any compounded product.

- (3) Typing and inspection of prescription label and verifying correct transcription.
- (4) Compounding and reconstitution.
- (5) Selection of brand and supplier.
- (6) Certification of prescription order.
- (7) Extemporaneous compounding.
- (8) Taking medication from shelf and bringing to prescription compounding area.
- (9) Counting and pouring prefabricated medication for individual prescription.
- (10) Issuing prescription to patient.
- (11) Certification of drug handling procedure.
- (12) Public health services.
- (13) Such other duties and responsibilities as the board may assign to licensed pharmacists."

Mr. Hurley (George) spoke in favor of the amendment.

POINT OF ORDER

Mr. Berentson: "It seems to me that this amendment contains most of the material that was contained in the earlier amendment and I would like you to rule on whether or not we are running over the same program?"

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The same point holds true on points of order, the action has to be objected to before consideration has been entered upon. After debate has begun or other action taken, it is too late. Debate has been begun by Representative Hurley on this issue. You should have asked for the point of order before Representative Hurley had the floor."

Mr. Hurley (George) continued his remarks in favor of the amendment, and Mr. Charette spoke against it.

POINT OF INQUIRY

Mr. Hurley (George) yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Hurley, I'd like to completely understand your amendment before I vote on it. Would you cover point number 7—extemporaneous compounding?"

Mr. Hurley (George): "I would refer you to Representative Fischer on that since he is a pharmacist and I would prefer that he would answer that question, if you don't mind."

Mr. Fischer: "That is compounding on the spot, making up a product that has been prescribed by the doctor and doing it without special instructions. You refer to your text, your compounding book, and so forth, and that's the kind of compounding you are referring to. It takes some skill."

Mr. Adams spoke against adoption of the amendment.

The amendment was not adopted.

Substitute House Bill No. 314 was passed to Committee on Rules for third reading.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

The Speaker (Mr. O'Brien presiding) introduced the Tacoma Scots, a bagpipe band and they entertained the House with several songs in honor of St. Patrick's Day.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Friday, March 18, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 18, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Boldt, Conner, Kilbury, Knowles, Lysen, Martinis, McCormick and Warnke, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chris Gliva and Sam Fulghum. Prayer was offered by Reverend Wallace Misterek of the Trinity Lutheran Church of Olympia.

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

MESSAGE FROM THE GOVERNOR

March 17, 1977

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

I have the honor to advise that on March 17, 1977, Governor Ray approved the following House Bills, entitled:

- HOUSE BILL NO. 45: Relating to liens;
- HOUSE BILL NO. 55: Relating to stream patrolmen;
- HOUSE BILL NO. 69: Relating to state government;
- HOUSE BILL NO. 95: Relating to motor vehicles;
- HOUSE BILL NO. 106: Relating to vehicle licenses;
- HOUSE BILL NO. 108: Relating to the taxation of fuel utilized for propulsion of motor vehicles;
- HOUSE BILL NO. 110: Relating to driver's license fees;
- HOUSE BILL NO. 111: Relating to the taxation of fuel utilized for the propulsion of motor vehicles;
- HOUSE BILL NO. 122: Relating to ferry advisory committees;
- HOUSE BILL NO. 136: Relating to agricultural conservation.

Sincerely,
JOE ZASPEL, Legislative Assistant.

MESSAGE FROM THE SENATE

March 17, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2338,
SENATE BILL NO. 2341,
ENGROSSED SENATE BILL NO. 2342,
ENGROSSED SENATE BILL NO. 2344,
ENGROSSED SENATE BILL NO. 2365,
SENATE BILL NO. 2378,
SUBSTITUTE SENATE BILL NO. 2382,
SENATE BILL NO. 2384,
ENGROSSED SENATE BILL NO. 2387,
ENGROSSED SENATE BILL NO. 2400,
ENGROSSED SENATE BILL NO. 2408,
SENATE BILL NO. 2439,
SENATE BILL NO. 2447,

ENGROSSED SENATE BILL NO. 2451,
 ENGROSSED SENATE BILL NO. 2478,
 ENGROSSED SENATE BILL NO. 2500,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1270, by Representatives Kilbury and Sommers:

AN ACT Relating to revenue and taxation, providing for the taxation of certain thermal electric generating facilities and the distribution of moneys received therefrom; and adding a new chapter to Title 82 RCW.

To Committee on Revenue

HOUSE BILL NO. 1271, by Representatives Tilly, Fortson, Barnes and Whiteside:

AN ACT Relating to holidays; and amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 1.16.050.

To Committee on State Government

HOUSE BILL NO. 1272, by Representatives Paris, Sommers, Berentson, Polk, Fortson, Gruger, Patterson, Oliver, Bender, Craswell, Blair, Winsley and Taller:

AN ACT Relating to the legislature; and amending section 1, chapter 20, Laws of 1891 and RCW 44.04-.010.

To Committee on State Government

HOUSE BILL NO. 1273, by Representatives Clemente, Barnes, Fortson, Lee, Dunlap, Bender and Erickson:

AN ACT Relating to education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW; and providing penalties.

To Committee on Education

HOUSE BILL NO. 1274, by Representative Salatino:

AN ACT Relating to homesteads; and amending section 24, chapter 64, Laws of 1895 as last amended by section 1, chapter 12, Laws of 1971 ex. sess. and RCW 6.12.050.

To Committee on Judiciary

HOUSE BILL NO. 1275, by Representatives May and Ehlers:

AN ACT Relating to the state fire marshal; and amending section .33.09, chapter 79, Laws of 1947 and RCW 48.48.090.

To Committee on State Government

HOUSE BILL NO. 1276, by Representative Warnke:

AN ACT Relating to solid waste recovery, recycling, and management; amending section 1, chapter 134, Laws of 1969 ex. sess. as amended by section 1, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.010; amending section 3, chapter 134, Laws of 1969 ex. sess. as last amended by section 3, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.030; amending section 11, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.110; amending section 16, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.160; amending section 18, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.180; amending section 19, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.190; amending section 21, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.210; amending section 5, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.263; adding new sections to chapter 70.95 RCW; defining crimes; and declaring an emergency.

To Committee on Ecology

HOUSE BILL NO. 1277, by Representatives McKibbin, Clemente, Barnes, Bauer, Dunlap, Erickson, Shipoch and Haley (by Executive Request of Governor Ray):

AN ACT Relating to education; providing for a Washington State Commission on Educational Structure and Management and setting out its powers and duties and providing for the expiration thereof; and making an appropriation.

To Committee on Education

HOUSE BILL NO. 1278, by Representatives Whiteside, Adams, Tilly, Berentson, Newhouse, Fortson, Shipoch, Craswell, Oliver, Schmitten, Gruger, Taller, Deccio, Clayton, Gilleland, Wilson, Walk and Winsley:

AN ACT Relating to local government programs; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 36.39 RCW.

To Committee on Local Government

HOUSE BILL NO. 1279, by Representative Fischer:

AN ACT Relating to water districts; adding a new section to chapter 57.08 RCW; and adding a new section to chapter 57.20 RCW.

To Committee on Local Government

HOUSE BILL NO. 1280, by Representatives Kilbury and McCormick:

AN ACT Relating to animals; amending section 7, chapter 146, Laws of 1901 and RCW 16.52.120; and amending section 8, chapter 146, Laws of 1901 and RCW 16.52.130.

To Committee on Agriculture

HOUSE BILL NO. 1281, by Representative Knowles:

AN ACT Relating to civil procedure; amending section 7, chapter 60, Laws of 1929 and RCW 4.56.210; and repealing section 8, chapter 60, Laws of 1929, section 18, chapter 81, Laws of 1971 and RCW 4.56.225.

To Committee on Judiciary

HOUSE BILL NO. 1282, by Representatives Tilly and Gilleland:

AN ACT Relating to driving while intoxicated; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 2, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.515; amending section 3, chapter 1, Laws of 1969 as amended by section 1, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.506; amending section 24, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.285; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 1, chapter 36, Laws of 1973 1st ex. sess. and RCW 46.20.311; amending section 39, chapter 121, Laws of 1965 ex. sess. as amended by section 4, chapter 29, Laws of 1972 ex. sess. and RCW 46.20.334; amending section 1, chapter 5, Laws of 1973 and RCW 46.20.391; amending section 3, chapter 29, Laws of 1975-'76 2nd ex. sess. and RCW 46.20.416; and providing penalties.

To Committee on Judiciary

HOUSE BILL NO. 1283, by Representative Knowles:

AN ACT Relating to water conservation; adding a new chapter to Title 70 RCW; prescribing penalties; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 1284, by Representatives Sommers, Newhouse, Shipoch, O'Brien, Taller and Erickson:

AN ACT Relating to state government; affecting the Metropolitan Tract and any lands contiguous thereto; amending section 1, chapter 174, Laws of 1974 ex. sess. and RCW 28B.20.382; and declaring an emergency.

To Committee on Higher Education

HOUSE BILL NO. 1285, by Representatives Pruitt, Paris, Lysen, Gruger and Zimmerman:

AN ACT Relating to revenue and taxation; and amending section 84.36.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.020.

To Committee on Revenue

HOUSE BILL NO. 1286, by Representatives O'Brien, Charnley, Taller and Sommers:

AN ACT Providing for municipal development of an integrated underground public parking and building project providing public facilities and private uses to complement a civic center and the surrounding metropolitan area and authorizing the acquisition and transfer of property therefor and contracts appropriate thereto; creating new sections; adding new sections to chapter 35.21 RCW; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 1287, by Representatives Thompson, Owen and North:

AN ACT Relating to local government; amending section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030; and adding a new chapter to Title 39 RCW.

To Committee on Local Government

HOUSE BILL NO. 1288, by Representatives Douthwaite, Burns and Nelson (Dick):

AN ACT Relating to trails and paths; and amending section 4, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.050.

To Committee on Parks and Recreation

HOUSE BILL NO. 1289, by Representatives Gaines, Zimmerman and McKibbin:

AN ACT Relating to the gambling commission; and amending section 7, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.070.

To Committee on Commerce

HOUSE BILL NO. 1290, by Representatives Valle, Pruitt, Nelson (Dick) and Burns:

AN ACT Relating to state government; and adding a new chapter to Title 43 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1291, by Representatives Douthwaite and Haley:

AN ACT Relating to insurance; amending section .12.15, chapter 79, Laws of 1947 as last amended by section 4, chapter 162, Laws of 1973 1st ex. sess. and RCW 48.12.150; amending section .23.35, chapter 79, Laws of 1947 as last amended by section 5, chapter 162, Laws of 1973 1st ex. sess. and RCW 48.23.350; amending section 5, chapter 104, Laws of 1969 as amended by section 6, chapter 163, Laws of 1973 1st ex. sess. and RCW 48.18A.050; amending section .23.20, chapter 79, Laws of 1947 and RCW 48.23.200; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.23 RCW.

To Committee on Insurance

HOUSE BILL NO. 1292, by Representative Hawkins:

AN ACT Relating to the public disclosure commission; amending section 35, chapter 1, Laws of 1973 as last amended by section 8, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.350; and adding a new section to chapter 1, Laws of 1973 and to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1293, by Representative Hawkins:

AN ACT Relating to state government; and reenacting and amending section 24, chapter 1, Laws of 1973 as last amended by section 1, chapter 104, Laws of 1975-'76 2nd ex. sess. and by section 7, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.240.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1294, by Representatives Blair and Gilleland:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.030; amending section 24, chapter 209, Laws of 1969 ex. sess. as last amended by section 13, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.240; amending section 3, chapter 257, Laws of 1971 ex. sess. as amended by section 8, chapter 120, Laws of 1974 ex. sess. and RCW 41.26-.045; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 10, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.120; amending section 13, chapter 209, Laws of 1969 ex. sess. as amended by section 8, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.130; amending section 14, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.140; amending section 15, chapter 209, Laws of 1969 ex. sess. as last amended by section 11, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.150; amending section 17, chapter 209, Laws of 1969 ex. sess. as last amended by section 5, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.160; adding new sections to chapter 41.26 RCW; and prescribing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 1295, by Representatives Conner and McKibbin:

AN ACT Relating to the transporting of mobile homes; amending section 81.80.010, chapter 14, Laws of 1961 as amended by section 1, chapter 69, Laws of 1967 and RCW 81.80.010; and adding a new section to chapter 81.80 RCW.

To Committee on Transportation

HOUSE BILL NO. 1296, by Representatives Knowles and Winsley:

AN ACT Relating to driving while under the influence of intoxicating liquor or drugs; and amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 2, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.515.

To Committee on Judiciary

HOUSE BILL NO. 1297, by Representative Sommers:

AN ACT Relating to the Residential Landlord—Tenant Act; amending section 14, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.140; amending section 20, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.200; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1298, by Representatives Williams, Polk, Sommers and Winsley:

AN ACT Relating to the state building code; and amending section 3, chapter 96, Laws of 1974 ex. sess. as amended by section 8, chapter 110, Laws of 1975 1st ex. sess. and RCW 19.27.030.

To Committee on State Government

HOUSE BILL NO. 1299, by Representative Hawkins:

AN ACT Relating to state government; and amending section 19, chapter 1, Laws of 1973 as amended by section 12, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.190.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1300, by Representative Hawkins:

AN ACT Relating to public disclosure; and adding a new section to chapter 1, Laws of 1973 and to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1301, by Representative Conner:

AN ACT Relating to toll bridges and ferries; amending section 3, chapter 9, Laws of 1961 ex. sess. and RCW 47.60.420; amending section 5, chapter 9, Laws of 1961 ex. sess. as last amended by section 7, chapter 24, Laws of 1972 ex. sess. and RCW 47.60.440; amending section 9, chapter 9, Laws of 1961 ex. sess. and RCW 47.60.470; adding new sections to chapter 13, Laws of 1961 and to chapter 47.56 RCW; making an appropriation; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1302, by Representative Hawkins:

AN ACT Relating to public disclosure; and adding a new section to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1303, by Representative Conner:

AN ACT Relating to private ways of necessity; adding new sections to chapter 8.24 RCW; repealing section 1, chapter 133, Laws of 1913 and RCW 8.24.010; and repealing section 2, chapter 133, Laws of 1913 and RCW 8.24.030.

To Committee on Judiciary

HOUSE BILL NO. 1304, by Representatives Hawkins and Nelson (Dick):

AN ACT Relating to elections; amending section 29.80.010, chapter 9, Laws of 1965 as last amended by section 2, chapter 4, Laws of 1975 2nd ex. sess. and RCW 29.80.010; amending section 29.80.020, chapter 9, Laws of 1965 as last amended by section 1, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.020; amending section 29.80.040, chapter 9, Laws of 1965 as amended by section 2, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.040; amending section 1, chapter 72, Laws of 1969 ex. sess. and RCW 29.81.012; and adding a new section to chapter 29.81 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1305, by Representative Enbody:

AN ACT Relating to crimes and criminal procedure; amending section 9A.48.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.030; amending section 9A.52.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 7, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.52.030; amending section 9A.56.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.060; adding new sections to chapter 9A.20 RCW; adding new sections to chapter 260, Laws of 1975 1st ex. sess. and to chapter 9A.88 RCW; adding a new section to chapter 69.50 RCW; repealing section 78, chapter 249, Laws of 1909 and RCW 9.18.080; repealing section 1, chapter 175, Laws of 1969 ex. sess. and RCW

9.41.025; repealing section 1, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.140; repealing section 2, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.150; repealing section 3, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.160; repealing section 4, chapter 14, Laws of 1975 1st ex. sess., section 1, chapter 247, Laws of 1975 1st ex. sess. and RCW 9.79.170; repealing section 5, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.180; repealing section 6, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.190; repealing section 7, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.200; repealing section 8, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.210; repealing section 9, chapter 14, Laws of 1975 1st ex. sess. and RCW 9.79.220; repealing sections 1 and 2, chapter 86, Laws of 1903, section 34, chapter 249, Laws of 1909 and RCW 9.92.090; repealing section 1, chapter 2, Laws of 1975 1st ex. sess. and RCW 10.19.130; repealing section 39, chapter 249, Laws of 1909 and RCW 10.52.090; prescribing penalties; providing an effective date; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1306, by Representatives King, Sommers, Haley, Charnley, Blair, Clemente, Warnke, Shipoch and Thompson:

AN ACT Relating to salaries of elected officials; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 113, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.010; adding a new section to chapter 44.04 RCW; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 1307, by Representatives Fortson, Smith, Valle, Lysen, Chandler, Becker, Lee, Charnley, Thompson, North, Douthwaite, Fuller and Paris:

AN ACT Relating to energy facilities; creating new sections; making an appropriation; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1308, by Representatives McCormick and Berentson:

AN ACT Relating to administrative proceedings; amending section 13, chapter 234, Laws of 1959 as amended by section 6, chapter 237, Laws of 1967 and RCW 34.04.130; adding a new section to chapter 80.04 RCW; and repealing section 80.04.165, chapter 14, Laws of 1961 and RCW 80.04.165.

To Committee on Energy and Utilities

HOUSE BILL NO. 1309, by Representatives Burns, McKibbin and Clemente:

AN ACT Relating to education; prescribing criteria for the allocation of certain funds to common schools; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; and declaring an emergency.

To Committee on Education

HOUSE BILL NO. 1310, by Representative Valle:

AN ACT Relating to shoreline management; and amending section 14, chapter 286, Laws of 1971 ex. sess. as last amended by section 1, chapter 51, Laws of 1975-'76 2nd ex. sess. and RCW 90.58.140.

To Committee on Ecology

HOUSE BILL NO. 1311, by Representatives Thompson and McKibbin:

AN ACT Relating to state agency construction projects; amending section 7, chapter 96, Laws of 1974 ex. sess. as amended by section 59, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.070; and adding new sections to chapter 43.82 RCW.

To Committee on State Government

HOUSE BILL NO. 1312, by Representatives Warnke, Gaines, Pardini, Salatino and Boldt:

AN ACT Relating to consumer protection; adding a new chapter to Title 19 RCW; prescribing penalties; and prescribing an effective date.

To Committee on Commerce

HOUSE BILL NO. 1313, by Representatives Thompson and Charette:

AN ACT Relating to cemeteries; amending section 123, chapter 247, Laws of 1943 as amended by section 10, chapter 290, Laws of 1953 and RCW 68.40.080; and adding new sections to chapter 68.40 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1314, by Representative Lux:

AN ACT Relating to public employee collective bargaining; amending section 3, chapter 131, Laws of 1973 as last amended by section 1, chapter 14, Laws of 1975-'76 2nd ex. sess. and RCW 41.56.440; and amending section 4, chapter 131, Laws of 1973 as last amended by section 2, chapter 14, Laws of 1975-'76 2nd ex. sess. and RCW 41.56.450.

To Committee on Labor

HOUSE BILL NO. 1315, by Representatives Warnke, Gaines, Pardini, Salatino and Boldt:

AN ACT Relating to professional and occupational licensing; and creating new sections.

To Committee on State Government

HOUSE BILL NO. 1316, by Representative Lux:

AN ACT Relating to public employees collective bargaining; amending section 1, chapter 5, Laws of 1975 2nd ex. sess. and RCW 41.58.010; and amending section 2, chapter 5, Laws of 1975 2nd ex. sess. as amended by section 91, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.015.

To Committee on Labor

HOUSE BILL NO. 1317, by Representatives Smith, Haley, Hurley (George), Bond, Gilleland, Erickson and Fischer:

AN ACT Relating to legislators' salaries and expenses; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 113, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.010; amending section 1, page 6, Laws of 1890 as amended by section 17, chapter 106, Laws of 1973 and RCW 44.04.040; amending section 1, chapter 173, Laws of 1941 as last amended by section 2, chapter 3, Laws of 1969 and RCW 44.04.080; amending section 2, chapter 173, Laws of 1941 as amended by section 20, chapter 106, Laws of 1973 and RCW 44.04.090; and amending section 1, chapter 10, Laws of 1959 ex. sess. as last amended by section 2, chapter 157, Laws of 1974 ex. sess. and RCW 44.04.120.

To Committee on State Government

HOUSE BILL NO. 1318, by Representative McKibbin:

AN ACT Relating to watercraft; creating a new chapter in Title 88 RCW; repealing section 8, chapter 200, Laws of 1907 and RCW 88.04.090; repealing section 9, chapter 200, Laws of 1907 and RCW 88.04.100; repealing section 15, chapter 200, Laws of 1907 and RCW 88.04.180; repealing section 11, chapter 200, Laws of 1907 and RCW 88.04.190; repealing section 25, chapter 200, Laws of 1907 and RCW 88.04.280; repealing section 1, chapter 72, Laws of 1933 and RCW 88.12.010; repealing section 2, chapter 72, Laws of 1933 and RCW 88.12.020; repealing section 3, chapter 72, Laws of 1933 and RCW 88.12.030; repealing section 4, chapter 72, Laws of 1933 and RCW 88.12.040; repealing section 5, chapter 72, Laws of 1933 and RCW 88.12.050; repealing section 6, chapter 72, Laws of 1933 and RCW 88.12.060; providing penalties; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1319, by Representatives Fischer, Charnley and Hurley (George):

AN ACT Relating to alcoholic beverage control; and adding a new section to chapter 66.24 RCW.

To Committee on Commerce

HOUSE BILL NO. 1320, by Representatives Lux, Burns, Nelson (Dick), Pruitt, Charnley, Hurley (George), Owen and Bauer:

AN ACT Relating to public service companies; and adding a new section to chapter 80.04 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1321, by Representatives Ehlers, Sommers, Taller, Smith and Charnley:

AN ACT Relating to salaries of elected officials; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 113, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.010; declaring an emergency; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 1322, by Representatives Ehlers, Sommers, Taller, Erickson and Smith:

AN ACT Relating to salaries of judges and justices; amending section 1, chapter 144, Laws of 1953 as last amended by section 2, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 3, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.06.060; amending section 2, chapter 144, Laws of 1953 as last amended by section 4, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.08.090; amending section 100, chapter 299, Laws of

1961 as last amended by section 5, chapter 263, Laws of 1975 1st ex. sess. and RCW 3.58.010; adding a new section to chapter 2.04 RCW; declaring an emergency; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 1323, by Representatives McKibbin, Bauer, Wilson, Sommers, Clemente, Nelson (Gary), Shinpoch, Blair, Hawkins, Whiteside, Schmitten, Pardini, Ehlers, Boldt, Bender, King, Sherman, Erickson, Enbody, Dunlap, Warnke, Salatino, Hughes, Haley, Heck, Gaines and Taller:

AN ACT Relating to personal service contracts; and adding a new section to chapter 44.28 RCW.

To Committee on State Government

HOUSE BILL NO. 1324, by Representatives Pardini and Gaines:

AN ACT Relating to demand deposits; adding a new section to chapter 173, Laws of 1933 and to chapter 31.12 RCW; adding a new section to chapter 13, Laws of 1955 and to chapter 32.08 RCW; adding a new section to chapter 235, Laws of 1945 and to chapter 33.12 RCW; and repealing section 30, chapter 235, Laws of 1945 and RCW 33.12.020.

To Committee on Financial Institutions

HOUSE BILL NO. 1325, by Representatives Smith, Pruitt, Burns, Erickson, Hughes, Vrooman, Nelson (Dick) and Enbody:

AN ACT Relating to public lavatories; and adding a new chapter to Title 19 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1326, by Representatives Knedlik and Kilbury:

AN ACT Relating to utility service charges; creating a new chapter in Title 80 RCW; and providing an effective date.

To Committee on Energy and Utilities

HOUSE BILL NO. 1327, by Representatives King, Hawkins, Charnley, Bender, Fuller, Burns and Vrooman:

AN ACT Relating to governmental ethics; amending section 36, chapter 1, Laws of 1973 and RCW 42.17-.360; adding a new section to chapter 42.17 RCW; creating a new chapter in Title 42 RCW; and providing penalties.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1328, by Representatives Knedlik, Sommers and Sherman:

AN ACT Relating to taxation of the inefficient use of limited resources; amending section 2, chapter 170, Laws of 1969 ex. sess. as amended by section 15, chapter 25, Laws of 1975 and RCW 46.16.040; creating a new chapter in Title 46 RCW; providing penalties; declaring an emergency; and prescribing an effective date.

To Committee on Revenue

HOUSE BILL NO. 1329, by Representatives Knowles, Knedlik, Enbody and Smith:

AN ACT Relating to arbitration; adding new sections to chapter 2.04 RCW; and providing an effective date.

To Committee on Judiciary

HOUSE BILL NO. 1330, by Representatives Shinpoch and Knedlik:

AN ACT Relating to insurance; and adding a new section to chapter 48.22 RCW.

To Committee on Insurance

HOUSE BILL NO. 1331, by Representative Knedlik:

AN ACT Relating to highways; and creating a new section.

To Committee on Transportation

HOUSE BILL NO. 1332, by Representatives Burns, Douthwaite, Blair, Sherman, Hawkins, Charnley, Lux and Valle:

AN ACT Relating to motor vehicle excise tax; amending section 82.44.020, chapter 15, Laws of 1961 as amended by section 2, chapter 199, Laws of 1963 and RCW 82.44.020; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.44 RCW.

To Committee on Transportation

HOUSE BILL NO. 1333, by Representative Lux:

AN ACT Relating to employee benefits; adding a new section to chapter 48.21 RCW; and adding a new section to chapter 48.44 RCW.

To Committee on Labor

HOUSE BILL NO. 1334, by Representative Lux:

AN ACT Relating to public employees collective bargaining; repealing section 5, chapter 288, Laws of 1975 1st ex. sess., section 92, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.59.040; and repealing section 6, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.050.

To Committee on Labor

HOUSE BILL NO. 1335, by Representatives Lysen, Leckenby, Pruitt and Bender:

AN ACT Relating to state highway route number 160; and amending section 62, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.305.

To Committee on Transportation

HOUSE BILL NO. 1336, by Representative Enbody:

AN ACT Relating to criminal law and procedure; amending section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.040; amending section 1, chapter 9, Laws of 1975-'76 2nd ex. sess. and RCW 9A.32.045; amending section 2, chapter 9, Laws of 1975-'76 2nd ex. sess. and RCW 9A.32.046; amending section 3, chapter 9, Laws of 1975-'76 2nd ex. sess. and RCW 9A.32.047; amending section 9A.32.050, chapter 260, Laws of 1975 1st ex. sess. as amended by section 4, chapter 38, Laws of 1975-'76 2nd ex. sess. and RCW 9A.32.050; amending section 9A.32.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.060; prescribing penalties; providing an effective date; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1337, by Representatives Sommers, North and Warnke (by Executive Request of Governor Ray):

AN ACT Relating to motor vehicle excise taxes; and amending section 1, chapter 87, Laws of 1972 ex. sess. as amended by section 5, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.150.

To Committee on Transportation

HOUSE BILL NO. 1338, by Representative O'Brien:

AN ACT Relating to auctioneers; adding a new chapter to Title 18 RCW; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 1339, by Representative Knedlik:

AN ACT Relating to education; creating new sections; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW.

To Committee on Education

HOUSE BILL NO. 1340, by Representative Knedlik:

AN ACT Relating to insurance; and amending section .01.05, chapter 79, Laws of 1947 as amended by section 1, chapter 13, Laws of 1975-'76 2nd ex. sess. and RCW 48.01.050.

To Committee on Insurance

HOUSE BILL NO. 1341, by Representatives Chandler, Knedlik and Clemente:

AN ACT Relating to common school plant facilities; and amending section 4, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 98, Laws of 1975 1st ex. sess. and RCW 28A.47.803.

To Committee on Education

HOUSE BILL NO. 1342, by Representatives Enbody and Newhouse:

AN ACT Relating to actions at law for injury or death; and amending section 51.24.010, chapter 23, Laws of 1961 as last amended by section 93, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.24.010.

To Committee on Judiciary

HOUSE BILL NO. 1343, by Representatives North, Erickson, Nelson (Gary), Ehlers, Fortson and Blair:

AN ACT Relating to the Washington state veterinary board of governors; and amending section 3, chapter 92, Laws of 1959 as amended by section 2, chapter 50, Laws of 1967 ex. sess. and RCW 18.92.021.

To Committee on State Government

HOUSE BILL NO. 1344, by Representatives Shinpoch and Warnke (by Executive Request of Governor Ray):

AN ACT Relating to the employer's contribution of the public employees' retirement system; amending section 4, chapter 231, Laws of 1957 as last amended by section 13, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.361; prescribing an effective date; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1345, by Representative Sommers (by Executive request of Governor Ray):

AN ACT Relating to revenue and taxation; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.020; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1346, by Representatives Sommers and Ehlers (by Executive Request of Governor Ray):

AN ACT Relating to revenue and taxation; amending section 2, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.442; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1347, by Representatives Clemente, Barnes and Fortson (by Superintendent of Public Instruction request):

AN ACT Relating to education; and amending section 28A.01.020, chapter 223, Laws of 1969 ex. sess. as amended by section 22, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.01.020.

To Committee on Education

HOUSE BILL NO. 1348, by Representative Knedlik:

AN ACT Relating to casualty insurance; and amending section 27, chapter 150, Laws of 1967 and RCW 48.22.030.

To Committee on Insurance

HOUSE BILL NO. 1349, by Representative Sommers (by Executive Request of Governor Ray):

AN ACT Relating to revenue and taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020; prescribing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1350, by Representatives Sommers and Erickson (by Department of Revenue request):

AN ACT Relating to revenue and taxation; adding a new title to the Revised Code of Washington; and creating new sections.

To Committee on Revenue

HOUSE BILL NO. 1351, by Representatives Valle, Leckenby and Hughes:

AN ACT Relating to water pollution control; amending section 10, chapter 133, Laws of 1969 ex. sess. as last amended by section 1, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.315; amending section 6, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.336; and adding a new section to chapter 90.48 RCW.

To Committee on Ecology

HOUSE BILL NO. 1352, by Representative Knedlik:

AN ACT Relating to state government; adding a new section to chapter 42.20 RCW; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 1353, by Representative O'Brien:

AN ACT Relating to the public utility excise tax; adding a new section to chapter 15, Laws of 1961 and to chapter 82.16 RCW; creating new sections; declaring an emergency; and prescribing an expiration date.

To Committee on Energy and Utilities

HOUSE BILL NO. 1354, by Representative Hanna:

AN ACT Relating to grand juries; and adding a new chapter to Title 10 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1355, by Representative Knedlik:

AN ACT Relating to public funds; adding a new section to chapter 79.64 RCW; repealing section 1, chapter 178, Laws of 1961, section 1, chapter 63, Laws of 1967 ex. sess. and RCW 79.64.010; repealing section 2, chapter 178, Laws of 1961 and RCW 79.64.020; repealing section 3, chapter 178, Laws of 1961 and RCW 79.64.030; repealing section 4, chapter 178, Laws of 1961, section 2, chapter 63, Laws of 1967 ex. sess., section 2, chapter 224, Laws of 1971 ex. sess. and RCW 79.64.040; repealing section 5, chapter 178, Laws of 1961 and RCW 79.64.050; repealing section 3, chapter 63, Laws of 1967 ex. sess. and RCW 79.64.055; repealing section 6, chapter 178, Laws of 1961 and RCW 79.64.060; repealing section 7, chapter 178, Laws of 1961 and RCW 79.64.070; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 1356, by Representatives Knedlik and Kilbury:

AN ACT Relating to state government; and adding new sections to chapter 39.29 RCW.

To Committee on State Government

HOUSE BILL NO. 1357, by Representative Knedlik:

AN ACT Relating to motor vehicle excise tax; and amending section 82.44.020, chapter 15, Laws of 1961 as amended by section 2, chapter 199, Laws of 1963 and RCW 82.44.020.

To Committee on Transportation

HOUSE BILL NO. 1358, by Representative Knedlik:

AN ACT Relating to the death penalty; amending section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.040; adding a new chapter to Title 10 RCW; prescribing penalties; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1359, by Representatives Fancher, Bond, Dunlap, Hansen, Flanagan, Amen, Struthers, Craswell, Taller, Oliver, Tilly, Whiteside, Clayton, Deccio, Newhouse, Barr, Schmitten, Greengo, Chandler, Sanders, Gilleland, Winsley, Patterson, Polk, Nelson (Gary), Haley, Barnes, Pardini, Berentson and Wilson:

AN ACT Relating to unemployment compensation; amending section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030; amending section 74, chapter 35, Laws of 1945 as last amended by section 22, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.060; amending section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100; amending section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090; amending section 19, chapter 2, Laws of 1970 ex. sess. as last amended by section 2, chapter 7, Laws of 1973 2nd ex. sess. and RCW 50.04.323; amending section 73, chapter 35, Laws of 1945 as last amended by section 21, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.050; amending section 76, chapter 35, Laws of 1945 as last amended by section 1, chapter 321, Laws of 1959 and RCW 50.20.080; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.120; adding a new section to chapter 50.20 RCW to be designated as RCW 50.20.065; adding a new section to chapter 50.40 RCW; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 1360, by Representative Knedlik:

AN ACT Relating to revenue and taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020; amending section 84.64.050, chapter 15, Laws of 1961 as amended by section 2, chapter 84, Laws of 1972 ex. sess. and RCW 84.64.050; and amending section 84.64.270, chapter 15, Laws of 1961 as amended by section 5, chapter 23, Laws of 1965 ex. sess. and RCW 84.64.270.

To Committee on Revenue

HOUSE BILL NO. 1361, by Representatives Nelson (Dick), Valle and Charnley:

AN ACT Relating to public health; and adding a new chapter to Title 70 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1362, by Representative Lux:

AN ACT Relating to educational employment relations; and amending section 13, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.120.

To Committee on Labor

HOUSE BILL NO. 1363, by Representatives Hansen, Flanagan, Tilly and Schmitt:

AN ACT Relating to public utility districts; and adding a new section to chapter 54.04 RCW.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 13, by Representatives Chandler, Whiteside, Taller, Polk, Patterson, Fancher, Barr, Struthers, Haley, Bond, Erickson, Kilbury, Thompson, North, Adams, Smith and Greengo:

Requesting reconsideration of a ban on saccharin.

To Committee on Social and Health Services

HOUSE JOINT MEMORIAL NO. 14, by Representatives Fortson, Smith, Wilson, Valle, Lysen, Chandler, Becker, Conner, Lee, Charnley, Enbody, Thompson, Dunlap, North, Douthwaite, Fuller and Paris (by Oceanographic Commission of Washington request):

Requesting the federal government to develop a program of standards for marine measurements.

To Committee on Ecology

HOUSE JOINT MEMORIAL NO. 15, by Representatives Bond, Lysen, Dunlap, McCormick, Oliver, Struthers, Sanders, Chandler, Hansen, Walk, Clayton and Polk:

Memorializing the President of the United States and several sister states to meet in conference on rising British Columbia gas prices.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 16, by Representatives Knedlik, Eng and Shinoda:

Requesting Congress to make reparations to those who were unjustly interned during World War II.

To Committee on Judiciary

HOUSE JOINT MEMORIAL NO. 17, by Representatives Lysen, Lux and Becker:

Memorializing the President and Congress to terminate the mutual civil agreement between pulp and paper manufacturers.

To Committee on Labor

HOUSE JOINT MEMORIAL NO. 18, by Representatives Hansen, Flanagan, Tilly, Amen and Schmitt:

Requesting no delay of the Second Bacon Siphon and Tunnel project.

To Committee on Agriculture

HOUSE JOINT MEMORIAL NO. 19, by Representatives Hansen, Flanagan, Tilly, Amen and Schmitt:

Requesting no delay of the third power plant at Grand Coulee.

To Committee on Energy and Utilities

HOUSE JOINT RESOLUTION NO. 63, by Representatives Sommers and Erickson (by Executive Request of Governor Ray):

Authorizing state income tax and revising tax structure.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 64, by Representatives King, Fortson, Sommers and Oliver:

Moving the effective date of acts generally closer to the time of approval of governor.

To Committee on State Government

HOUSE CONCURRENT RESOLUTION NO. 29, by Representative Sommers (by Washington State Energy Office request):

Directing a study of taxes on energy and energy facilities.

To Committee on Revenue

MOTION

On motion of Mr. King, all bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and were passed to the committees designated with the exception of HOUSE BILL NO. 1318, which was passed to Committee on Parks and Recreation.

REPORTS OF STANDING COMMITTEES

March 16, 1977

HOUSE BILL NO. 13, Prime Sponsor: Representative Fischer, expanding the work release program to include treatment. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hanna, Chairman; Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 464, Prime Sponsor: Representative Thompson, creating a local government investment pool trust fund. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, North, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 657, Prime Sponsor: Representative Ehlers, removing the state auditor from membership on the state retirement board. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sommers, Struthers, Erak.

To Committee on Rules for second reading.

March 16, 1977

HOUSE BILL NO. 718, Prime Sponsor: Representative Charnley, 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 Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Grier, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 16, 1977

HOUSE BILL NO. 819, Prime Sponsor: Representative Adams, extending child welfare services. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Hanna, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 1153, Prime Sponsor: Representative Adams, creating handicapped persons priority in the services of the employment security department. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 13 after "functions" insert "as defined under P.L. 93-112 and rules promulgated thereunder"

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Gruger, Haley, Hanna, Lux, Pearsall, Pruitt.

To Committee on Rules for second reading.

March 16, 1977

HOUSE BILL NO. 1170, Prime Sponsor: Representative Adams, modifying laws making buildings more accessible to handicapped persons. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 17, 1977

HOUSE JOINT RESOLUTION NO. 54, Prime Sponsor: Representative Vrooman, carrying over bills between sessions of the same legislature. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Salatino, Sanders, Sommers, Struthers, Erak.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 559, by Representatives Ehlers, Berentson, Taller, Whiteside, Grimm and Gaines:

Adding a retired person to the state employees' insurance board.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 559, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

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

Not voting: Representatives Boldt, Conner, Hurley G. S., Kilbury, Knowles, Lysen, Martinis, McCormick, Shinoda, Warnke.

Engrossed House Bill No. 559, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 236, by Representatives Shinpoch, Flanagan, Thompson, Amen, Knedlik, Polk, Deccio, Ehlers and Knowles (by Legislative Budget Committee request):

Establishing a civil penalty in certain cases where state officers or employees violate budgetary provisions.

The bill was read the third time and placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Shinpoch, under the definition on page 5, '... not limited to boards of trustees, governing bodies of state agencies'—do we conclude that the penalty might be assessed against members of the boards of trustees of the state four-year colleges, or is that an officer acting in their behalf? My question really is, who would be the officer? Would it be each member of the board or would it be an officer acting on behalf of the board?"

Mr. Shinpoch: "I can only give you my opinion and this is a result of me attempting to get the Attorney General to sue the Shoreline Community College for expending funds differently than we provided them to be used exclusively for. My answer is based on his answer that he could only sue the board of trustees to recover that much money. If I interpret that and apply it to this, then the board of trustees would be liable for five hundred dollars or court costs whichever, if they did that."

Mr. Patterson: "It would be then the full board and not an individual member like the president of the board?"

Mr. Shinpoch: "No, my understanding is that it would be the full board of trustees. They all have equal responsibility and authority."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 236, and the bill passed the House by the following vote: Yeas, 85; nays, 1; not voting, 12.

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

Voting nay: Representative Leckenby.

Not voting: Representatives Barr, Berentson, Boldt, Conner, Deccio, Erak, Kilbury, Knowles, Lysen, Martinis, McCormick, Warnke.

Engrossed House Bill No. 236, having received the 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 HOUSE BILL NO. 261, by Committee on Natural Resources (Originally sponsored by Representatives Smith, Martinis, Conner, Nelson [Gary], Kilbury, Wilson, Oliver, Greengo, Knedlik, Hughes, Gilleland, Bond, Haley, Fuller, Flanagan, Gaines, Clemente and Sanders):

Authorizing private ownership and operation of release-recapture salmon rearing facilities.

The bill was read the third time and placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Owen.

Mr. Owen: "Representative Smith, I've been told that the commercial fishermen should not be opposed to this bill because it would increase the number of fish that they would be able to catch. Is this true?"

Mr. Smith: "Yes, that's true. The bill specifically limits this to the Pacific Coast, so it will not increase the number of fish that the Puget Sound gillnetters will be able to catch nor the purse seiners who operate on Puget Sound, but ironically, both of those groups oppose the bill and particularly the gillnetters, and so we removed Puget Sound from the scope of the bill. I believe that it should significantly remove the opposition of the gillnetters although they still oppose it. The trollers who operate on the Pacific Coast will definitely benefit from the bill and will be catching the fish released by ocean ranches because the bill requires that fifty percent of the fish to be released be King or Silver salmon which do bite the lures of the troll fishermen and will also be caught by sports fishermen."

Mr. Owen: "Over a period of time is it possible to rear and release salmon so that they can return at a time when they might miss the commercial fishing season?"

Mr. Smith: "That's a very good question and it's one that came to light early in the development of the bill so we put specific language in the bill to direct that the intent of the bill is that these fish released by ocean ranches will contribute to the commercial and sports fishery. Then we gave the Department of Fisheries the authority to regulate the size, the species and the timing of release such that the ocean rancher will not be able to do what you asked. It would be possible biologically but the regulatory scheme set up in this bill will prevent an ocean rancher from doing that."

Mr. Owen: "What effect, if any, does this bill have on the commercial fisherman and the fifty percent allocation of the Boldt decision?"

Mr. Smith: "Because of the exclusion of the Puget Sound resource it will not affect the Boldt decision at all. The catch out in the coast will not be taken into consideration on that."

Representatives Haley, Oliver, Wilson and Greengo spoke in favor of the bill, and Representatives Becker, Fortson, Enbody and Owen spoke against it.

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

Mr. Smith closed debate, speaking again in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 261, and the bill passed the House by the following vote: Yeas, 58; nays, 31; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Blair, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Erickson, Fancher, Flanagan, Gaines, Gallagher, Gilleland, Greengo, Grier, Haley, Heck, Hughes, Hurley G. S., Hurley M., Keller, Knedlik, Kriedler, Leckenby, Lee, Maxie, May, McKibbin, Nelson G. A., Newhouse, O'Brien, Oliver, Pardini, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Becker, Bender, Berentson, Charette, Ehlers, Enbody, Eng, Erak, Fischer, Fortson, Fuller, Grimm, Gruger, Hanna, Hansen, Hawkins, King, Lux, Moreau, Nelson D., North, Owen, Pearsall, Salatino, Sherman, Valle, Vrooman, Walk, Williams, Winsley.

Not voting: Representatives Boldt, Conner, Kilbury, Knowles, Lysen, Martinis, McCormick, Paris, Warnke.

Engrossed Substitute House Bill No. 261, having received the 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. 852, by Representatives Boldt, Berentson, Lysen, Schmitt and Kilbury:

Permitting certain amendments to contracts for nuclear generating projects.

The bill was read the third time and placed on final passage.

MOTION

On motion of Mr. Bender, further consideration of House Bill No. 852 was deferred, and the bill was ordered placed at the top of Monday's third reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 225, by Committee on Higher Education (Originally sponsored by Representatives Burns, Lux, Zimmerman, Chandler, Gruger, Pruitt and Sanders - by Commission on Asian-American Affairs request):

Granting resident status to immigrant refugees for college tuition.

The bill was read the third time and placed on final passage.

Representatives Burns, Valle, Chandler, Sanders and Pruitt spoke in favor of passage of the bill, and Representatives Tilly and Pardini spoke against it.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Boldt, Conner, Kilbury, Knowles, Lysen, Martinis, McCormick and Warnke, who were excused.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 225:

The House resumed consideration of the bill on third reading.

Representatives Whiteside and Burns spoke in favor of passage of the bill, and Mr. Pardini now spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 225, and the bill passed the House by the following vote: Yeas, 80; nays, 2; not voting, 16.

Voting yea: Representatives Barnes, Barr, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Decio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Keller, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Maxie, May, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Hurley G. S., Tilly.

Not voting: Representatives Adams, Amen, Bauer, Boldt, Conner, Gruger, Hanna, Hurley M., Kilbury, Knowles, Lysen, Martinis, McCormick, Owen, Warnke, and Mr. Speaker.

Engrossed Substitute House Bill No. 225, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 318, by Committee on Judiciary (Originally sponsored by Representatives Hansen, Fortson, Fancher, Gaines, Kilbury, Boldt, Charnley, Amien and Knedlik):

Permitting owners of property subject to condemnation proceedings to give the property to governmental unit involved.

The bill was read the third time and placed on final passage.

Representatives Hansen and Gilleland 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, 85; nays, 0; not voting, 13.

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

Not voting: Representatives Adams, Amen, Boldt, Conner, Hanna, Hurley M., Kilbury, Knowles, Lysen, Martinis, McCormick, Warnke, and Mr. Speaker.

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. King, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1364, by Representative Tilly:

AN ACT Relating to self-insurers; and adding a new section to chapter 23, Laws of 1961 and to chapter 51.14 RCW.

To Committee on Labor

HOUSE BILL NO. 1365, by Representative Boldt:

AN ACT Relating to water.

To Committee on Rules

HOUSE BILL NO. 1366, by Representative Boldt:

AN ACT Relating to water.

To Committee on Rules

HOUSE BILL NO. 1367, by Representative Douthwaite:

AN ACT Relating to products liability.

To Committee on Rules

HOUSE BILL NO. 1368, by Representative Douthwaite:

AN ACT Relating to products liability.

To Committee on Rules

HOUSE BILL NO. 1369, by Representative Douthwaite:

AN ACT Relating to insurance.

To Committee on Rules

HOUSE BILL NO. 1370, by Representative Douthwaite:

AN ACT Relating to insurance.

To Committee on Rules

HOUSE BILL NO. 1371, by Representative Eng:

AN ACT Relating to public funds; and adding a new section to Title 39 RCW.

To Committee on Rules

HOUSE BILL NO. 1372, by Representative Hawkins:

AN ACT Relating to public office.

To Committee on Rules

HOUSE BILL NO. 1373, by Representative Hawkins:

AN ACT Relating to the secretary of state.

To Committee on Rules

HOUSE BILL NO. 1374, by Representative Hawkins:

AN ACT Relating to elections.

To Committee on Rules

HOUSE BILL NO. 1375, by Representative Hawkins:

AN ACT Relating to public opinion polls.

To Committee on Rules

HOUSE BILL NO. 1376, by Representative Hawkins:

AN ACT Relating to political parties.

To Committee on Rules

HOUSE BILL NO. 1377, by Representative Hawkins:

AN ACT Relating to voter registration.

To Committee on Rules

HOUSE BILL NO. 1378, by Representatives Hughes and Hawkins:

AN ACT Relating to public disclosure.

To Committee on Rules

HOUSE BILL NO. 1379, by Representatives Knowles, Smith, Deccio, Whiteside and Douthwaite:

AN ACT Relating to attorneys.

To Committee on Rules

HOUSE BILL NO. 1380, by Representative Knowles:

AN ACT Relating to water conservation.

To Committee on Rules

HOUSE BILL NO. 1381, by Representative Valle:

AN ACT Relating to women in transition.

To Committee on Rules

HOUSE BILL NO. 1382, by Representative Valle:

AN ACT Relating to displaced homemakers.

To Committee on Rules

HOUSE BILL NO. 1383, by Representative Warnke:

AN ACT Relating to gambling.

To Committee on Rules

HOUSE BILL NO. 1384, by Representative Warnke:

AN ACT Relating to gambling.

To Committee on Rules

HOUSE BILL NO. 1385, by Representative Warnke:

AN ACT Relating to liquor.

To Committee on Rules

HOUSE BILL NO. 1386, by Representative Warnke:

AN ACT Relating to liquor.

To Committee on Rules

HOUSE BILL NO. 1387, by Representative Warnke:

AN ACT Relating to liquor.

To Committee on Rules

HOUSE BILL NO. 1388, by Representative Lux:

AN ACT Relating to public employee collective bargaining.

To Committee on Rules

HOUSE BILL NO. 1389, by Representative Hawkins:

AN ACT Relating to campaign reform.

To Committee on Rules

HOUSE BILL NO. 1390, by Representative Hawkins:

AN ACT Relating to governmental ethics.

To Committee on Rules

HOUSE BILL NO. 1391, by Representative Pruitt:

AN ACT Relating to the care of alcoholics.

To Committee on Rules

HOUSE BILL NO. 1392, by Representative Valle:

AN ACT Relating to noise pollution control.

To Committee on Rules

HOUSE BILL NO. 1393, by Representative Lux:

AN ACT Relating to industrial insurance.

To Committee on Rules

HOUSE BILL NO. 1394, by Representative Lux:

AN ACT Relating to employee safety.

To Committee on Rules

HOUSE BILL NO. 1395, by Representative Lux:

AN ACT Relating to labor-management relations.

To Committee on Rules

HOUSE BILL NO. 1396, by Representative Valle:

AN ACT Relating to the environment.

To Committee on Rules

HOUSE BILL NO. 1397, by Representative Lux:

AN ACT Relating to employee benefits.

To Committee on Rules

HOUSE BILL NO. 1398, by Representative Lux:

AN ACT Relating to employment.

To Committee on Rules

HOUSE BILL NO. 1399, by Representatives Haley and Gruger:

AN ACT Relating to the establishment of a pilot project for day care centers to be operated by volunteer citizens within available public school space.

To Committee on Rules

HOUSE BILL NO. 1400, by Representative Sommers (by Executive request of Governor Ray):

AN ACT Relating to motor vehicle excise taxes.

To Committee on Rules

HOUSE BILL NO. 1401, by Representative Nelson (Dick):

AN ACT Relating to elections.

To Committee on Rules

HOUSE BILL NO. 1402, by Representative King:

AN ACT Relating to higher education collective bargaining.

To Committee on Rules

HOUSE BILL NO. 1403, by Representative North:

AN ACT Relating to the interagency committee on outdoor recreation.

To Committee on Rules

HOUSE BILL NO. 1404, by Representative Lysen:

AN ACT Relating to industrial safety.

To Committee on Rules

HOUSE BILL NO. 1405, by Representative Knedlik:

AN ACT Relating to state government; and adding a new section to chapter 43.21H RCW.

To Committee on Rules

HOUSE BILL NO. 1406, by Representative Eng:

AN ACT Relating to bond.

To Committee on Rules

HOUSE BILL NO. 1407, by Representatives Smith and Knedlik:

AN ACT Relating to zoning.

To Committee on Rules

HOUSE BILL NO. 1408, by Representative King:

AN ACT Relating to labor-management relations.

To Committee on Rules

HOUSE BILL NO. 1409, by Representative King:

AN ACT Relating to public employee collective bargaining.

To Committee on Rules

HOUSE BILL NO. 1410, by Representatives Knedlik and Barnes:

AN ACT Relating to product and professional liability reporting; and adding a new section to chapter 48.22 RCW.

To Committee on Insurance

HOUSE BILL NO. 1411, by Representatives Barnes and Knedlik:

AN ACT Relating to insurance; and adding new sections to chapter 48.11 RCW.

To Committee on Insurance

HOUSE BILL NO. 1412, by Representatives Barnes and Knedlik:

AN ACT Relating to civil procedure; and adding a new section to chapter 4.24 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1413, by Representatives Knedlik and Barnes:

AN ACT Relating to civil procedure; and adding a new section to chapter 5.40 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1414, by Representative Knedlik:

AN ACT Relating to insurance; adding new sections to chapter 51.24 RCW; and repealing section 51.24-.010, chapter 23, Laws of 1961, section 7, chapter 274, Laws of 1961, section 37, chapter 289, Laws of 1971 ex. sess., section 93, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.24.010.

To Committee on Labor

HOUSE BILL NO. 1415, by Representatives Knedlik and Barnes:

AN ACT Relating to arbitration; adding a new section to chapter 7.04 RCW; and providing an effective date.

To Committee on Judiciary

HOUSE BILL NO. 1416, by Representatives Barnes and Knedlik:

AN ACT Relating to insurance rates; amending section .19.03, chapter 79, Laws of 1947 and RCW 48.19-.030; and adding a new section to chapter 48.19 RCW.

To Committee on Insurance

HOUSE BILL NO. 1417, by Representative Kreidler:

AN ACT Relating to public employees' collective bargaining; and amending section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020.

To Committee on Labor

HOUSE JOINT RESOLUTION NO. 65, by Representatives Hansen, Bond, Fancher, Tilly, Fuller and Barr:

Rescinding ratification of the equal rights amendment to the U. S. Constitution.

To Committee on Constitution

SECOND READING

HOUSE BILL NO. 506, by Representative Heck:

Permitting certain PUD's to have sewage districts without reference to a water system.

The bill was read the second time.

Mr. Heck moved adoption of the following amendment:

On page 2 at line 25 insert a new section as follows:

***NEW SECTION. Sec. 2.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.*

Representatives Heck and Zimmerman spoke in favor of the amendment, and it was adopted.

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

In line 3 of the title strike the period and insert "; and declaring an emergency.*"

House Bill No. 506 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 581, by Representatives Becker, Hanna, Whiteside, Adams, Shinpoch, May, Pardini, Deccio, Charette, Warnke, Grimm, Thompson, Charnley, Hurley (Margaret), Pearsall, Bender, Eng, Hawkins, Chandler and Ehlers:

Providing for the substitution of prescription drugs.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 581 was substituted for House Bill No. 581, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 581 was read the second time.

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Haley:

On page 2, line 20 insert a new section as follows:

***NEW SECTION. Sec. 4.** A pharmacist may not substitute a product under the provisions of this chapter unless it has been manufactured with the following minimum good manufacturing standards and practices:

- (1) Maintain quality control standards equal to those of the Food and Drug Administration;
- (2) Comply with the regulations promulgated by the Food and Drug Administration;
- (3) Mark products with identification code or monogram;
- (4) Label products with expiration date;
- (5) Must have an approved new drug application (NDA) or an abbreviated new drug application (ANDA).*

Renumber the remaining sections consecutively.

Representatives Barnes, Fischer and Haley spoke in favor of the amendment, and Representatives Becker, Adams and Newhouse spoke against it.

Mr. Barnes spoke again in favor of the amendment, and Mr. Adams spoke again in opposition to it.

POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Barnes, something you said that I don't quite understand—you said that the pharmacists know who the reputable drug manufacturers are. I thought under the edict of government and the Food and Drug Administration that they were all reputable."

Mr. Barnes: "I don't know that they are all reputable. I've been informed by druggists and by pharmaceutical association representatives that they do have knowledge of the good ones. I think Dr. Haley went through a list of them and he mentioned that some of these American manufacturers are very reliable and this batch is known. I think in the letter from the doctor concerning the child that almost died, he did mention that the Food and Drug Administration does not have the time nor the funds nor the capabilities of keeping up with all these drugs on the market to his satisfaction, so very probably we are relying on doctors' and druggists' judgment right now."

Mr. Shinpoch spoke against adoption of the amendment, and Mr. Fischer spoke again in favor of it.

The amendment was not adopted.

Mr. Newhouse moved adoption of the following amendment by Representatives Newhouse and Adams:

On page 2, line 22 after "purchaser." insert "Said savings shall be computed based upon the difference in retail price between the prescribed drugs and the substituted drug and the retail price shall include only the wholesale cost plus the normal mark-up."

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

Mr. Newhouse moved adoption of the following amendment by Representative Amen:

On page 2, line 31 after "doctor." insert "Such substitution, however, may only be made with the consent of your doctor."

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

Substitute House Bill No. 581 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 574, by Representatives Bauer, Heck, Zimmerman, Thompson, Paris and Erickson:

Providing for the erection of a statue in statuary hall in the national capitol.

The bill was read the second time.

On motion of Mr. Ehlers, Substitute House Bill No. 574 was substituted for House Bill No. 574, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 574 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 588, by Representative Hawkins:

Modifying the filling of U.S. Senate vacancies.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day, February 22, 1977.)

On motion of Mr. Nelson (Dick), the committee amendment to page 1, line 11 was adopted.

Mr. Nelson (Dick) moved adoption of the committee amendment to page 1, line 16.

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

POINT OF ORDER

Mr. Hawkins: "I believe that Representative Pardini is speaking to the entire bill and not to the amendment on page 1, line 16. It does not deal with the entire nominating list; it only deals with the contingency."

The Speaker (Mr. O'Brien presiding): "Continue, Representative Pardini, but if you can hold your remarks relevant to the amendment."

Mr. Pardini continued his remarks in opposition to the committee amendment, and Mr. Hawkins spoke in favor of it.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Patterson.

Mr. Patterson: "If we adopt this particular amendment, then in essence aren't we telling the central committee that when you make up the list of three you are basically making a first selection because it's the logical thing they would do at that point in time?"

Mr. Hawkins: "No, we're not. The reason we are not is that we have some expectation that the governor will select any one of those three. In fact there are a number of those appointments that have been made in the past relative to other offices where someone other than the first person on the nominating list has ultimately been appointed. This only provides that upon failure of the governor to act in a timely fashion that there is a recourse to that failure."

Representatives Patterson and Newhouse spoke against the committee amendment, and Mr. Hawkins spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to House Bill No. 588, and the amendment was adopted by the following vote: Yeas, 51; nays, 36; not voting, 11.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Burns, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Fuller, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Kreidler, Lux, May, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Valle, Vrooman, Walk, and Mr. Speaker.

Voting nay: Representatives Barr, Berentson, Blair, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Eng, Erak, Fancher, Flanagan, Gaines, Gilleland, Leckenby, Lee, Maxie, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Amen, Boldt, Conner, Kilbury, Knowles, Lysen, Martinis, McCormick, Thompson, Warnke, Williams.

Mr. Taller moved adoption of the following amendment:

On page 1, line 13 after "senator" insert ": PROVIDED, That the incumbent governor shall not appear on the list and shall be ineligible for appointment"

Mr. Taller spoke in favor of the amendment, and Mr. Hawkins spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taller to House Bill No. 588, and the amendment was not adopted by the following vote: Yeas, 29; nays, 57; not voting, 12.

Voting yea: Representatives Barnes, Berentson, Blair, Clayton, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Haley, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Barr, Bauer, Becker, Bender, Bond, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Kreidler, Leckenby, Lux, Maxie, May, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Boldt, Conner, Greengo, Kilbury, Knowles, Lysen, Martinis, McCormick, Moreau, Warnke.

House Bill No. 588 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 238, by Representatives Gallagher, Sanders, Knowles and Fischer:
Revising law relating to public works contract.

The bill was read the second time.

On motion of Mr. Enbody, Substitute House Bill No. 238 was substituted for House Bill No. 238, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 238 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 816, by Representatives Maxie, O'Brien, Lux, Burns, Blair and Douthwaite:

Giving tenants a priority for purchasing highway lands.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 1st Day ex. sess., March 11, 1977.)

Mr. Hansen moved adoption of the committee amendment.

Mrs. North moved adoption of the following amendment to the committee amendment:

On the last line of the amendment strike the period and insert " : PROVIDED, That the provisions of this section shall apply only to the areas within first, second, or code cities having a population in excess of 3,000."

Mrs. North spoke in favor of the amendment to the committee amendment, and Mr. Charnley spoke against it.

Mrs. North spoke again in favor of the amendment to the amendment, and Representatives Maxie, Blair, Polk and Hansen spoke against it.

The amendment to the amendment was not adopted.

The committee amendment was adopted.

House Bill No. 816 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 779, by Representatives Vrooman, Knowles, Lux, Keller, Martinis, Burns, Wilson, Taller and Berentson:

Authorizing group filing for certain labor liens.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 531, by Representatives Douthwaite, Grier, Keller, Monohon, Knedlik, Erickson, Sanders, Haley and Taller:

Providing for a unified system of risk management.

On motion of Mr. Douthwaite, Substitute House Bill No. 531 was substituted for House Bill No. 531, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 531 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 623, by Representatives Bauer and Zimmerman:

Exempting capital expenditures of nonprofit water associations from gross income for public utility tax purposes.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 58, by Representatives Ehlers, Boldt and Polk:

Establishing a method by which certain criminal cost bills will be paid by the state.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 58th Day, March 8, 1977.)

On motion of Mr. Ehlers, the committee amendment was adopted.

House Bill No. 58 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 125, by Representatives Ehlers, Hawkins, Erickson, Hanna and Salatino:

Revising laws affecting residents of soldiers' and veterans' homes.

On motion of Mr. Ehlers, Substitute House Bill No. 125 was substituted for House Bill No. 125, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 125 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 127, by Representatives Ehlers, Lee, Thompson, Gaines, Grimm and Knedlik:

Authorizing community corporations for local government in unincorporated areas.

On motion of Mr. Douthwaite, Substitute House Bill No. 127 was substituted for House Bill No. 127, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 127 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 797, by Representatives Charette, Vrooman, Knowles, Smith and Enbody:

Giving jurisdiction to the court of the county wherein an habitual traffic offender is arrested for subsequently driving without a license.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1418, by Representative Becker:

AN ACT Relating to the public disclosure commission; and adding new sections to chapter 42.17 RCW.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1419, by Representative Becker:

AN ACT Relating to the public disclosure commission; and amending section 37, chapter 1, Laws of 1973 as amended by section 25, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.370.

To Committee on Elections and Governmental Ethics

HOUSE BILL NO. 1420, by Representative Becker:

AN ACT Relating to crude petroleum transfer; and adding a new section to chapter 80.50 RCW.

To Committee on Energy and Utilities

HOUSE JOINT RESOLUTION NO. 66, by Representatives Flanagan and Oliver:

Authorizing state income tax with limitations.

To Committee on Rules

MOTIONS

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

On motion of Mr. Bender, **HOUSE BILL NO. 875** and **HOUSE BILL NO. 894** were rereferred from Committee on Social and Health Services to Committee on Judiciary.

On motion of Mr. Bender, **HOUSE BILL NO. 1234** was rereferred from Committee on Elections and Governmental Ethics to Committee on Higher Education.

On motion of Mr. Bender, **HOUSE BILL NO. 1309** was rereferred from Committee on Education to Committee on Appropriations.

On motion of Mr. Bender, **HOUSE BILL NO. 1313** was rereferred from Committee on Social and Health Services to Committee on State Government.

On motion of Mr. Bender, **HOUSE BILL NO. 1323** was rereferred from Committee on State Government to Committee on Appropriations.

On motion of Mr. Bender, HOUSE BILL NO. 1337 was rereferred from Committee on Transportation to Committee on Revenue.

On motion of Mr. Bender, HOUSE BILL NO. 1414 was rereferred from Committee on Insurance to Committee on Labor.

RESOLUTION

HOUSE RESOLUTION NO. 77-19, by Representatives Gaines, Warnke, Gilleland, Douthwaite, Berentson and Ehlers:

WHEREAS, The Civil Aeronautics Board recently approved a "super-saver" air fare for American Airlines flights between New York and California; and

WHEREAS, United Airlines and Pan American World Airways immediately offered competitive air fares on its flights between New York and California; and

WHEREAS, The people in the State of Washington are being unjustly discriminated against through the fare structure between Sea-Tac and New York, and are, in effect, helping to subsidize the New York-California lines;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives that we ask the Civil Aeronautics Board, on its own motion, to require the airlines certificated for the route between Sea-Tac and New York to inaugurate a similar "super-saver" fare so that the people of the Pacific Northwest may participate in the savings being offered to the people flying between New York and California.

Mr. Gaines moved adoption of the resolution.

Representatives Gaines and Douthwaite spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, March 21, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

ELEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 21, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Donna Standley and Mike Dean. Prayer was offered by Reverend Leo C. Brown of Tru Vine Community Church of Tacoma.

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

MESSAGES FROM THE SENATE

March 17, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2421,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 18, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2008,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2008, by Committee on State Government (Originally sponsored by Senators Rasmussen and Day):

Revising authority of the state capitol committee.

To Committee on State Government

REPORTS OF STANDING COMMITTEES

March 18, 1977

HOUSE BILL NO. 349, Prime Sponsor: Representative Becker, authorizing the utilization of certain municipal excise taxes for law enforcement services in certain border towns. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Revenue.

March 18, 1977

HOUSE BILL NO. 502, Prime Sponsor: Representative Sommers, modifying appeals procedures to and from board of tax appeals. Reported by Committee on Revenue.

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

To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 605, Prime Sponsor: Representative Conner, modifying procedures for tort claims relating to highways, roads and streets. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Berentson, Clayton, Dunlap, Gaines, Gallagher, Grier, Paris, Patterson, Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Bender, Burns, Charnley, Clemente, Sherman.

To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 672, Prime Sponsor: Representative Smith, limiting the size of ships that newly-licensed pilots may pilot. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Bender, Burns, Charnley, Clayton, Clemente, Grier, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 16, 1977

HOUSE BILL NO. 707, Prime Sponsor: Representative Warnke, repealing certain sections of laws allowing inspections of massage parlors. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Hansen, Hawkins, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 812, Prime Sponsor: Representative Adams, extending the law against discrimination as it relates to handicapped persons. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, May, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 18, 1977

HOUSE BILL NO. 839, Prime Sponsor: Representative Sommers, making the leasehold excise tax inapplicable to certain property within certain historical sites. Reported by Committee on Revenue.

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

To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 1033, Prime Sponsor: Representative Shinpoch, relating to appropriations. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Becker, Boldt, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 1169, Prime Sponsor: Representative Adams, modifying restrictions on marriage. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Fortson, Gruger, Haley, Hanna, Lux, Pearsall, Pruitt.

To Committee on Rules for second reading.

March 17, 1977

HOUSE JOINT RESOLUTION NO. 55, Prime Sponsor: Representative Conner, permitting the legislature to establish reasonable rates, whether maximum or minimum for transportation. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Dunlap, Grier, Paris, Patterson, Sherman, Walk, Wilson.

March 17, 1977

HOUSE JOINT RESOLUTION NO. 56, Prime Sponsor: Representative Conner, removing the constitutional requirement prohibiting short-haul differential. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Dunlap, Grier, Paris, Patterson, Sherman, Walk, Wilson.

March 17, 1977

HOUSE JOINT RESOLUTION NO. 57, Prime Sponsor: Representative Conner, removing the constitutional prohibition against combinations by carriers. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Clayton, Clemente, Dunlap, Grier, Paris, Patterson, Sherman, Walk, Wilson.

MOTION

On motion of Mr. King, HOUSE JOINT RESOLUTION NO. 55, HOUSE JOINT RESOLUTION NO. 56 and HOUSE JOINT RESOLUTION NO. 57 were rereferred to Committee on Constitution.

March 16, 1977

SUBSTITUTE SENATE BILL NO. 2052, Prime Sponsor: Senator Odegaard, providing for highway permits and property taxes on mobile homes. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 4 starting with "NEW SECTION." strike all material down to and including "located." on page 8, line 21 and insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 46.44 RCW a new section to read as follows:

(1) Any person moving a mobile home as defined in RCW 46.04.302 upon public highways of the state must obtain a special permit from the highway commission and local authorities pursuant to RCW 46.44-.090 and 46.44.093 and shall pay the proper fee as prescribed by RCW 46.44.0941 and 46.44.096.

(2) A special permit issued as provided in subsection (1) of this section for the movement of any mobile home shall not be valid until the county treasurer of the county in which the mobile home is located shall endorse or attach thereto his certificate that all property taxes due upon the mobile home being moved have been satisfied: PROVIDED, That endorsement or certification by the county treasurer is not required when a mobile home is to enter the state or is being moved from a manufacturer or distributor to a retail sales outlet or directly to the purchaser's designated location or between retail and sales outlets. It shall be the responsibility of the owner of the mobile home or his agent to obtain such endorsement from the county treasurer.

(3) Nothing herein should be construed as prohibiting the issuance of vehicle license plates for a mobile home, but no such plates shall be issued unless the mobile home for which such plates are sought has been listed for property tax purposes in the county in which it is principally located and the appropriate fee for such license has been paid.

(4) The state highway commission and local authorities are authorized to adopt reasonable rules for implementing the provisions of this section.

NEW SECTION. Sec. 3. There is added to chapter 46.44 RCW a new section to read as follows:

(1) Upon validation of a special permit as provided in section 2 of this 1977 amendatory act, the county treasurer shall forward notice of movement of the mobile home to the treasurer's own county assessor and to the county assessor of the county in which the mobile home will be located.

(2) When a single trip special permit not requiring tax certification is issued, the highway commission or local authority shall notify the assessor of the county in which the mobile home is to be located and when a continuous trip special permit is used to transport a mobile home not requiring tax certification, the transporter shall notify the assessor of the county in which the mobile home is to be located: PROVIDED, That notification shall not be necessary when the destination of a mobile home is a manufacturer, distributor, retailer, or location outside the state.

(3) A notification under this section shall state the specific, residential destination of the mobile home.

NEW SECTION. Sec. 4. There is added to chapter 46.44 RCW a new section to read as follows:

Any person or agent acting for a person who causes to be moved or moves a mobile home as defined in RCW 46.04.302 upon public highways of this state and who fails to comply with any of the provisions of sections 2 and 3 of this 1977 amendatory act is guilty of a misdemeanor and shall be fined not less than fifty dollars or more than one hundred dollars. In addition to the above fine, the highway commission or local authority may withhold issuance of a special permit or suspend a continuous special permit as provided by RCW 46.44.090 and 46.44.093 for a period of not less than thirty days.

Any person or agent who is denied a special permit or whose special permit is suspended may upon request receive a hearing before the highway commission or local authority having jurisdiction. The commission or local authority after such hearing may revise its previous action.

Sec. 5. Section 46.16.160, chapter 12, Laws of 1961 as last amended by section 6, chapter 64, Laws of 1975-76 2nd ex. sess. and RCW 46.16.160 are each amended to read as follows:

Any commercial vehicle bearing valid license plates and a registration certificate of another state or territory and not registered in this state and which under reciprocal relations with that state would be required to obtain a full or proportional motor vehicle license in this state may, in lieu of a certificate of ownership and license registration, be issued a permit. Such permit shall be valid for the conduct of interstate operations only and shall be issued in such form and under such conditions as the director shall prescribe. Application for the permit shall be made to the director or his designated agent on forms provided by the director. On receiving such application, together with fees as provided herein, a permit may be issued for a period of not to exceed two hundred forty consecutive hours: PROVIDED, HOWEVER, That no permit shall be issued for any period less than twenty-four consecutive hours.

The director, or his designated agent, shall be authorized to issue a further permit on the same vehicle or combination of vehicles upon the expiration of any permit issued for a period less than two hundred forty consecutive hours: PROVIDED, Such further permit does not extend the duration thereof to exceed two hundred forty consecutive hours on any series of consecutive permits issued for such vehicle or combination of vehicles: PROVIDED, FURTHER, That no permit, or series of permits, shall be issued for any period exceeding two hundred forty consecutive hours within any period of thirty days.

When any vehicle subject to license is to be moved upon the public highways of this state from one point to another, the department may issue a special permit therefor upon an application presented in such form as shall be approved by the department. Such permit shall be for one transit only as set forth in the application: PROVIDED, That a special permit or one transit permit shall be issued for movement of a mobile home as defined in RCW 46.04.302 as now or hereafter amended, pursuant to ((RCW 46.16.105)) section 2 of this 1977 amendatory act.

For each permit issued to a vehicle or a combination of vehicles the director, or his designated agent, shall assess an administrative charge of five dollars per permit plus the following fees for each period of twenty-four consecutive hours covered by such permit:

Vehicles or combinations of vehicles with gross weights as declared by applicant of:

0	9,999 lbs.	\$0.50
10,000	19,999 lbs.	\$1.00
20,000	29,999 lbs.	\$1.50
30,000	35,999 lbs.	\$2.00
36,000	45,999 lbs.	\$2.50
46,000	59,999 lbs.	\$3.00
60,000	71,999 lbs.	\$4.00
72,000	75,999 lbs.	\$6.00
76,000	80,000 lbs.	\$8.00

These fees shall not be subject to quarterly reduction as provided in RCW 46.16.130. Such vehicles will be subject to all of the laws, rules, and regulations affecting the operation of like motor vehicles in this state. The permit shall be displayed at all times in a prominent place on the vehicle, or if the vehicle is a trailer, then the permit shall be at all times in vehicle operator's possession.

The director shall have the authority to adopt rules and regulations whereby such permits can be issued to qualifying operators in advance of use and paid for as used.

All fees collected under the provisions of this chapter shall be forwarded by the director with a proper identifying detailed report to the state treasurer who shall deposit such fees to the credit of the motor vehicle fund.

Sec. 6. Section 82.50.010, chapter 15, Laws of 1961 as last amended by section 35, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.010 are each amended to read as follows:

"Mobile home" means ((all trailers of the type designed as facilities for human habitation and which are capable of being moved upon the public streets and highways and which are more than thirty-five feet in length or more than eight feet in width)) a structure, transportable in one or more sections, which is thirty-

two body feet or more in length and is eight body feet or more in width, and which is built on a permanent chassis, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein, except as hereinafter specifically excluded, and excluding modular homes as defined below.

"Travel trailer" means all trailers of the type designed to be used upon the public streets and highways which are capable of being used as facilities for human habitation and which are (~~thirty-five feet or~~) less than thirty-two body feet in length and eight body feet or less in width, except as may be hereinafter specifically excluded.

"Modular home" means any factory-built housing designed primarily for residential occupancy by human beings which does not contain a permanent frame and must be mounted on a permanent foundation.

"Camper" means a structure designed to be mounted upon a motor vehicle which provides facilities for human habitation or for temporary outdoor or recreational lodging and which is five feet or more in overall length and five feet or more in height from its floor to its ceiling when fully extended, but shall not include motor homes as defined in this section.

"Motor homes" means motor vehicles originally designed, reconstructed, or permanently altered to provide facilities for human habitation.

"Commission" means the department of revenue of the state.

"Director" means the director of motor vehicles of the state.

NEW SECTION. Sec. 7. There is added to chapter 36.21 RCW a new section to read as follows:

When any mobile home first becomes subject to assessment for property taxes in this state, the county assessor is authorized to place the mobile home on the assessment rolls for purposes of tax levy up to May 31st of each year. The assessed valuation of the mobile home shall be considered as of the April 30th immediately preceding the date that the mobile home is placed on the assessment roll.

Sec. 8. Section 84.60.020, chapter 15, Laws of 1961 and RCW 84.60.020 are each amended to read as follows:

The taxes assessed upon real property and mobile homes as defined in RCW 82.50.010 shall be a lien thereon from and including the first day of January in the year in which they are levied until the same are paid, but as between the grantor or vendor and the grantee or purchaser of any real property (~~and as between the vendor and the purchaser of any real property~~) or any such mobile home, when there is no express agreement as to payment of the taxes thereon due and payable in the calendar year of the sale or the contract to sell, the grantor or vendor shall be liable for the same proportion of such taxes as the part of the calendar year prior to the day of the sale or the contract to sell bears to the whole of such calendar year, and the grantee or purchaser shall be liable for the remainder of such taxes and subsequent taxes. The lien for the property taxes assessed on a mobile home shall be terminated and absolved for the year subsequent to the year of its removal from the state, when notice is given to the county treasurer describing the mobile home, if all property taxes due at the time of removal are satisfied. The taxes assessed upon each item of personal property assessed shall be a lien upon such personal property except mobile homes as above provided from and after the date upon which the same is listed with and valued by the county assessor, and no sale or transfer of such personal property shall in any way affect the lien for such taxes upon such property. The taxes assessed upon personal property shall be a lien upon each item of personal property of the person assessed, distrained by the treasurer as provided in RCW 84.56.070, from and after the date of the distraint and no sale or transfer of such personal property so distrained shall in any way affect the lien for such taxes upon such property. The taxes assessed upon personal property shall be a lien upon the real property of the person assessed, selected by the county treasurer and designated and charged upon the tax rolls as provided in RCW 84.60.040, from and after the date of such selection and charge and no sale or transfer of such real property so selected and charged shall in any way affect the lien for such personal property taxes upon such property.

Renumber the remaining sections consecutively.

On page 1, on line 7 of the title, starting with "amending" strike all matter down to and including "RCW 82.50.530;" on line 8

On page 1, on line 9 of the title, after "RCW 84.60.020;" insert "adding a new section to chapter 36.21 RCW;"

On page 1, on line 10 of the title, strike "creating new sections;"

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Erickson, Kilbury, Nelson (Dick), O'Brien, Tilly, Winsley.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 852, by Representatives Boldt, Berentson, Lysen, Schmitt and Kilbury:

Permitting certain amendments to contracts for nuclear generating projects.

The bill was read the third time and placed on final passage.

Mr. Boldt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 852, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Bond, Conner, Fortson, Gruger, Hurley G. S., Knedlik, McCormick, Valle.

House Bill No. 852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 793, by Representatives King and Lux:

Authorizing the department of labor and industries to insure employers against liability for compensation and benefits for injuries and death under the federal longshoremen's and harbor workers' compensation act.

The bill was read the third time and placed on final passage.

Mr. King spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Deccio.

Mr. Deccio: "This bill does not give the state a monopoly to write this insurance. Does it not still allow private insurance companies to insure, or the state?"

Mr. King: "Yes, it does. In effect this is a three-way compensation bill for longshoremen and harbor workers' coverage."

Mr. Leckenby spoke against passage of the bill.

POINT OF INQUIRY

Mr. King yielded to question by Ms. Sommers.

Ms. Sommers: "Representative King, one of my concerns about this bill is that I understand that in time the benefits to the federal legislation would provide for a benefit far in excess to those already provided under our system. I understand it would be up to some two hundred percent of the average weekly wage. Given our past experience with leap frogging, then what would probably be legitimate demands from other groups for similar benefits, I am concerned about the bill and I wonder if you could confirm whether or not this greatly increased benefit is in existence and what the effect might be on our system?"

Mr. King: "The benefit is there now. This benefit level is mandated by the federal government. The issue you address was a legitimate issue raised by the first bill that I sponsored because it dealt with a peripheral subject and that subject was what do you do with longshoremen who, when employed by a stevedoring company, come under the benefit rates of the federal longshoremen and harbor workers' act, but when employed by a port district doing exactly the same job, come under the state benefit level. Past bills dealing with this subject matter have solved that problem by putting the longshoremen under the benefit level of the federal act even though it came out of state funds. It became apparent to me that the need was so great for this bill, as far as the continued operation of many businesses in this state, that I felt that issue should be addressed separately and it has been taken out of this bill entirely. The state will be offering longshoremen and harbor workers' benefits only to those who are now covered by longshoremen and harbor workers' act, and not any state employees who would otherwise be covered under this bill. We have taken that out completely. The issue will be addressed, of course, in the future of raising benefits to that level because that has been the recommendation of many national committees dealing with the section of workmen's compensation levels. That

will come whether this bill passes or not. What we are dealing with here is completely separate."

Mr. Newhouse spoke against passage of the bill.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "Representative King, I listened to your answer to Representative Sommers very closely, but I got a little bit confused at one point. With passage of this bill, will it be the first time that we would be paying benefits out of the state fund that would be comparable to, or dictated by, federal law?"

Mr. King: "The answer is yes."

MOTION

Mr. Flanagan moved that the Labor Committee be relieved of HOUSE BILL NO. 145, and that it be placed on the the calendar for immediate consideration.

Mr. Flanagan spoke in favor of the motion.

POINT OF ORDER

Mr. King: "Mr. Speaker, was the motion to suspend the rules or just to relieve? It would require a suspension of the rules to bring a bill on third reading because we are on third reading and we are not on second reading. That would be the time to make that motion."

The Speaker: "Representative King, your point is well taken. The motion would be in order if we were on second reading of bills. Inasmuch as we are on third reading, it would take a suspension of the rules to place a bill onto the third reading calendar."

MOTION

Mr. Flanagan moved that the rules be suspended, and that the Labor Committee be relieved of House Bill No. 145, and that it be placed on the third reading calendar for immediate consideration.

Mr. Lux spoke against the motion.

Ms. Becker demanded an electric roll call and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules, relieve the Labor Committee of House Bill No. 145 and place it on today's third reading calendar, and the motion was lost by the following vote: Yeas, 36; nays, 56; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Leckenby, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tally, Whiteside, Wilson, Winsley, Zimmerman.

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

Not voting: Representatives Conner, Fortson, Gruger, Knedlik, Lee, McCormick.

EXPLANATION OF VOTE

I favored the motion by Representative Flanagan to suspend the rules and place House Bill No. 145 on the calendar because the bill applies to the same issue of industrial insurance. The arguments for House Bill No. 793 are those used for "three-way" compensation insurance.

It also is important to recognize the application of federal law to state payment requirements.

HAL ZIMMERMAN, 17th District.

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 793.

Mr. Bond spoke against passage of the bill.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "In section 8, page 3, lines 9, 10 and so on, it refers to the fact that this fund is exempted from any and all taxes which are levied by any state or local government on insurance policies and coverage under this chapter. Does this mean that it is only the state fund that is exempt from the tax while the private companies must pay it?"

Mr. King: "That is the current practice, yes."

Representatives Douthwaite and Lux spoke in favor of passage of the bill.

POINT OF ORDER

Mr. Pardini: "Mr. Lux is moving very, very far from the bill. Representative Flanagan's motion was defeated."

The Speaker: "Your point is well taken. Confine your remarks to the merits of this bill, Representative Lux."

Mr. Lux continued his remarks in favor of the bill.

POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Lux, why wasn't the rationale for a state monopoly used in this piece of legislation like it is in the rest of the workmen's compensation bill?"

Mr. Lux: "Representative Deccio, you know it crossed my mind that this might be a test ground and we can see how it works and then in a couple of years we can come back and we'll know whether this is going to be a fruitful way to go."

Mr. Deccio spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 793, and the bill passed the House by the following vote: Yeas, 74; nays, 18; not voting, 6.

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

Voting nay: Representatives Barr, Bond, Chandler, Craswell, Dunlap, Fancher, Flanagan, Gilleland, Greengo, Haley, Hansen, Leckenby, Newhouse, Oliver, Polk, Shinpoch, Sommers, Struthers.

Not voting: Representatives Conner, Fortson, Gruger, Knedlik, McCormick, Tilly.

Engrossed House Bill No. 793, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 314, by Committee on Social and Health Services (Originally sponsored by Representatives Adams, Whiteside, Thompson, Newhouse and Kreidler):

Authorizing pharmacy assistants and providing for their regulation.

The bill was read the third time and placed on final passage.

Representatives Adams and Newhouse spoke in favor of passage of the bill, and Representatives Amen and Fischer spoke against it.

POINT OF INQUIRY

Mr. Fischer yielded to question by Mr. Ehlers.

Mr. Ehlers: "You indicated that the deciding vote was the lay person on the pharmacy board. Could you tell us how they voted?"

Mr. Fischer: "The lay person voted for the pharmacy assistant."

Mr. Hurley (George) spoke in opposition to passage of the bill.

MOTION

On motion of Mr. King, the House recessed until 2:00 p.m.

 AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Conner, Fortson, Gruger, Knedlik, McCormick and Shinoda, who were excused.

SUBSTITUTE HOUSE BILL NO. 314:

The House resumed consideration of the bill on third reading.

Mr. Adams spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Fischer yielded to question by Mr. Bender.

Mr. Bender: "Representative Fischer, do you see this legislation as setting a trend for hiring more assistants as opposed to qualified pharmacists?"

Mr. Fischer: "Yes, I do. In one of the stores in this state at the present time there are seven pharmacy assistants working with one pharmacist, and this would certainly have that trend. That's exactly what is happening in California in the example that Representative Adams was talking about. There were a large number of assistants working and they were filling prescriptions and they are doing it in this state also right at the present time."

Representatives Kreidler and Shinpoch spoke in favor of passage of the bill, and Representatives Clemente and Amen spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 314, and the bill passed the House by the following vote: Yeas, 65; nays, 26; not voting, 7.

Voting yea: Representatives Adams, Barr, Becker, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hughes, Hurley M., Keller, Kilbury, Knowles, Kreidler, Lux, Martinis, Maxie, May, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Owen, Pardini, Paris, Patterson, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Bender, Boldt, Bond, Clemente, Dunlap, Eng, Fancher, Fischer, Hawkins, Heck, Hurley G. S., King, Leckenby, Lee, Lysen, McKibbin, North, Oliver, Pearsall, Polk, Valle, Wilson, Zimmerman.

Not voting: Representatives Conner, Fortson, Gruger, Knedlik, McCormick, Shinoda, Sommers.

Substitute House Bill No. 314, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 595, by Representatives Ehlers, Nelson (Gary) and Sommers:

Changing the number of members and means of appointment, respectively, of the nursing home council and the emergency medical and ambulance review committee.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 595, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite,

Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Conner, Fortson, Gruger, Knedlik, Martinis, McCormick, Shinoda.

Engrossed House Bill No. 595, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 101, by Committee on Commerce (Originally sponsored by Representatives Warnke, Fortson, Gallagher and Hansen):

Establishing a gambling area within the state to be known as the Washington Bazaar.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 45th Day, February 23, 1977.)

MOTION

Mr. Paris moved that further consideration of Substitute House Bill No. 101 be indefinitely postponed.

Representatives Paris, Tilly and Struthers spoke in favor of the motion, and Mr. Warnke spoke against it.

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

Representatives Zimmerman, Paris, Pruitt and Fuller spoke in favor of the motion, and Mr. Gallagher spoke against it.

ROLL CALL

The Clerk called the roll on the motion to indefinitely postpone further consideration of Substitute House Bill No. 101, and the motion was carried by the following vote: Yeas, 55; nays, 35; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erak, Erickson, Fischer, Fuller, Gilleland, Greengo, Heck, Hurley M., Leckenby, Lee, Lysen, Martinis, Moreau, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitten, Sherman, Struthers, Taller, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Clemente, Ehlers, Enbody, Flanagan, Gaines, Gallagher, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lux, Maxie, May, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Salatino, Shinpoch, Smith, Sommers, Vrooman, Walk, and Mr. Speaker.

Not voting: Representatives Conner, Fancher, Fortson, Gruger, Knedlik, McCormick, Shinoda, Valle.

NOTICE OF RECONSIDERATION

Mr. Warnke, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which further consideration of Substitute House Bill No. 101 was indefinitely postponed.

HOUSE BILL NO. 395, by Representatives Shinpoch, Charette, Polk, Blair and Knedlik:

Revising the procedures for processing claims against the state.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 395 was substituted for House Bill No. 395, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 395 was read the second time.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "My point is Mr. Warnke's motion to reconsider on the next working day. Rule 70 of the House rules says a motion to reconsider on the final passage of bills may be made only on the day the vote to reconsider was taken, and then you set over one day. Reed's 205 says a motion to reconsider must be made on the day on which the action sought to be revised was had. I ask the Chair to rule on whether we will vote on that motion immediately today or whether we hold it over until tomorrow?"

The Speaker: "The question is not before us. The current question before the House is second reading of House Bill No. 395. I acknowledged receiving the message from Representative Warnke that he would move to reconsider the motion by which Substitute House Bill No. 101 was indefinitely postponed."

Substitute House Bill No. 395 was passed to Committee on Rules for third reading.

POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, then on the next working day when Representative Warnke makes his motion to reconsider will you accept a challenge of that motion at that time?"

The Speaker: "A point of order is always in order and I will make my ruling when the point is made. Right now that's not before us."

HOUSE BILL NO. 617, by Representatives Fischer and Eng:

Allowing some mutual savings banks to pay higher expenses for management and operation.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 25, 1977.)

On motion of Mr. Eng, the committee amendments were adopted.

House Bill No. 617 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 38, by Representatives McKibbin, Whiteside, Fortson, Bauer, Haley, Bender, Hawkins, Lee, Heck, Enbody, Erickson, Charnley and Clemente:

Amending the Constitution to authorize passage of special levies by majority vote.

The resolution was read the second time.

On motion of Mr. Charette, Substitute House Joint Resolution No. 38 was substituted for House Joint Resolution No. 38, and the resolution was placed on the calendar for second reading.

MOTIONS

Mr. King moved that further consideration of Substitute House Joint Resolution No. 38 be deferred, and that the resolution be placed at the bottom of today's second reading calendar immediately following House Bill No. 601.

Mr. Charette moved that Mr. King's motion be amended, and that Substitute House Joint Resolution No. 38 be deferred until Wednesday's second reading calendar.

Mr. Charette's motion was carried, and the amended motion by Mr. King was carried.

HOUSE BILL NO. 150, by Representatives May, Grier and Wilson:

Revising the definition of "public work" for government contracts.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 25, 1977.)

On motion of Mr. Thompson, the committee amendments were adopted.

House Bill No. 150 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 879, by Representatives Conner, Gallagher and Bender (by Department of Highways request):

Allowing driving on certain highway shoulders to allow other vehicles to pass.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 54, by Representatives Ehlers, Boldt and Polk:

Authorizing direct billing to the legislature for services provided by the department of general administration.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 281, by Representatives Becker, Amen, Erickson, Moreau, Warnke, Walk, Vrooman and Wilson:

Restoring number of educational service districts in existence on July 1, 1976.

The bill was read the second time.

MOTION

On motion of Mr. King, further consideration of House Bill No. 281 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

HOUSE BILL NO. 727, by Representatives Conner, Gallagher, Gilleland and Vrooman:

Changing laws on reporting of vehicle accidents.

The bill was read the second time.

MOTION

On motion of Mr. King further consideration of House Bill No. 727 was deferred, and the bill was ordered placed on the second reading calendar of tomorrow immediately following House Bill No. 281.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 355, by Representatives Burns, Vrooman, Lux, Pruitt, Clemente, Lysen, Charnley, Douthwaite and Sherman:

Relaxing income limitations for retired persons' property tax exemption.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 58th Day, March 8, 1977.)

On motion of Ms. Sommers, the committee amendment to page 2, adding new sections, was adopted.

Mr. Charnley moved adoption of the following amendment:

On page 2, line 24 after "section" insert ": AND PROVIDED FURTHER, That in computing a person's combined income in accordance with subsection (4) of this section, interest income, not exceeding five hundred dollars in amount in any year, from any savings account or savings certificate of deposit with a federal or state chartered bank, savings and loan association, mutual savings bank, or credit union shall not be included."

Mr. Charnley spoke in favor of the amendment, and Mr. Blair spoke against it.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "For the record, would you explain whether or not this was intended to apply to any one savings account or the total of ones' total savings accounts, or specifically to what savings account might this apply?"

Mr. Charnley: "The intention of this amendment is that the first \$500 of interest income from all savings accounts would be excluded and any other income beyond that amount would not be excluded; it would be counted as income."

Mr. Leckenby spoke against adoption of the Charnley amendment.

MOTION

On motion of Mr. King, further consideration of House Bill No. 355 was deferred, and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 601, by Representatives Hanna, Warnke, Hawkins, Adams, Salatino, Grier, Hansen, Heck, Gallagher, McCormick and Gaines:

Revising gambling laws on card games.

The bill was read the second time.

On motion of Mr. Salatino, Substitute House Bill No. 601 was substituted for House Bill No. 601, and the substitute bill was placed on the calendar for second reading.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 601 was deferred, and the bill was ordered placed on tomorrow's second reading calendar.

ENGROSSED SENATE BILL NO. 2069, by Senators Goltz, Morrison, Fleming, Ridder, Sandison and North:

Establishing a youth service corps to promote youth employment and service to local communities.

The bill was read the second time.

MOTION

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2069 was deferred, and the bill was ordered placed on tomorrow's second reading calendar of Senate bills.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, by Committee on Constitution and Elections (Originally sponsored by Senators Beck and North):

Establishing procedures for organization of minor political parties.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal 54th Day, March 4, 1977.)

Mr. Hawkins moved adoption of the committee amendment to the body of the bill.

Mr. Nelson (Dick) moved adoption of the following amendment to the committee amendment:

On page 2, section 3, line 16 strike "general" and insert "presidential"

Mr. Nelson (Dick) spoke in favor of the amendment to the committee amendment, and Mr. Pardini spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (Dick) to the committee amendment to Engrossed Substitute Senate Bill No. 2032, and the amendment to the amendment was adopted by the following vote: Yeas, 44; nays, 42; not voting, 12.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erak, Erickson, Gaines, Grimm, Hansen, Hawkins, Heck, Hurley G. S., Kilbury, King, Lux, Lysen, Martinis, Maxie, McKibbin, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dunlap, Eng, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Haley, Hughes, Hurley M., Knowles, Kreidler, Leckenby, Lee, May, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Teller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Charette, Conner, Deccio, Fortson, Grier, Gruger, Hanna, Keller, Knedlik, McCormick, Shinoda, and Mr. Speaker.

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

On page 2 of the amendment after line 33 insert a new paragraph as follows:

*Each otherwise qualified registered voter who is unable to attend a convention, but who desires to cast votes for nominations at that convention, may vote by proxy authorized in writing and signed by the voter. This proxy authorization shall include the voter's typed or printed name and address as registered for voting

purposes. Persons who vote by proxy at a convention in accordance with this section shall be counted as being in attendance at that convention."

Mr. Hawkins spoke in favor of the amendment to the committee amendment, and Mr. Blair spoke against it.

Mr. Hawkins spoke again in favor of the amendment, and Mr. Newhouse spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Hawkins moved adoption of the following amendment to the committee amendment: On page 3 of the amendment, line 9, strike "attended" and insert "are counted as being in attendance at"

Mr. Hawkins spoke in favor of adoption of the amendment to the committee amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hawkins to the committee amendment to Engrossed Substitute Senate Bill No. 2032, and the amendment was adopted by the following vote: Yeas, 62; nays, 24; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clemente, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fuller, Gaines, Grimm, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipnosh, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Berentson, Bond, Clayton, Craswell, Deccio, Fancher, Gallagher, Gilleland, Greengo, Hansen, Hurley M., May, Nelson G. A., Pardini, Patterson, Polk, Sanders, Schmittens, Struthers, Tally, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Charette, Conner, Fortson, Grier, Gruger, Knedlik, McCormick, Newhouse, Paris, Shinoda, Williams, and Mr. Speaker.

MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the Hawkins amendment to page 3 of the committee amendment to Engrossed Substitute Senate Bill No. 2032 was adopted.

The motion was carried.

The House reconsidered the Hawkins amendment to the committee amendment, and it was not adopted.

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

On page 4 of the amendment, line 24, beginning with "On" strike all material down to and including "records," on line 39 and insert the following new paragraph:

"Within three weeks after the last day for filing declarations of candidacy under RCW 29.18.030, the secretary of state shall provide each county auditor with a list containing the names and addresses of all registered voters who signed a convention nominating certificate and who live in the same county as the auditor, but not containing any other details which could be used to ascertain the identity of the particular convention for which any such registered voter has signed a nominating certificate. On the seventh day after filing a nominating certificate or notifying the presiding officer or secretary of a convention of any signatures judged invalid on a nominating certificate, the secretary of state shall destroy the portion of the certificate which contains the signatures, names and addresses of convention participants unless the certificate is in dispute, in which case that portion shall be retained until the dispute is resolved. Upon resolution of any such dispute, the secretary of state shall destroy that portion of the nominating certificate. In no case shall the fact that a voter participated in a particular convention be disclosed to any person other than the election official who checks the validity of signatures on nominating certificates."

Representatives Hawkins and Fuller spoke in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Newhouse.

Mr. Newhouse: "Was this amendment considered in committee? Is there to be a secret list of attendants at a convention of this type?"

Mr. Hawkins: "The answer to the first question is that we did not consider this revised language; we did consider the subject in committee. As to whether there will be a secret list, I think the present nominating lists are kept within the safe in the Secretary of State's office and

that has been found to be an adequate security measure so if that's what your are referring to when you talk about a secret list. The availability of this list would exist for a finite period of time in order to provide for challenge and after that time the information would no longer be available."

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Hawkins, in the middle of this amendment we make provisions for destroying these lists on the seventh day after the nomination; is there any other provision where the Secretary of State destroys anything that is sent to him in regard to an election or a nominating process?"

Mr. Hawkins: "No."

Mr. Pardini spoke against adoption of the amendment.

MOTIONS

Mr. Amen moved that Engrossed Substitute Senate Bill No. 2032 be rereferred to Committee on Elections and Governmental Ethics.

Mr. King moved that further action on Engrossed Substitute Senate Bill No. 2032 be deferred, and that the bill be placed on tomorrow's second reading calendar.

POINT OF ORDER

Mr. Newhouse: "The motions are of the same rank."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your point is well taken. The motion to commit and the motion to defer are of the same rank. We have a motion before us now to rerefer Engrossed Substitute Senate Bill No. 2032 to Committee on Elections and Governmental Ethics, Representative King, and that motion will have to be disposed of before I can recognize your other motion."

Mr. Hawkins spoke in opposition to the motion to rerefer, and Mr. Newhouse spoke in favor of it.

Mr. King demanded the previous question, and the demand was not sustained.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Tuesday, March 22, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWELFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 22, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fortson, Gruger, McCormick and Sommers, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shellie Johnson and Steve Chapman. Prayer was offered by Reverend Robert Keller of the Lutheran Church of the Good Shepherd of Olympia.

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

MESSAGE FROM THE SENATE

March 21, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2121,
ENGROSSED SENATE BILL NO. 2166,
ENGROSSED SENATE BILL NO. 2184,
REENGROSSED SENATE BILL NO. 2207,
SUBSTITUTE SENATE BILL NO. 2245,
ENGROSSED SENATE BILL NO. 2286,
SENATE BILL NO. 2294,
SENATE JOINT RESOLUTION NO. 109,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2121, by Committee on State Government (Originally sponsored by Senators Scott, Marsh, Clarke and Odegaard - by Legislative Budget Committee request):

Restricting printing and distribution of state reports and publications.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2166, by Senators Odegaard, Donohue, Clarke and Woody (by Legislative Budget Committee request to Implement Performance Audit Recommendations):

Transferring the powers, duties and functions of the printing and duplicating committee to the newly-created printing and duplicating management center.

To Committee on State Government

REENGROSSED SENATE BILL NO. 2207, by Senators Goltz, Hayner, Wilson, Ridder, North, Guess, Buffington, Wojahn, Pullen and Day:

Withholding salary warrants of department of social and health services management personnel until timely payment is made to all vendors for personal services.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 2286, by Senators Odegaard and Francis:

Revising law relating to regulation of the funeral business.

To Committee on Social and Health Services

SENATE BILL NO. 2294, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Pertaining to selection of jurors.

To Committee on Judiciary

MOTION

On motion of Mr. King, all bills listed on today's agenda under the fourth order of business were considered first reading and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

March 21, 1977

HOUSE BILL NO. 292, Prime Sponsor: Representative Valle, changing water district comprehensive planning and finance law. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Keller, Shinoda, Vrooman, Zimmerman.

To Committee on Rules for second reading.

March 21, 1977

HOUSE BILL NO. 293, Prime Sponsor: Representative Valle, clarifying and changing sewer district finance laws. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Keller, Shinoda, Vrooman, Zimmerman.

To Committee on Rules for second reading.

March 18, 1977

HOUSE BILL NO. 298, Prime Sponsor: Representative Martinis, extending forest patrol assessments to public bodies. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 19 after "unpaid" insert "forest patrol"

On page 5, beginning on line 33 strike all of section 4 and insert the following:

"Sec. 4. Section 11, chapter 184, Laws of 1923 as amended by section 6, chapter 207, Laws of 1971 ex. sess. and RCW 76.04.390 are each amended to read as follows:

Any person, firm, or corporation negligently responsible for the starting or existence of a fire which spreads on forest land, including permitting the existence of an extreme fire hazard under RCW 76.04.370, as now or hereafter amended, after failure to abate, isolate, or reduce, as required in this 1971 amendatory act, or for the existence of forest debris subject to RCW 76.04.310 as now or hereafter amended, and which contributes to the spread of said fire, shall be liable for any expense made necessary by such negligence, incurred by the state, a municipality, or a forest protective association, in fighting such fire, together with costs of investigation and litigation including reasonable attorneys' fees and taxable court costs, provided that any such expense was authorized or subsequently approved by the department of natural resources. The department or agency incurring such expense shall have a lien for the same against any property of said person, firm, or corporation liable as above provided by filing a claim of lien naming said person, firm, or corporation describing the property against which the lien is claimed, specifying the amount expended on the lands on which the fire fighting took place and the period during which the expenses were incurred, and signed by the claimant with post office address. No claim of lien shall be valid unless filed with the county auditor of the county in which the property sought to be charged is located within a period of ninety days after the expenses of the claimant were incurred. The claimant may recover said expenses incurred in a civil action against said person, firm, or corporation liable therefor, and shall have in addition the lien remedy above provided. Said lien may be foreclosed in the same manner as a mechanic's lien is foreclosed under the statutes of the state of Washington."

Beginning on line 9 of the title after "and" delete the remainder of the title and insert "amending section 11, chapter 184, Laws of 1923 as amended by section 6, chapter 207, Laws of 1971 ex. sess. and RCW 76.04.390."

Signed by Representatives Moreau, Vice Chairman; Wilson, Ranking Minority Member; Enbody, Fuller, Greengo, May, Schmitten, Shinoda, Vrooman.

To Committee on Rules for second reading.

March 18, 1977

HOUSE BILL NO. 351, Prime Sponsor: Representative Gaines, giving insured persons the right to have damaged vehicles repaired in shop of own choice. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Owen, Paris, Shinoda, Struthers, Walk.

- To Committee on Rules for second reading.

March 17, 1977

HOUSE BILL NO. 402, Prime Sponsor: Representative Lysen, requiring state agencies to submit budgets that would not require increased taxes. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Chandler, Ehlers, Hawkins, Heck, Keller, Lee, Maxie, Polk, Taller, Thompson, Vrooman.

To Committee on Rules for second reading.

March 21, 1977

HOUSE BILL NO. 429, Prime Sponsor: Representative Kilbury, requiring the department of labor and industries to conduct railroad safety inspections relating to employees. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 19 after "employees." insert "All rules and regulations heretofore promulgated by the utilities and transportation commission pursuant to this section relating to sanitation and adequate shelter as it affects the health of all railroad employees shall be transferred to and enforced by the department of labor and industries on and after the effective date of this 1977 amendatory act."

On page 3, line 12 after "act." insert "Such interagency agreement or agreements shall include provisions relating to the transfer between the agencies of funds to be applied to the enforcement and administration of railroad employee safety and health statutes, rules, and regulations."

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton, Sanders.

To Committee on Rules for second reading.

March 21, 1977

HOUSE BILL NO. 519, Prime Sponsor: Representative Burns, exempting from fees at institutions of higher education students pursuing high school diplomas or certificates. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 8 after "student" insert "nineteen years of age or over"

Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Enbody, Grimm, Haley, Oliver, Thompson.

To Committee on Rules for second reading.

March 18, 1977

HOUSE BILL NO. 520, Prime Sponsor: Representative Shinpoch, providing statutory consumer protection in certain areas of automobile insurance. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Blair, Erak, Erickson, Knedlik, Maxie.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Sanders, Taller.

To Committee on Rules for second reading.

March 18, 1977

HOUSE BILL NO. 873, Prime Sponsor: Representative Vrooman, regulating the harvesting of specialized forest products. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Moreau, Vice Chairman; Wilson, Ranking Minority Member; Enbody, Fuller, Greengo, Schmitt, Shinoda, Vrooman.

To Committee on Rules for second reading.

March 18, 1977

ENGROSSED SENATE BILL NO. 2156, Prime Sponsor: Senator Day, permitting certain corporations of health care professionals to act as self-insurers against liability. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 strike everything after the period down through all of line 22 and insert "An association or other entity composed of five hundred or more health care professionals licensed pursuant to chapters 18.22, 18.25, 18.32, 18.57, 18.71, or 18.88 RCW and meeting capital and surplus requirements set forth in RCW 48.05.340(1), after a written determination by the insurance commissioner that insurance for claims brought under chapter 7.70 RCW is either unavailable or cost-prohibitive from a licensed insurance carrier, may join and organize as a mutual corporation pursuant to chapter 24.06 RCW for the purpose of insuring or self-insuring against claims brought under chapter 7.70 RCW through a contributing trust fund and shall not be deemed an "insurer" under this code: PROVIDED, That each health professional mutual corporation shall submit a financial and operational report annually to the legislative budget committee and the insurance commissioner."

Signed by Representatives Haley, Ranking Minority Member; Barnes, Blair, Erak, Erickson, Sanders, Tallor.

To Committee on Rules for second reading.

SENATE AMENDMENTS TO HOUSE BILL

March 18, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 240 with the following amendments:

On page 1, line 5 after "term" strike "motor" and insert "passenger-carrying"

On page 1, lines 5 and 6 after "means" strike "any self-propelled vehicle" and insert "those buses and trucks owned, operated and maintained by a railroad company which transports railroad employees in other than the cab of such vehicle and"

On page 1, line 11 after "every" strike "motor" and insert "passenger-carrying"

On page 1, line 12 after "transport" strike "one or more"

On page 1, line 16 after "the" strike "motor" and insert "passenger-carrying"

On page 1, line 21 strike "temperature of 60° Fahrenheit in all" and insert "reasonable temperature in"

On page 1, strike all of subsection (2) and renumber the other subsections consecutively

On page 1, line 25 after "of" strike "motor" and insert "passenger-carrying"

On page 1, line 26 after "of" strike "freight and"

On page 1, line 28 after "devices," insert "and"

On page 1, line 29 after "explosives" add a semicolon and strike the remainder of the sentence

On page 2, line 1 after "a" strike "motor" and insert "passenger-carrying"

On page 2, line 5 after "retaining" strike "freight or"

On page 2, line 5 after "the" strike "motor" and insert "passenger-carrying"

On page 2, line 14 after "any" strike "motor" and insert "passenger-carrying"

On page 2, line 17 before "assist" strike "shall" and insert "may"

On page 2, line 15 after "transport" strike "one or more"

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. King, the House concurred in the Senate amendments to House Bill No. 240.

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. 240 as amended by the Senate.

ROLL CALL

The Clerk called the roll on final passage of House Bill No. 240 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 10; not voting, 10.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Gallagher, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Flanagan, Gilleland, Greengo, Lee, Nelson G. A., Newhouse, Sanders, Zimmerman.

Not voting: Representatives Clayton, Conner, Fortson, Gruger, Hurley G. S., Knowles, McCormick, Pardini, Sommers, Williams.

House Bill No. 240 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 282, by Committee on Appropriations (Originally sponsored by Representatives Hawkins, Barnes, Fortson, Nelson [Dick], Lux, Heck, Sherman, Hughes, Keller, Chandler, Erickson and Wilson):

Establishing a presidential preference primary.

The bill was read the third time and placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill, and Mr. Zimmerman spoke against it.

POINT OF ORDER

Mr. Hawkins: "Mr. Speaker, my point of order is that Representative Zimmerman is speaking to House Bill No. 155 and not House Bill No. 282 as amended."

The Speaker: "Your point is well taken, but continue, Representative Zimmerman."

Representative Zimmerman closed his remarks in opposition to the bill.

Mr. Douthwaite spoke in favor of passage of the bill, and Representatives Newhouse and Blair spoke against it.

Mr. Douthwaite spoke again in favor of passage of the bill, and Representatives Berentson and Hurley (George) spoke against it.

POINT OF ORDER

Mr. Berentson: "I think Mr. Hurley is rambling a little bit. He should stay on the bill and we'll hear him for a little while longer."

The Speaker: "I don't believe your point is well taken; he is talking about the subject of the presidential primary."

Mr. Hurley (George) continued his remarks against passage of the bill.

Representatives Nelson (Dick) and Hawkins spoke in favor of passage of the bill, and Representatives Barnes and Greengo spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 282, and the bill passed the House by the following vote: Yeas, 54; nays, 39; not voting, 5.

Voting yea: Representatives Adams, Barr, Bauer, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fuller, Gaines, Gallagher, Grier, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Blair, Bond, Clayton, Conner, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Gilleland, Greengo, Grimm, Hurley M., Kilbury,

Leckenby, Lee, May, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Smith, Struthers, Tilly, Walk, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Fortson, Gruger, Hansen, McCormick, Sommers.

Engrossed Second Substitute House Bill No. 282, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

AFTERNOON SESSION

The House was called to order at 1:45 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fortson, Gruger, McCormick and Vrooman, who were excused.

MOTION

Mr. King moved that Engrossed Second Substitute House Bill No. 282 be immediately transmitted to the Senate.

NOTICE OF RECONSIDERATION

Mr. Fuller, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Second Substitute House Bill No. 282 passed the House.

Mr. King withdrew his motion.

MESSAGE FROM THE GOVERNOR

March 21, 1977

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

I have the honor to advise that on March 21, 1977, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 1: Relating to lease of port district property;
HOUSE BILL NO. 148: Relating to highways;
HOUSE BILL NO. 167: Relating to banks and trust companies;
HOUSE BILL NO. 180: Relating to civil procedure;
SUBSTITUTE HOUSE BILL NO. 200: Relating to public officers and agencies;
HOUSE BILL NO. 245: Relating to counties;
HOUSE BILL NO. 274: Relating to trapping;
SUBSTITUTE HOUSE BILL NO. 277: Relating to game and game fish.

Sincerely yours,
Joe Zaspel, Legislative Assistant.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 238, by Committee on Judiciary (Originally sponsored by Representatives Gallagher, Sanders, Knowles and Fischer):

Revising law relating to public works contract.

The bill was read the third time and placed on final passage.

Mr. Gallagher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 238, and the bill passed the House by the following vote: Yeas, 88; nays, 2; not voting, 8.

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

Voting nay: Representatives Flanagan, Leckenby.

Not voting: Representatives Bond, Deccio, Fortson, Gruger, Lee, Martinis, McCormick, Oliver.

Substitute House Bill No. 238, having received the 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. 797, by Representatives Charette, Vrooman, Knowles, Smith and Enbody:

Giving jurisdiction to the court of the county wherein an habitual traffic offender is arrested for subsequently driving without a license.

The bill was read the third time and placed on final passage.

Mr. Charette spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 797, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bond, Douthwaite, Fortson, Gruger, Hanna, McCormick.

House Bill No. 797, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 531, by Committee on Insurance (Originally sponsored by Representatives Douthwaite, Grier, Keller, Monohon, Knedlik, Erickson, Sanders, Haley and Taller):

Providing for a unified system of risk management.

The bill was read the third time and placed on final passage.

Representatives Douthwaite and Haley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 531, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

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

Voting nay: Representatives Gilleland, Patterson.

Not voting: Representatives Fortson, Gruger, McCormick.

Substitute House Bill NO. 531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 574, by Committee on State Government (Originally sponsored by Representatives Bauer, Heck, Zimmerman, Thompson, Paris and Erickson):

Providing for the erection of a statue in the statuary hall in the national capitol.

The bill was read the third time and placed on final passage.

Representatives Bauer, Zimmerman, Deccio and O'Brien spoke in favor of passage of the bill, and Mr. Polk spoke against it.

POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Bauer, I was curious whether you or the other sponsors had carefully considered any other candidates for this statue?"

Mr. Bauer: "It was my understanding that there was a search committee and that the Pioneer Club of the State of Washington had recommended this over all the other considerations. There was an effort to get this done last year, the bicentennial year, and because of the time element they failed to achieve that objective. It is my understanding that there was a large number of people throughout the state of Washington working on this project and this was their final conclusion."

Mr. Tilly spoke against passage of the bill, and Representatives Greengo and Erickson spoke in favor of it.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 574, and the bill passed the House by the following vote: Yeas, 79; nays, 12; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tallor, Thompson, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Bond, Chandler, Charnley, Clayton, Dunlap, Gilleland, Haley, Pardini, Polk, Tilly, Williams.

Not voting: Representatives Fortson, Gruger, Hansen, McCormick, Newhouse, Patterson, Vrooman.

Substitute House Bill No. 574, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 623, by Representatives Bauer and Zimmerman:

Exempting capital expenditures of nonprofit water associations from gross income for public utility tax purposes.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Sommers, Representative Bauer just alluded in this bill to PUD's and a tax exemption they enjoy and they also, of course, pay an in-lieu tax. I wonder if these nonprofit water districts pay that same PUD in-lieu tax?"

Ms. Sommers: "Representative Thompson, I looked at this bill and wondered that if perhaps we should have rereferred it to the Revenue Committee because we do look at things like that generally. I didn't raise the question because it was already on the floor. You have to go

through the PUD sections very carefully to be able to determine which pays what. They are quite complicated and they do have different terms."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 623, and the bill passed the House by the following vote: Yeas, 86; nays, 5; not voting, 7.

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

Voting nay: Representatives Gilleland, Hawkins, Patterson, Thompson, Winsley.

Not voting: Representatives Clemente, Douthwaite, Fortson, Gruger, McCormick, Newhouse, Vrooman.

House Bill No. 623, having received the 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 HOUSE BILL NO. 581, by Committee on Social and Health Services (Originally sponsored by Representatives Becker, Hanna, Whiteside, Adams, Shipoch, May, Pardini, Deccio, Charette, Warnke, Grimm, Thompson, Charnley, Hurley [Margaret], Pearsall, Bender, Eng, Hawkins, Chandler and Ehlers):

Providing for the substitution of prescription drugs.

The bill was read the third time and placed on final passage.

Representatives Becker and Schmitt 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. 581, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

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

Voting nay: Representatives Fischer, Knedlik.

Not voting: Representatives Ehlers, Fortson, Gruger, Keller, Kreidler, McCormick, Vrooman.

Engrossed Substitute House Bill No. 581, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 506, by Representative Heck:

Permitting certain PUD's to have sewage districts without reference to a water system.

The bill was read the third time and placed on final passage.

Representatives Heck, Zimmerman and Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 506, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Fortson, Gruger, McCormick, Vrooman.

Engrossed House Bill No. 506, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, by Committee on Constitution and Elections (Originally sponsored by Senators Beck and North):

Establishing procedures for organization of minor political parties.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 11th Day ex. sess., March 21, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Amen to rerefer the bill to Committee on Elections and Governmental Ethics.

Mr. Amen spoke in favor of the motion, and Representatives Hawkins, Nelson (Dick) and Blair spoke against it.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Hawkins to page 4, line 24 of the committee amendment.

Mr. Hawkins spoke in favor of the amendment, and Mr. Newhouse spoke against it.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Hawkins, Representative Newhouse brought up the question of revealing the candidates' names. Is there concealment of their names in your amendment to the committee amendment, or would the names be concealed in either case whether we passed your amendment or not?"

Mr. Hawkins: "There is no reference to the candidates' names. The candidate's name obviously has to become a matter of public record as to which party he is taking the nomination."

Mr. Barnes: "I meant the convention attendant's name."

Mr. Hawkins: "Their names would be a public record until such time as seven days had passed after the opportunity for an officer of that convention to respond to a challenge from within the membership of the convention, and their names would not be revealed as to which party convention they had participated in, but it would be part of the public record so that the auditor could check the file and see if indeed they had participated in that nominating convention."

Mr. Barnes: "In other words, the names would be revealed to the auditor so he could check the validity? The party association would not be public in either case whether your amendment is passed or not?"

Mr. Hawkins: "Yes."

Representatives Pardini and Zimmerman spoke against the amendment to the committee amendment, and Mr. Hawkins spoke again in favor of it.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Hawkins, I'm trying to recall back as to the way the minor political parties handled their conventions in the past, and as I recall in order to be eligible to participate in the convention you must have voted in the primary, is that correct? Now does this new amendment that you have also carry the same provision? If you voted in the primary would you then be allowed to be a delegate in a minor party convention?"

Mr. Hawkins: "The timing provision in this committee amendment is substantially different from the present process. You may have noticed in there that the minor parties would hold

their convention on the Saturday before the regular filing period, which is the last Monday in July. That's our normal filing period. They would be required to hold their nominating convention on the Saturday preceding that Monday so the nominating convention would not be held on the same day as the regular primary election. They would, however, be allowed to vote IN THE PRIMARY ELECTION, IN NONPARTISAN ELECTIONS, AND FOR BALLOT PROPOSALS THAT WOULD BE PLACED ON THE PRIMARY ballot, and that would be a special ballot prepared by the County Auditor and made available to those individuals who participated in a minor party nominating convention in the preceding July."

Mr. Patterson: "In the section that identifies the legislative races, as I read on page 2, would the twenty-five people have to be present at the convention in order to nominate a candidate to run against you in your legislative district?"

Mr. Hawkins: "Yes."

Mr. Patterson: "Twenty-five people residing within that legislative district would have to be present and participating and registered as a member of the convention in order to be nominated?"

Mr. Hawkins: "I believe that is accurate. I think that is the minimum. Most commonly twenty-five would be the number and since we struck the proxy provision yesterday they would have to be actually there in order to nominate a candidate."

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hawkins to the committee amendment to Engrossed Substitute Senate Bill No. 2032, and the amendment to the amendment was adopted by the following vote: Yeas, 49; nays, 44; not voting, 5.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Blair, Boldt, Burns, Charette, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Fuller, Gaines, Gallagher, Grimm, Hanna, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Martinis, McKibbin, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Erickson, Fancher, Flanagan, Gilleland, Greengo, Grier, Haley, Hansen, Hughes, Hurley M., Knowles, Leckenby, Lee, Maxie, May, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Shinpoch, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Fortson, Gruger, McCormick, Vrooman, and Mr. Speaker.

Ms. Erickson moved adoption of the following amendment to the committee amendment: On page 2 of the committee amendment in subsection (1) following "equal to" strike "one" and insert "two"

Ms. Erickson spoke in favor of the amendment, and Representatives Hawkins and Nelson (Dick) spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson to the committee amendment to Engrossed Substitute Senate Bill No. 2032, and the amendment to the amendment was not adopted by the following vote: Yeas, 45; nays, 46; not voting, 7.

Voting yea: Representatives Adams, Amen, Bender, Berentson, Bond, Charette, Clayton, Clemente, Craswell, Deccio, Dunlap, Erickson, Flanagan, Gallagher, Gilleland, Greengo, Grier, Hurley M., King, Kreidler, Leckenby, Lee, Martinis, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Barnes, Barr, Bauer, Becker, Blair, Boldt, Burns, Chandler, Charnley, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Fuller, Gaines, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, Knedlik, Lux, Lysen, Maxie, May, McKibbin, Nelson D., Owen, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Valle, Walk, Warnke, Williams, Winsley.

Not voting: Representatives Fortson, Gruger, Hanna, Knowles, McCormick, Vrooman, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to the the committee amendment as amended.

Mr. Nelson (Dick) spoke in favor of the amended amendment, and Mr. Amen spoke against it.

POINT OF INQUIRY

Mr. Nelson (Dick) yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Nelson, you used the term 'frivolous minor parties.' Would you give us an example of what a frivolous minor party is?"

Mr. Nelson (Dick): "Well, I think, to give you a general definition, I think a frivolous minor party is a party that really doesn't have a platform and isn't seriously proposing solutions to the problems of this state and this nation. There was at least one on the ballot I think that turned the election process into a comedy. That I would call a frivolous minor party. They appear to be taking on the proportions of a major party and unless maybe some of us get to work they might present a bigger problem."

Representatives Barnes and Hawkins spoke in favor of adoption of the committee amendment as amended.

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

Representatives Hurley (George) and Fuller spoke in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment as amended to Engrossed Substitute Senate Bill No. 2032, and the amendment was adopted by the following vote: Yeas, 70; nays, 20; not voting, 8.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Barr, Berentson, Clayton, Deccio, Dunlap, Fancher, Flanagan, Gilleland, Hurley M., Lee, Nelson G. A., Newhouse, Paris, Struthers, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Fortson, Gruger, Hanna, Maxie, McCormick, Vrooman, and Mr. Speaker.

On motion of Mr. Hawkins, the committee amendment to the title was adopted.

Engrossed Substitute Senate Bill No. 2032 as amended by the House was passed to Committee on Rules for third reading.

MOTIONS

On motion of Mr. King, HOUSE JOINT MEMORIAL NO. 9 was rereferred to Committee on Agriculture.

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

On motion of Mr. Bender, HOUSE BILL NO. 485 was rereferred from Committee on Elections to Committee on Judiciary.

On motion of Mr. Bender, HOUSE BILL NO. 605 was rereferred from Committee on Rules to Committee on Judiciary.

On motion of Mr. Bender, HOUSE BILL NO. 1272 was rereferred from Committee on State Government to Committee on Constitution.

On motion of Mr. Bender, HOUSE BILL NO. 1315 was rereferred from Committee on State Government to Committee on Commerce.

On motion of Mr. King, the House adjourned until 11:00 a.m., Wednesday, March 23, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 23, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mary Ann McCluskey and Mark Gonzales. Prayer was offered by Reverend Robert Keller of the Lutheran Church of the Good Shepherd of Olympia.

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

MESSAGE FROM THE GOVERNOR

March 22, 1977

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

I have the honor to advise that on March 22, 1977, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 12: Relating to bus warning lights:

HOUSE BILL NO. 146: Relating to the interlocal cooperation act.

Sincerely,

Joe Zaspel, Legislative Assistant.

MESSAGE FROM THE SENATE

March 22, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2115,

SENATE BILL NO. 2295,

ENGROSSED SENATE BILL NO. 2299,

REENGROSSED SENATE BILL NO. 2418,

SENATE BILL NO. 2831,

SENATE BILL NO. 2864,

SENATE JOINT RESOLUTION NO. 108,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2295, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Allowing joinder or cross-filing by additional parties in action to review administrative decision.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2299, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Allowing review of agency action in the court of appeals.

To Committee on Judiciary

SENATE BILL NO. 2831, by Senators McDermott, Gould, Gaspard, Murray and Grant (by State Superintendent of Public Instruction request):

Making changes in the RCW code to reflect other laws relating to education.

To Committee on Education

SENATE BILL NO. 2864, by Senator Bausch:

Requiring an accident report when a legally standing vehicle is involved in an accident.

To Committee on Transportation

SENATE JOINT RESOLUTION NO. 108, by Senators Pullen, von Reichbauer, Ridder, Washington, Sellar, McDermott, Morrison, Benitz, Beck, Lewis, Guess, Goltz, Francis, Wilson, North, Mardesich, Henry, Van Hollebeke, Murray and Jones:

Amending the Constitution to permit legislators to hold a civil office notwithstanding that he served in a legislature which increased the emoluments thereof so long as the emoluments he receives are at the level designated prior to the increase.

To Committee on Elections and Governmental Ethics

REPORTS OF STANDING COMMITTEES

March 21, 1977

HOUSE BILL NO. 3, Prime Sponsor: Representative Kilbury, taxing federal nuclear power generators. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Nelson (Gary), Ranking Minority Member; Craswell, Eng, Erickson, Flanagan, Hurley (George), Kilbury, Moreau, Nelson (Dick), Tilly.

To Committee on Rules for second reading.

March 21, 1977

SUBSTITUTE HOUSE BILL NO. 371, Prime Sponsor: Representative Becker, revising the juvenile justice and care system. Reported by Committee on Institutions.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

MOTION

On motion of Mr. King, Substitute House Bill No. 371 was rereferred to Committee on Appropriations.

March 21, 1977

HOUSE BILL NO. 424, Prime Sponsor: Representative Douthwaite, establishing the Washington state commission for the blind. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 5 after "required" insert "including a biennial report to the governor and the legislature, which report shall include a summary of all rules and regulations adopted pursuant to this chapter"

On page 4, line 17 after "Title 2)" insert a period and strike the remainder of the section

On page 10, after line 30 insert a new section as follows:

"NEW SECTION. Sec. 24. The Washington state commission for the blind and its operation shall expire automatically on June 30, 1983, unless such expiration date be removed or extended by subsequent action of the legislature."

Re-number the remaining sections consecutively.

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Hanna, Lux, May, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

March 21, 1977

HOUSE BILL NO. 438, Prime Sponsor: Representative Sommers, changing notice requirements for property appraisals made between December 1 and February 15. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 strike "~~(PROVIDED, That~~" and insert "PROVIDED, That no such notice shall be mailed during the month of February: (("

On page 1, line 13 after "PROVIDED" strike "~~((FURTHER))~~" and insert "FURTHER"

Signed by Representatives Sommers, Chairwoman; Nelson (Gary), Ranking Minority Member; Craswell, Eng, Flanagan, Hurley (George), Kilbury, Moreau, Nelson (Dick), Tilly.

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

To Committee on Rules for second reading.

March 21, 1977

HOUSE BILL NO. 488, Prime Sponsor: Representative Hansen, prescribing aircraft hazard zones. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 35 strike "outermost initial approach fix" and insert "final approach fix/point"

On page 4, line 5 after "shall" strike everything down through "shall be" in line 6 and insert ", if deemed by the commission to be in the best interest of the public, be removed or"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Gaines, Gallagher, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 21, 1977

HOUSE BILL NO. 604, Prime Sponsor: Representative Lux, revising the state industrial insurance laws. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

MINORITY recommendation: That the substitute bill do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton.

To Committee on Rules for second reading.

March 21, 1977

HOUSE BILL NO. 662, Prime Sponsor: Representative Erickson, regulating granting of sabbaticals by institutions of higher education. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Haley, Oliver, Patterson, Thompson.

To Committee on Rules for second reading.

March 21, 1977

HOUSE BILL NO. 928, Prime Sponsor: Representative Lysen, revising energy emergency powers and procedures. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Grimm, Kilbury, Leckenby, Martinis, McKibbin, Williams, Wilson.

To Committee on Rules for second reading.

March 21, 1977

ENGROSSED SENATE BILL NO. 2062, Prime Sponsor: Senator Day, revising qualifications for health officers. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 21 after "required" insert "and a license as a health professional in direct patient care may be substituted for one year of such experience"

On page 2, line 24 after "state" insert "and having at least two years administrative experience"

On page 2, after line 24 insert a new paragraph as follows:

"Where the local board of health appoints a local health officer who is not a licensed physician or osteopathic physician, such board shall employ or contract for, as needed, such physician who shall be responsible to the health officer for those activities which constitute the practice of medicine and surgery or osteopathy and surgery."

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Haley, Hanna, Lux, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

March 22, 1977

SUBSTITUTE SENATE BILL NO. 2063, Prime Sponsor: Senator Odegaard, requiring fiscal impact statements on proposed legislation. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; Blair, Ranking Minority Member; Amen, Becker, Boldt, Chandler, Charette, Ehlers, Heck, Keller, Lee, Maxie, Polk, Taller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

March 21, 1977

ENGROSSED SENATE BILL NO. 2172, Prime Sponsor: Senator Talley, licensing acupuncturists. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 after "authorized" insert ": PROVIDED, HOWEVER, That a person licensed to perform acupuncture under this section shall only do so under the direct supervision of a licensed osteopathic physician"

On page 1, line 21 after "means" strike all material down to and including "analgesia" on line 24 and insert "the insertion of needles into the human body by piercing the skin of the body for the purpose of relieving pain, treating disease, or to produce analgesia, or as further defined by rules and regulations of the board"

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Haley, Hanna, Lux, May, Pearsall, Pruitt.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 127, by Committee on Local Government (Originally sponsored by Representatives Ehlers, Lee, Thompson, Gaines, Grimm and Knedlik):

Authorizing community corporations for local government in unincorporated areas.

The bill was read the third time and placed on final passage.

Representatives Ehlers, Lee, Gaines, North and Douthwaite spoke in favor of the bill, and Mr. Zimmerman spoke against it.

POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Douthwaite, there are a number of community councils that are operating now, and they can still operate without this law, so what is this going to do, if this is passed, that can't be done already?"

Mr. Douthwaite: "I think the best answer to that was provided by Representative Lee in her comments about the legitimacy of community councils. I know I've heard some come here before the legislative committees and the question was asked who did they represent and they say they represent the community council on Capitol Hill or something. Then you say, 'Well, are you elected? And if so, by whom?' These are embarrassing questions. They might be embarrassing because they don't have any legitimate official legal standing to represent whatever district they claim to represent. Therefore, this gives them a more solid basis in law, if they wish to utilize this pattern they can do so."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 127, and the bill passed the House by the following vote: Yeas, 64; nays, 27; not voting, 7.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Greengo, Grier, Grimm, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Berentson, Bond, Clayton, Craswell, Deccio, Flanagan, Gallagher, Gilleland, Hansen, Kilbury, Lysen, May, Moreau, Newhouse, Oliver, Patterson, Pearsall, Schmitt, Smith, Struthers, Tilly, Walk, Whiteside, Williams, Zimmerman.

Not voting: Representatives Enbody, Eng, Fortson, Gruger, Lux, Martinis, Pardini.

Substitute 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.

ENGROSSED HOUSE BILL NO. 816, by Representatives Maxie, O'Brien, Lux, Burns, Blair and Douthwaite:

Giving tenants a priority for purchasing highway lands.

The bill was read the third time and placed on final passage.

Representatives Maxie, Gilleland and Burns spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 816, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

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

Voting nay: Representatives North, Smith.

Not voting: Representatives Enbody, Eng, Fortson, Gruger.

Engrossed House Bill No. 816, having received the 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. 879, by Representatives Conner, Gallagher and Bender (by Department of Highways request):

Allowing driving on certain highway shoulders to allow other vehicles to pass.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 879, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Eng, Fortson, Gruger, Nelson D., Sommers.

House Bill No. 879, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 125, by Committee on State Government (Originally sponsored by Representatives Ehlers, Hawkins, Erickson, Hanna and Salatino):

Revising laws affecting residents of soldiers' and veterans' homes.

The bill was read the third time and placed on final passage.

Representatives Ehlers and Taller spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "Representative Ehlers, isn't it true in this bill that a widow who resides at one of these homes is eligible as long as she doesn't remarry, but if she remarries she loses her eligibility?"

Mr. Ehlers: "Of course, if she remarries a veteran—"

Mr. Hurley (George): "I think she loses completely if she remarries and the thing that bothers me is that if she remarries and her husband dies in six months or a year she has lost that eligibility and it would be impossible for her again to be able to stay in one of those homes, regardless of poverty or anything else."

Mr. Ehlers: "No, I don't believe that's true. I can't find it in here, but I don't think it's true."

Mr. Hurley (George) spoke against passage of the bill, and Mr. Ehlers spoke again in favor of it.

MOTION

Mr. Hurley (George) moved that Substitute House Bill No. 125 be returned to second reading for the purpose of amendment.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eng, Fortson and Gruger, who were excused.

The House resumed consideration of Substitute House Bill No. 125 on third reading and final passage.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Hurley (George) that the bill be returned to second reading for the purpose of amendment.

Mr. Hurley (George) spoke in favor of the motion, and Mr. Ehlers spoke against it.

ROLL CALL

The Clerk called the roll on the motion to return Substitute House Bill No. 125 to second reading, and the motion lost by the following vote: Yeas, 23; nays, 67; not voting, 8.

Voting yea: Representatives Barnes, Blair, Bond, Chandler, Charnley, Dunlap, Fancher, Fischer, Fuller, Greengo, Haley, Hurley G. S., Knedlik, Nelson G. A., O'Brien, Oliver, Pardini, Polk, Pruitt, Sanders, Taller, Wilson, Winsley.

Voting nay: Representatives Adams, Amen, Barr, Becker, Bender, Berentson, Boldt, Burns, Charette, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Gaines, Gallagher, Gilleland, Grier, Grimm, Hanna, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, Owen, Paris, Patterson, Pearsall, Salatino, Schmitt, Sherman, Shinoda, Shipoch,

Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Clayton, Eng, Flanagan, Fortson, Gruger, Hawkins, Lux.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 125.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 125, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Clayton, Eng, Fortson, Gruger.

Substitute House Bill No. 125, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

ENGROSSED SENATE BILL NO. 2069, by Senators Goltz, Morrison, Fleming, Ridder, Sandison and North:

Establishing a youth service corps to promote youth employment and service to local communities.

The bill was read the second time.

The Clerk read the following amendment by Representatives Polk and Sanders:

On page 1, beginning on line 11 strike all of subsection (2) and renumber the remaining subsections consecutively.

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

Mr. Pruitt moved adoption of the following amendment:

On page 3, line 9 after "assignment" strike the period and insert ", with the exception of a private nonprofit agency which will receive compensation of ten percent of the net salary for each program for local service enrollee, up to two enrollees for each agency, and only five percent of each enrollee's net salary of three or more enrollees, these amounts not to be deducted from the enrollee's salary, but to be paid to the agency by the state."

Mr. Pruitt spoke in favor of the amendment, and Representatives King and Polk spoke against it.

The amendment was not adopted.

Mr. Pardini moved adoption of the following amendment by Representatives Pardini and Sanders:

On page 3, following section 5 add a new section as follows:

"**NEW SECTION, Sec. 6.** If the employment security department finds that there is an opportunity for the placement of youth in a training program that will, in the opinion of the director, assist in the development of skills and talents as set forth in section 1, then the director is hereby authorized to enter into any contract with any employer in the state that offers such training program. Contracts entered into with employers other than local governmental and private nonprofit agencies shall not be exempted from the minimum wage laws of this state, but the director shall be empowered to reimburse the employer an amount not to exceed the amount that would have been paid under section 5 of this act. The director shall only be authorized to make said payments for a maximum period of one year.

The director shall report back to the legislature by January 15, 1978 the number of contracts entered into and the number of youth employed under this section and under section 5 of this act."

Renumber the remaining sections consecutively.

Representatives Pardini, Berentson, Sanders, Leckenby and Bond spoke in favor of the amendment, and Representatives King, Becker and Lux spoke against it.

Mr. Pardini spoke again in favor of the amendment.

Mr. King demanded the previous question and the demand was sustained.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Pardini and Sanders to Engrossed Senate Bill No. 2069, and the amendment was adopted by the following vote: Yeas, 55; nays, 37; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Erickson, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Hansen, Hawkins, Hughes, Hurley M., Keller, King, Knedlik, Knowles, Leckenby, Lee, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Salatino, Sanders, Schmitt, Shinoda, Smith, Struthers, Tally, Tilly, Valle, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Ehlers, Enbody, Erak, Fischer, Gallagher, Grier, Grimm, Hanna, Heck, Kilbury, Kreidler, Lux, Lysen, Martinis, Maxie, May, Moreau, North, O'Brien, Pearsall, Pruitt, Sherman, Shinpoch, Sommers, Thompson, Vrooman, Walk, Warnke, Williams.

Not voting: Representatives Conner, Eng, Fortson, Gruger, Hurley G. S., and Mr. Speaker.

MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the House adopted the Pardini/Sanders amendment to Engrossed Senate Bill No. 2069.

Mr. King spoke in favor of the motion, and Mr. Polk spoke against it.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Lux.

Mr. Lux: "Representative Pardini, under the bill as it now exists with the stipend, do the young people, after one year of this type of exposure, receive unemployment when they are through with that one year of experience?"

Mr. Pardini: "It would be my hope, Representative Lux, that after one year those people would have enough marketable skills to allow them to remain in the labor force. If they did acquire enough skills they would have all the rights, all the entitlements, of any person who was discharged from a job."

Mr. Lux: "That's under your version?"

Mr. Pardini: "Yes, sir."

Representatives Lux and Hanna spoke in favor of the motion, and Representative Berentson spoke against it.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Nelson (Dick).

Mr. Nelson (Dick): "I'm still puzzled by one thing. Under the program of local services, an enrollee, in effect, can go out and negotiate a contract for a job for a year's time and I'm wondering if, under your amendment, an enrollee would have the right to refuse a job in private industry in a training program if that person was directed to that job by the Department of Employment Security?"

Mr. Pardini: "In response to your question, Representative Nelson, number one, I do not believe that under the present bill the enrollee himself goes out to contract for the job. I believe he is assigned to an area where the director has said that contract does exist and we can open up this thing. He then makes application for the job and if he has qualifications he goes on; he does not go out and make his own contracts. I would propose in my amendment that the director do exactly the same thing. The contract is actually made through the Department of Labor and Industries with the private sector. The director approves those particular things which in the opinion of the director—and I would cite to you very specifically, 'The director is

hereby authorized to enter into any contract with any employer that offers such training program. . . ' So it's up to the total discretion of the director."

Representatives Nelson (Dick) and Bauer spoke in favor of the motion to reconsider the amendment.

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

Mr. Pardini spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the Pardini/Sanders amendment to Engrossed Senate Bill No. 2069 was adopted, and the motion was carried by the following vote: Yeas, 49; nays, 43; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Ehlers, Enbody, Erak, Erickson, Fischer, Gallagher, Grier, Grimm, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Hansen, Hughes, Leckenby, Lee, May, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Conner, Eng, Fortson, Gruger, Keller, and Mr. Speaker.

MOTIONS

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2069 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

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

MOTION FOR RECONSIDERATION

Mr. Fuller, having voted on the prevailing side, moved that the House now reconsider the vote by which ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 282 passed the House.

Representatives Fuller, Newhouse, Berentson, Hurley (Margaret) and Chandler spoke in favor of the motion, and Representatives Hawkins and Douthwaite spoke against it.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Hawkins, there seems to be some confusion as to whether this bill takes care of the other party's rules. I notice in page 5, there is a statement that says, 'The provisions of this subsection shall not apply where party rules provide otherwise.' My question would be, does this mean state party rules? Does this mean that the state party could, if they wish, go with a unit rule?"

Mr. Hawkins: "We're talking about conformity with state party rules with national party rules. That's one issue. I'm not sure that I can answer your question directly. The appropriation of a delegate according to the proportionality as a result of the election would be paramount criteria."

Mr. Barnes: "Thank you. Then your answer is that this would really take care of the other party's rules? I think that answers the confusion, does it not?"

Mr. Hawkins: "There in no interference with party rules."

Mr. Barnes: "So then, for the record, the state party, the Republican Party, these levels could, according to your answer, go with the unit rule and send delegates to the national convention on a unit rule basis?"

Mr. Hawkins: "That's correct."

Mr. Barnes: "On page 4, new section 6, it says, 'Each major political party shall select. . .' Then why, please tell me, did you object to my attempt to amend that word to 'may'?"

Mr. Hawkins: "That's dealing with a different provision of the presidential preference primary. That's dealing with the direct selection of delegates by caucus and convention process and not the proportional representation as a result of the popular election."

Representatives Barnes and Haley spoke in favor of the motion for reconsideration, and Mr. Hawkins spoke against it.

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

ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which the House passed Engrossed Second Substitute House Bill No. 282, and the motion was lost by the following vote: Yeas, 38; nays, 54; not voting, 6.

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

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

Not voting: Representatives Conner, Eng, Fortson, Gruger, Hurley G. S., and Mr. Speaker.

MOTION

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

SECOND READING

HOUSE BILL NO. 281, by Representatives Becker, Amen, Erickson, Moreau, Warnke, Walk, Vrooman and Wilson:

Restoring number of educational service districts in existence on July 1, 1976.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 7th Day ex. sess., March 17, 1977.)

Mr. Clemente moved adoption of the committee amendment.

Mr. Clemente moved adoption of the following amendment to the committee amendment: On line 5 of the committee amendment, after "mail ballot" insert ": PROVIDED FURTHER, That such changes in number and boundaries shall not take effect until the conclusion of the immediately subsequent annual session of the legislature."

Mr. Clemente spoke in favor of the amendment, and Ms. Becker spoke against it.

POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. McKibbin.

Mr. McKibbin: "Representative Clemente, would there be any fiscal impact or change in the impact as a result of this amendment that you are offering to the bill at this time?"

Mr. Clemente: "I don't believe this particular amendment would have an effect on the fiscal impact. I can't envision how that would be. The next amendment I'm offering, however, will."

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clemente to the committee amendment to House Bill No. 281, and the amendment was not adopted by the following vote: Yeas, 31; nays, 55; not voting, 12.

Voting yea: Representatives Barnes, Bauer, Bender, Boldt, Bond, Burns, Chandler, Charnley, Clemente, Douthwaite, Dunlap, Ehlers, Fuller, Hansen, Heck, Hughes, King, Knedlik, Kreidler, Lysen, McKibbin, North, O'Brien, Sanders, Sherman, Shinoda, Shinpoch, Sommers, Valle, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Amen, Barr, Becker, Berentson, Blair, Charette, Clayton, Craswell, Erak, Erickson, Fancher, Flanagan, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hawkins, Hurley M., Kilbury, Knowles, Leckenby, Lux, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmittin, Smith, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Conner, Deccio, Enbody, Eng, Fischer, Fortson, Gruger, Hurley G. S., Keller, Lee, Nelson G. A., and Mr. Speaker.

The committee amendment was adopted.

Mr. Clemente moved adoption of the following amendment:

On page 1, line 6 strike all of section 1 and renumber the remaining sections consecutively.

Representatives Clemente and Bauer spoke in favor of the amendment, and Representatives Becker, Schmitten, Stuthers and Amen spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clemente to House Bill No. 281, and the amendment was not adopted by the following vote: Yeas, 33; nays, 55; not voting, 10.

Voting yea: Representatives Barnes, Bauer, Bender, Blair, Boldt, Chandler, Charnley, Clemente, Craswell, Deccio, Fischer, Grier, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, King, Kreidler, Lysen, McKibbin, Nelson G. A., North, O'Brien, Pruitt, Sherman, Shinpoch, Sommers, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Adams, Amen, Barr, Becker, Berentson, Bond, Burns, Charette, Clayton, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fancher, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Hurley M., Kilbury, Knowles, Leckenby, Lux, Maxie, May, McCormick, Moreau, Nelson D., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitten, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Wilson, Winsley.

Not voting: Representatives Conner, Dunlap, Eng, Fortson, Gruger, Hurley G. S., Knedlik, Lee, Martinis, and Mr. Speaker.

MOTION

Mr. King moved that House Bill No. 281 be rereferred to Committee on Appropriations.

ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 281 to Committee on Appropriations, and the motion was carried by the following vote: Yeas, 54; nays, 34; not voting, 10.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Craswell, Douthwaite, Dunlap, Enbody, Erak, Fischer, Gaines, Grier, Grimm, Haley, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McKibbin, Nelson D., North, O'Brien, Polk, Pruitt, Sherman, Shinpoch, Smith, Sommers, Valle, Vrooman, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Ehlers, Erickson, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Hansen, Leckenby, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Pearsall, Salatino, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Warnke, Wilson.

Not voting: Representatives Conner, Deccio, Eng, Fortson, Gruger, Hurley G. S., Martinis, Paris, Thompson, and Mr. Speaker.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was signing:
HOUSE BILL NO. 240.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Thursday, March 24, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FOURTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 24, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tammy Placy and Steve Johnson. Prayer was offered by Reverend Robert Keller of the Lutheran Church of the Good Shepherd 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 introduced a delegation representing the 1977 Daffodil Festival, Queen Carol Glenn and Princesses Mary Riggleman and Karen DiLoreta.

Queen Carol Glenn addressed the House briefly, and the Speaker requested the Representatives from Pierce County to escort the Daffodil Court from the House Chamber.

MESSAGE FROM THE SENATE

March 23, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2081,
ENGROSSED SENATE BILL NO. 2282,
ENGROSSED SENATE BILL NO. 2419,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2081, by Senator Francis:

Creating warrant server positions for municipal courts of large cities.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2282, by Senator Grant:

Simplifying reporting requirements for campaign treasurers.

MOTION

Mr. Newhouse moved that Engrossed Senate Bill No. 2282 be referred to Committee on State Government.

POINT OF ORDER

Mr. Hawkins: "The comments of Representative Newhouse are not related to Senate Bill No. 2282, but to other bills in the Elections Committee."

Mr. Ehlers spoke against the motion, and it was lost.

Engrossed Senate Bill No. 2282 was referred to Committee on Elections and Governmental Ethics.

ENGROSSED SENATE BILL NO. 2419, by Senators Woody, Clarke, Francis and Herr:

Excluding law enforcement officers from the prohibition on recording private communications.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

March 21, 1977

HOUSE BILL NO. 333, Prime Sponsor: Representative Kreidler, providing public educational programs on sexually transmitted diseases. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Hanna, Lux, Pearsall, Pruitt, Schmitten.

MOTION

On motion of Mr. Bender, House Bill No. 333 was rereferred to Committee on Appropriations.

March 21, 1977

SUBSTITUTE HOUSE BILL NO. 391, Prime Sponsor: Representative Pearsall, regulating audiologists and speech pathologists. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Hanna, Lux, May, Newhouse, Pearsall, Schmitten.

To Committee on Rules for second reading.

March 22, 1977

HOUSE BILL NO. 399, Prime Sponsor: Representative Knedlik, Allowing joinder or cross-filing by additional parties in action to review administrative decision. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

March 23, 1977

HOUSE BILL NO. 583, Prime Sponsor: Representative Whiteside, permitting school districts to waive or reduce fees for low-income senior citizens. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fuller, Lee, McKibbin, Schmitten, Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

March 23, 1977

HOUSE BILL NO. 584, Prime Sponsor: Representative Thompson, permitting college and university professors to request trustee or oregant approval to continue teaching beyond age seventy. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 14 after " ;" strike all material down to and including "professor" on line 17 and insert "PROVIDED, That a faculty member or other designated employee who has attained the age of seventy and is receiving retirement benefits under any state authorized annuity or retirement income plan and who is possessed of special skill in the performance of particular duties may be employed by the governing board at such person's employing institution on a part time basis for which he or she shall be ineligible for retirement participation: PROVIDED FURTHER, That a faculty member or other designated employee who has attained the age of seventy and who is not receiving retirement benefits under any state authorized annuity or retirement income plan and who is possessed of special skill in the performance of particular duties may be employed on a full or part time basis as may be determined by the governing board of such person's employing institution: AND PROVIDED FURTHER, That provisions of this 1977 act shall apply to any faculty member or other designated employee falling within the scope of this 1977 act who had attained the age of seventy as of July 1, 1970"

Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Moreau, Oliver, Patterson, Thompson.

To Committee on Rules for second reading.

March 22, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2129, Prime Sponsor: Senator Walgren, requiring a statement of purpose and other information to accompany agency rules. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 34.04 RCW a new section to read as follows:

(1) For the purpose of legislative review of agency rules filed pursuant to this chapter, any new or amendatory rule promulgated after the effective date of this act, shall be accompanied by a statement prepared by the adopting agency which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall contain, but is not limited to, the following:

- (a) A title, containing a description of the rule's purpose, the name of the agency, the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose;
- (b) A summary of the rule;
- (c) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;
- (d) The names of the proponents and opponents of the rule, if any; and
- (e) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule.

(2) Upon filing the rule with the code reviser, the adopting agency shall have copies of the statement on file and available for public inspection and shall forward three copies each of the statement to the secretary of the senate and the chief clerk of the house of representatives, who will in turn forward the statement to the majority and minority caucuses and to the appropriate legislative committees."

In line 1 of the title, after "government;" insert "and"

In line 2 of the title, after "RCW" strike everything through and including "34.04.040" in line 3

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

March 22, 1977

ENGROSSED SENATE BILL NO. 2258, Prime Sponsor: Senator Rasmussen, allowing state, county, and municipal treasurers to transfer public funds electronically. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Sanders, Struthers.

To Committee on Rules for second reading.

March 22, 1977

REENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2620, Prime Sponsor: Senator Benitz, granting emergency powers to the department of ecology because of the impending drought. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

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

"NEW SECTION. Section 1. The legislature finds that it is necessary to provide the department of ecology with emergency powers to authorize withdrawals of public surface and ground waters, including dead storage within reservoirs, on a temporary basis, and construction of facilities in relation thereto, in order to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during the summer and fall of 1977.

In order to provide needed capital for the planning, acquisition, construction, and improvement of water supply facilities to withdraw and distribute water to alleviate emergency water supply conditions arising from the drought forecast for the state of Washington during the summer and fall of 1977, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of eighteen million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this section and sections 13 through 16 of this 1977 amendatory act shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

NEW SECTION. Sec. 2. Domestic and irrigation uses of public surface and ground waters shall be given priority in determining "beneficial uses" for the purposes of section 3 of this 1977 amendatory act.

NEW SECTION. Sec. 3. In addition to the powers previously vested in the department of ecology to permit the withdrawal of public surface and ground waters by chapters 90.03 and 90.44 RCW, the department of ecology is authorized to permit withdrawals of public surface and ground waters, including dead

storage within reservoirs, on a temporary basis, for any period ending not later than September 30, 1977, for any beneficial use. The department may issue such emergency permits if, after investigation and after providing appropriate federal, state, and local governmental bodies an opportunity to comment, the following are found:

(1) The waters proposed for withdrawal are to be used in relation to beneficial use involving a previously established activity or purpose; and

(2) The previously established activity or purpose was furnished water through rights applicable to the use of a public water body which are not exercisable due to the lack of water arising from natural drought conditions; and

(3) The proposed withdrawal will not reduce flows or levels below essential minimums necessary (a) to assure the maintenance of fisheries requirements, and (b) to protect federal and state interests including, among others, power generation, navigation, and existing water rights.

All permits issued hereunder shall contain provisions which allow for termination of authorized withdrawals, in whole or in part, whenever withdrawals will conflict with flows and levels as provided in subsection (3) of this section.

NEW SECTION. Sec. 4. In addition to any other powers previously vested in the department of social and health services, the department is authorized to permit withdrawal of public surface and ground waters for municipal and industrial water supply and distribution facilities to alleviate emergency water supply conditions arising from the drought forecast for the state during the summer and fall of 1977. Such authorization shall be on a temporary basis for any period ending not later than September 30, 1977. The department may issue such emergency permits if, after investigation and after providing appropriate federal, state, and local governmental bodies an opportunity to comment, the following are found:

(1) The waters proposed for withdrawal are to be used in relation to beneficial use involving a previously established activity or purpose; and

(2) The previously established activity or purpose was furnished water through rights applicable to the use of a public water body which are not exercisable due to the lack of water arising from natural drought conditions; and

(3) The proposed withdrawal will not reduce flows or levels below essential minimums necessary (a) to assure the maintenance of fisheries requirements, and (b) to protect federal and state interests including, among others, power generation, navigation, and existing water rights.

All permits issued hereunder shall contain provisions which allow for termination of authorized withdrawals, in whole or in part, whenever withdrawals will conflict with flows and levels as provided in subsection (3) of this section.

NEW SECTION. Sec. 5. (1) As to projects and water withdrawal permits issued or authorized or both under sections 3 and 4 of this 1977 amendatory act, the requirements of chapter 43.21C RCW and all local zoning ordinances, plans, and local building and construction permit ordinances are waived and inapplicable. Notwithstanding any other provisions of law, water projects and related withdrawal permits, authorized or issued pursuant to sections 3 or 4 of this 1977 amendatory act shall not be subject to any public notice requirements. Permits issued under sections 3 and 4 of this 1977 amendatory act shall be in lieu of all environmental protection and natural resource regulation permits, certificates, and other approvals and authorization documents required under state statutes including, but not limited to, RCW 90.58.140, 75.20.100, and 86.16.080, as well as all other similar permits required under local ordinances. All state departments or other agencies having jurisdiction over state or other public lands which are required to be used in carrying out projects related to water withdrawal permits, issued pursuant to sections 3 and 4 of this 1977 amendatory act, shall provide short term easements or other appropriate property interests upon the payment of the fair market value: **PROVIDED**, That this mandate shall not apply to any lands of the state which are reserved for a special purpose or use which cannot properly be carried out if such a property interest were to be conveyed.

(2) Upon request of the department of ecology or the department of social and health services, the department of general administration may waive any public bidding requirements otherwise provided by law, for any project authorized by sections 3 or 4 of this 1977 amendatory act and financed with funds appropriated in this 1977 amendatory act if the department of general administration determines that (a) an emergency condition exists, and (b) if the request for a waiver is not approved the public interest will be significantly affected in a detrimental manner. The department of general administration shall rule upon requests for waiver submitted to it within five working days. If the department fails to rule within said five-day period the request shall be deemed approved and a waiver deemed to be granted. The department of general administration, after obtaining the views of the department of ecology and the department of social and health services, shall adopt rules to implement this section. Notwithstanding any other provision of this 1977 amendatory act, this subsection shall terminate on September 30, 1977.

NEW SECTION. Sec. 6. (1) Nothing in sections 1 through 10 of this 1977 amendatory act shall authorize any interference whatsoever with existing water rights.

(2) Nothing in sections 1 through 10 of this 1977 amendatory act shall authorize the establishment of rights to withdrawal of waters of a permanent nature or of rights with any priority.

(3) Nothing in sections 1 through 10 of this 1977 amendatory act shall authorize the establishment of a water right under RCW 90.03.250 or 90.44.060.

(4) Nothing in sections 1 through 10 of this 1977 amendatory act shall preclude any person from filing an application pursuant to RCW 90.03.250 or 90.44.060: **PROVIDED, HOWEVER**, That any such application for withdrawal rights as to withdrawals made under authority of sections 1 through 10 of this 1977

amendatory act shall be subject to all applicable laws and rules as though sections 1 through 10 of this 1977 amendatory act had not existed.

NEW SECTION. Sec. 7. (1) The department of ecology shall adopt such rules as are necessary and appropriate to carry out the powers provided in this 1977 amendatory act.

(2) The department of social and health services shall adopt such rules as are necessary and appropriate to carry out the powers provided in this 1977 amendatory act.

NEW SECTION. Sec. 8. The power is granted to the department of ecology to levy civil penalties of up to one hundred dollars per day for violation of any of the provisions of this chapter and chapters 90.03, 90.22, and 90.44 RCW, and rules, permits, and similar documents and regulatory orders of the department of ecology adopted or issued pursuant to such chapters. The procedures of RCW 90.48.144 shall be applicable to all phases of the levying of a penalty as well as review and appeal of the same.

NEW SECTION. Sec. 9. The department of ecology is authorized to employ necessary temporary personnel until September 30, 1977, in project-related fields, including, but not limited to, engineering, hydrology, geology, and natural or water resources, not to exceed five full time equivalent staff years to carry out the provisions of sections 1 through 10 this 1977 amendatory act. Such temporary personnel shall be funded only through the biennial appropriations to the department, and not by funds provided by this 1977 amendatory act.

NEW SECTION. Sec. 10. (1) The department of ecology shall, by rule, establish rates of charges for all waters delivered from such facilities. Where the department provides water to public or municipal corporations or other governmental bodies having authority to distribute water, the payment for the water may be made pursuant to contract over a period not exceeding twenty-five years from the date of delivery. In all other cases, the department shall obtain payment for waters prior to its delivery to a purchaser. All payments received shall be deposited into the state emergency water projects bond redemption fund of 1977.

(2) Public bodies, eligible to obtain funds through grants or loans or combinations thereof under the provisions of sections 1 through 10 of this 1977 amendatory act and RCW 43.83B.210 as now or hereafter amended, are authorized to enter into contracts with the department of ecology for the purpose of repaying loans authorized by sections 17 and 18 of this 1977 amendatory act and for the purpose of purchasing water under this section.

(3) The department of ecology is authorized to enter into appropriate contracts to ensure effective delivery of water and the operation and maintenance of facilities constructed pursuant to this 1977 amendatory act.

Sec. 11. Section 3, chapter 295, Laws of 1975 1st ex. sess. as amended by section 1, chapter 36, Laws of 1975-'76 2nd ex. sess. and RCW 43.83B.210 are each amended to read as follows:

The department of ecology is authorized to make loans or grants or combinations thereof to eligible public bodies as defined in RCW 43.83B.050 for rehabilitation or betterment of agricultural water supply facilities, and/or construction of agricultural water supply facilities required to develop new irrigated lands or, when required because of emergency drought conditions, to provide water to previously irrigated lands. The department of ecology may make such loans or grants or combinations thereof as matching funds in any case where federal, local, or other funds have been made available on a matching basis. A loan or combination loan and grant shall not exceed fifty percent of the approved eligible project costs for any single proposed project: PROVIDED, That for projects authorized by section 18 of this 1977 amendatory act the department of ecology may make a loan or combination loan and grant up to one hundred percent of the total single project cost and the grant portion for any single project shall not exceed fifteen percent of the total single project cost. Any grant or grant portion of a combination loan and grant for any single proposed project shall not exceed fifteen percent of the eligible project costs: PROVIDED, That the fifteen percent limitation established herein shall not be applicable to project commitments which the director or deputy director of the state department of ecology made to the bureau of reclamation of the United States department of interior for providing state funding at thirty-five percent of project costs during the period between August 1, 1974, and June 30, 1975.

The department of social and health services is authorized to make grants of up to forty percent of the cost of construction of any eligible project necessitated by the 1977 drought conditions. Such grants may be made only to public bodies as defined in RCW 43.83B.050 for municipal and industrial water supply and distribution facilities.

NEW SECTION. Sec. 12. The state finance committee is authorized to prescribe the form of the bonds authorized in section 1 of this 1977 amendatory act, the time of sale of all or any portion or portions of such bonds, and the conditions of sale and issuance thereof.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due. The committee may provide that the bonds, or any of them, may be called prior to the due date thereof under such terms and conditions as it may determine. The state finance committee may authorize the use of facsimile signatures in the issuance of the bonds.

As used in sections 1, and 12 through 16 of this 1977 amendatory act, the term "water supply facilities for water withdrawal and distribution" shall mean municipal, industrial, and agricultural water supply and distribution systems including, but not limited to, all equipment, utilities, structures, real property, and interest in and improvements on real property necessary for or incidental to the acquisition, construction, installation, improvement, or use of any water supply or distribution system furnishing water for agricultural, municipal or industrial purposes.

NEW SECTION. Sec. 13. At the time the state finance committee determines to issue such bonds authorized in sections 1, and 12 through 16 of this 1977 amendatory act or a portion thereof, it may, pending the issuance thereof, issue in the name of the state, temporary notes in anticipation of the money to be derived from the sale of the bonds, which notes shall be designated as "bond anticipation notes". The proceeds from the sale of bonds and notes authorized by sections 1, and 12 through 16 of this 1977 amendatory act shall be deposited in the state emergency water projects revolving account, hereby created in the general fund in the state treasury, and shall be used exclusively for the purposes specified in sections 1, and 12 through 16 of this 1977 amendatory act and for the payment of expenses incurred in the issuance and sale of such bonds and notes: **PROVIDED**, That such portion of the proceeds of the sale of such bonds as may be required for the payment of the principal and interest on such anticipation notes as have been issued, shall be deposited in the state emergency water projects bond redemption fund of 1977 in the state treasury created by section 15 of this 1977 amendatory act.

NEW SECTION. Sec. 14. The principal proceeds from the sale of the bonds authorized in sections 1, and 12 through 16 of this 1977 amendatory act shall be administered by the director of the department of ecology.

NEW SECTION. Sec. 15. The state emergency water projects bond redemption fund of 1977, hereby created in the state treasury, shall be used for the purpose of the payment of interest on and retirement of the bonds and notes authorized to be issued by sections 1, and 12 through 16 of this 1977 amendatory act. The state finance committee, on or before June 30th of each year, shall certify to the state treasurer the amount needed in the ensuing twelve months, to meet bond retirement and interest requirements. Not less than thirty days prior to the date on which any such interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the 1977 emergency water projects bond redemption fund an amount equal to the amount certified by the state finance committee to be due on such payment date.

The owner and holder of each of the bonds or the trustee for any of the bonds, by mandamus or other appropriate proceeding, may require and compel the transfer and payment of funds as directed herein.

NEW SECTION. Sec. 16. The bonds authorized by sections 1, and 12 through 16 of this 1977 amendatory act shall be a legal investment for all state funds under state control and all funds of municipal corporations.

NEW SECTION. Sec. 17. There is hereby appropriated to the department of social and health services the sum of nine million seven hundred thirty-seven thousand dollars, or so much thereof as may be necessary, for the biennium ending June 30, 1977, from the general fund—state and local improvements revolving account—water supply facilities for the purposes authorized in sections 1 through 10 of this 1977 amendatory act and RCW 43.83B.210 as now or hereafter amended relating to the emergency water conditions arising from the drought forecast for the summer and fall of 1977 affecting municipal and industrial water supply distribution facilities. Prior to the expenditure of funds for projects approved by the department, the department shall file a listing of the approved projects with the senate ways and means committee and the house appropriations committee.

(2) There is hereby appropriated to the department of social and health services the sum of five million three hundred twenty-seven thousand dollars, or so much thereof as may be necessary, for the biennium ending June 30, 1977, from the general fund—state and local improvements revolving account—water supply facilities to be expended for municipal and industrial water supply and distribution facility projects for which applications are in progress on the effective date of this 1977 amendatory act and have arisen from the drought forecast for the summer and fall of 1977. Prior to the expenditure of funds for projects approved by the department, the department shall file a listing of the approved projects with the senate ways and means committee and the house appropriations committee.

The municipal and industrial water supply and distribution facilities receiving funds from the appropriations contained in this section shall comply with the eligible costs criteria, health and design standards, and contract performance requirements of the municipal and industrial funding program under chapter 43.83B RCW. All projects shall be evaluated by applying the said chapter's evaluation and prioritization criteria to insure that only projects related to water shortage problems receive funding. The projects funded shall be limited to those projects providing interties with adjacent utilities, an expanded source of supply, conservation projects which will conserve or maximize efficiency of the existing supply, or a new source of supply. No obligation to provide a grant for a project authorized under this section shall be incurred after June 30, 1977.

NEW SECTION. Sec. 18. (1) There is hereby appropriated to the department of ecology for the biennium ending June 30, 1977, from the state emergency water projects revolving account in the general fund, the sum of seven million dollars, or so much thereof as may be necessary, which shall be expended for the financing of the following agricultural water supply and distribution projects from surface water sources: Kennewick Irrigation District; Kittitas Reclamation District; Stemilt Irrigation District; Wenatchee Heights Reclamation District; and the Wenatchee Reclamation District.

(2) There is hereby appropriated to the department of ecology for the biennium ending June 30, 1977, from the state emergency water projects revolving account in the general fund, the sum of five million dollars, or so much thereof as may be necessary, which shall be expended for the financing and construction of agricultural water supply and distribution projects from ground water sources primarily in the Moxee-Ahtanum and Park Creek aquifer areas.

(3) There is hereby appropriated to the department of ecology for the biennium ending June 30, 1977, from the state emergency water supply revolving account in the general fund the sum of six million dollars,

or so much thereof as may be necessary, which shall be expended for water withdrawal projects relating to ground and surface waters as provided for in subsections (1) and (2) of this section and for new construction which may become necessary as a result of the drought forecast for the summer and fall of 1977.

The department may expend funds from the appropriations contained in subsections (1), (2), and (3) of this section to make loans or combinations of loans and grants to public bodies as defined in RCW 43.83B-.050. The grant portion of a combination loan and grant to a public body for any project shall not exceed fifteen percent of the total amount received by such project under this section.

The department may expend funds from the appropriations contained in subsections (1), (2), and (3) of this section to make loans or combinations of loans and grants to public bodies as defined in RCW 43.83B-.050 to satisfy the matching requirements of RCW 43.83B.210 as now or hereafter amended.

Prior to the funding of any agriculture projects not specifically set forth in this section the department must make a formal finding that: An emergency water shortage condition exists; the project proposed for funding will alleviate the water shortage; the public body recipient of any funds has reasonable capability to repay the loan involved; and the water from the project will be used for a beneficial purpose as a substitute for water not available due to drought conditions.

NEW SECTION. Sec. 19. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 20. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1 line 1 of the title after "water;" strike the remainder of the title and insert "amending section 3, chapter 295, Laws of 1975 1st ex. sess. as amended by section 1, chapter 36, Laws of 1975-'76 2nd ex. sess. and RCW 43.83B.210; creating new sections; authorizing the issuance of general obligation bonds and bond anticipation notes; making appropriations; prescribing penalties; and declaring an emergency."

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Amen, Bauer, Becker, Boldt, Charette, Deccio, Ehlers, Heck, Hughes, Lee, Maxie, Pardini, Taller, Zimmerman.

MOTION

On motion of Mr. King, the rules were suspended, and Reengrossed Second Substitute Senate Bill No. 2620 was placed at the bottom of today's second reading calendar.

SECOND READING

ENGROSSED SENATE BILL NO. 2069, by Senators Goltz, Morrison, Fleming, Ridder, Sandison and North:

Establishing a youth service corps to promote youth employment and service to local communities.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 13th Day ex. sess., March 23, 1977.)

The Speaker stated the question before the House to be reconsideration of the vote by which the House adopted the amendment by Representatives Pardini and Sanders to page 3.

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

POINT OF ORDER

Mr. Berentson: "I don't believe Representative King is speaking to the bill nor to the amendment. We are talking about state support, not federal support. I think he ought to confine his remarks to what we are doing in this bill."

The Speaker: "The amendment is pretty broad in its scope and it covers a lot of area. Representative King is fairly close to speaking to the amendment. Please confine your remarks to this issue, Representative King."

Mr. King continued his remarks in opposition to the amendment.

Representatives Leckenby, Greengo and Sanders spoke in favor of the amendment, and Representatives Lux and Hanna spoke against it.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I've not heard anyone state an answer to the question of whether or not this will enlarge the number of 750 employees. What is your opinion on that?"

Mr. Pardini: "Representative Douthwaite, as you know this bill does not carry any appropriation. I think the enlargement beyond 750 would be totally dependent upon the appropriation that is made later on in the session."

Mr. Douthwaite: "Then do I gather that the private employer, should this amendment pass, will not contribute money of his own, which will, in effect, cause this number to increase?"

Mr. Pardini: "That is correct. There is no contribution. There may not be, under this amendment, anybody participating in the program. The amendment suggests to the Director of Employment Security that if there is a private employer out there willing to keep someone skilled, with job opportunities, that the same amount of money that would go for these make-work jobs would be diverted to something more meaningful."

Mr. Douthwaite spoke in favor of the amendment.

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

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

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Smith.

Mr. Smith: "Representative Pardini, is there anything in your amendment that sets up a division or distribution among these private service type jobs and the private enterprise jobs that your amendment addresses?"

Mr. Pardini: "Representative Smith, there is no mandate in this amendment. It's up to the discretion of the director to define whatever kind of balance he wants to define or put into this program. It's department discretion. It also, at the same time, means that if he finds none in the private sector, the entire program can go back to local service. If he finds one that might be worthwhile he might enter into that contract. It's totally voluntary. The director supports the program and I ask you to adopt the amendment."

ROLL CALL

The Clerk called the roll on reconsideration of the Pardini/Sanders amendment to Engrossed Senate Bill No. 2069, and the amendment was adopted by the following vote: Yeas, 49; nays, 46; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Douthwaite, Dunlap, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Hansen, Hawkins, Hughes, Hurley M., Knedlik, Leckenby, Lee, McCormick, McKibbin, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Salatino, Sanders, Schmitt, Shinoda, Sommers, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Erak, Erickson, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Heck, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Sherman, Shipoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Not voting: Representatives Deccio, Eng, Fischer.

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

On page 3, line 16 strike "workman's" and insert "worker's"

The Speaker called on Mr. O'Brien to preside.

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

On page 4, following section 10 add a new section as follows:

"NEW SECTION. Sec. 11. The provisions of this chapter shall expire on December 31, 1981."

Renumber the remaining section consecutively.

On page 1, line 2 of the title after "service;" insert "creating an expiration date"

MOTION

Mr. King moved that Engrossed Senate Bill No. 2069 as amended by the House be referred to Committee on Appropriations.

Representatives King and Shipoch spoke in favor of the motion, and Mr. Polk spoke against it.

POINT OF PARLIAMENARY INQUIRY

Mr. Newhouse: "This does seem a bit unusual in procedure that following second reading this bill, that has not been amended to be more costly, then must go to Appropriations. I point out that the normal procedure is that when a bill comes from Rules with an impact substantial for an appropriation, it should go to Appropriations from Rules before second reading on the floor. I would also like to point out to the body that if we follow this procedure, take a bill through second reading, then send it to Appropriations, the normal procedure would be (and I know of no other) that then the bill must again come out here and go through the second reading process. I would suggest that this is not the normal procedure."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Do you want me to rule on your general comments? Representative Newhouse, in connection with your parliamentary inquiry on this motion for rereferral, there is no real standard procedure relative to matters pertaining to appropriations, directly or indirectly, except Rule 81. However, Rule 36 states as follows: 'A bill may be recommitted at any time before its final passage.' In other words, it's up to the House to determine whether or not this bill should be rereferred to Committee on Appropriations."

Mr. Newhouse: "Then the point, of course, that I raise and ask, is the Appropriations Committee authorized to add any further committee amendments or change the bill, and will the bill, when it comes from Appropriations Committee, be again subject to all amendments on second reading on the floor?"

The Speaker (Mr. O'Brien presiding): "Well, of course, as you are probably well aware, the committee has the authority and the right to review the contents of the bill and make decisions which later have to be confirmed and ratified by the House. Any amendment adopted by any committee at any stage is later subject to the approval of the House."

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Berentson.

Mr. Berentson: "In that we do find this rather unusual and we trust that it's not an attempt to take the bill back to Appropriations to perhaps remove the Pardini amendment, could you comment as to your intent? Is it purely the appropriation that might be involved or would it be too much to ask if perhaps you would not disturb the bill in its present form other than the fiscal impact?"

Mr. Shinpoch: "Representative Berentson, I, obviously, cannot speak for the Appropriations Committee. Let me explain how we do handle appropriations. I'm sure that members of the Appropriations Committee will tell you that for those items which do not have a fiscal impact we do not work the bill in Appropriations. If it does not have a fiscal impact, then we do not put amendments on. Those must be done in other committees. That is the only thing that we work on these kinds of bills, except adding a new section to carry the appropriation. Other than that we really don't work anything else in Appropriations."

Mr. Berentson: "I assume then that you've answered in the affirmative and there is no real additional fiscal impact with the amendment, so you will look at it only from that standpoint and not the content of the amendment itself?"

Mr. Shinpoch: "That's the manner in which we handle all bills."

POINT OF PARLIAMENARY INQUIRY

Mr. Polk: "I'd like to understand the ruling which you gave to Representative Newhouse. The next time the body sees this bill, I would presume it would return to us on second reading, is that correct?"

The Speaker (Mr. O'Brien presiding): "It will be a committee report coming back to the House."

Mr. Polk: "And referred to Rules Committee for second reading?"

The Speaker (Mr. O'Brien presiding): "That's our general practice, yes."

ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Senate Bill No. 2069 as amended by the House to Committee on Appropriations, and the motion was carried by the following vote: Yeas, 64; nays, 29; not voting, 5.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Erak, Erickson, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bond, Chandler, Clayton, Craswell, Dunlap, Fancher, Gilleland, Greengo, Haley, Hansen, Hurley M., Knowles, Maxie, Nelson G. A., Oliver, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Deccio, Ehlers, Eng, Fischer, Fuller.

MOTION

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

AFTERNOON SESSION

The House was called to order at 1:45 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Deccio, Eng and Fischer, who were excused.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Deccio, Eng and Fischer.

MOTION

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

SECOND READING

HOUSE BILL NO. 62, by Representatives King, Clemente, Fischer, Lux, Pearsall, Gallagher and May:

Enacting a state labor-management relations act.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 2, 1977.)

On motion of Mr. Lux, the committee amendments were adopted.

Mr. King moved adoption of the following amendment:

On page 4, following line 14 insert a new section as follows:

"NEW SECTION. Sec. 3. This act shall not apply to any employer who employs fewer than five individuals."

Renumber the remaining sections consecutively.

Mr. King spoke in favor of the amendment.

Ms. Becker demanded an oral roll call and the demand was sustained.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Owen.

Mr. Owen: "Representative King, when you say 'fewer than five,' does that mean actually four employees?"

Mr. King: "I suppose it would."

Mr. Owen: "I mean it wouldn't be five; it would be less than five?"

Mr. King: "Yes, that's the way it sounds."

Mr. Owen: "Does management personnel come under this directional? If you have a night manager, a day manager, on salary, would they be considered even though they wouldn't be part of the bargaining unit, but considered as part of the four?"

Mr. King: "You're asking me questions that would be decided if brought to the employment relations board. I don't know that I could answer them without knowing the specific cases involved. I really couldn't imagine an employer who only employs fewer than five employees, who would have one person who was management in the daytime and one management at night should be excluded from the act. That kind of an operation probably would have enough employees that they would come under the provisions anyway. These decisions would be made by the employment relations commission just as a national labor relations board now makes its decisions about whether or not particular businesses come under their jurisdiction."

Representatives Owen and Fancher spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative King to page 4 of House Bill No. 62, and the amendment was not adopted by the following vote: Yeas, 39; nays, 56; not voting, 3.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erak, Gallagher, Grier, Grimm, Gruger, Heck, Hurley G. S., Kilbury, King, Lux, Lysen, Martinis, Maxie, May, McKibbin, Nelson D., O'Brien, Pearsall, Pruitt, Salatino, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Conner, Craswell, Dunlap, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley M., Keller, Knedlik, Knowles, Kreidler, Leckenby, Lee, McCormick, Moreau, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Struthers, Taller, Tilly, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Deccio, Eng, Fischer.

On motion of Mr. King, the following amendments to the title were adopted:

On page 1, line 11 of the title strike the last "and"

On page 1, line 12 of the title after "RCW" insert "; and prescribing penalties"

House Bill No. 62 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House dispensed with further business under the Call of the House.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 727, by Representatives Conner, Gallagher, Gilleland and Vrooman:

Changing laws on reporting of vehicle accidents.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 6th Day ex. sess., March 16, 1977.)

On motion of Mr. Conner, the committee amendment was adopted.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 16 strike "three" and insert "one"

Representatives Barnes and Douthwaite spoke in favor of the amendment, and Mr. Hansen spoke against it.

POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Knowles.

Mr. Knowles: "Mr. Barnes, it's my impression that the suspension in the security deposit has been done by the Department of Motor Vehicles, is that right?"

Mr. Barnes: "I believe that's correct."

Mr. Knowles: "Now if the reporting requirement is \$300 on an accident where there is only \$100 damage done, how is that going to come to their attention in order for them to carry out their right of suspension?"

Mr. Barnes: "That's an interesting question and I asked the same question of the State Patrol. It's not necessary for the accident to reach the mandatory reporting level in order to motivate a person whose car has been damaged to report the accident. So at less than \$300, the person whose car has been damaged can report the accident, if we adopt this amendment, then the threshold is \$100 in which he can get the culprit's license listed."

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to House Bill No. 727, and the amendment was adopted by the following vote: Yeas, 47; nays, 44; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Blair, Bond, Chandler, Clayton, Craswell, Douthwaite, Dunlap, Erak, Erickson, Fancher, Flanagan, Fuller, Greengo, Gruger, Haley, Hurley G. S., Hurley M., Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, Moreau, Nelson D., Nelson G. A., Oliver, Paris, Pearsall, Polk, Pruitt, Sanders, Schmittien, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Whiteside, Winsley.

Voting nay: Representatives Adams, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Fortson, Gaines, Gallagher, Gilleland, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Lysen, May, McCormick, McKibbin, Newhouse, North, O'Brien, Owen, Pardini, Patterson, Salatino, Sherman, Shinpoch, Thompson, Walk, Warnke, Williams.

Not voting: Representatives Bauer, Deccio, Eng, Fischer, Wilson, Zimmerman, and Mr. Speaker.

House Bill No. 727 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 355, by Representatives Burns, Vrooman, Lux, Pruitt, Clemente, Lysen, Charnley, Douthwaite and Sherman:

Relaxing income limitations for retired persons' property tax exemption.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 11th Day ex. sess., March 21, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Charnley to page 2, line 24.

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

Mr. Charnley moved adoption of the following revised amendment:

On page 2, line 24 after "section:" insert "AND PROVIDED FURTHER, That in computing a person's combined income in accordance with subsection (4) of this section, interest income, in the aggregate amount of up to five hundred dollars in any year, from any savings account or savings certificate of deposit with a federal or state chartered bank, savings and loan association, mutual savings bank, or credit union shall not be included;"

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

On line 4 after "income" strike all of the remaining language and insert "or dividend income, or rental income shall not be included;"

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

Mr. Pardini spoke again in favor of the amendment to the Charnley amendment.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Ehlers.

Mr. Ehlers: "If I understand the Pardini amendment to the amendment, there is an income maximum on the individual anyway and I really don't understand your opposition to the amendment to the amendment, if, in fact, there is an income limit on what the individual has. Could you comment a little bit more on this? Does it really make any difference where it comes from as long as you're putting a maximum on the income of any senior citizen?"

Mr. Charnley: "Representative Ehlers, I think you should go back to the original bill and read how this affects it. This would exclude from the calculation of a person's income, besides

the social security exclusion that is now in it, the first \$500 in my original amendment of interest income. I would point out to the body that also Mr. Pardini's amendment strikes the \$500 limit and therefore makes it possible that any and all income from interest and from dividends and so forth would be excluded from income."

With the consent of the House, Mr. Pardini withdrew the amendment to the amendment.

Mr. Tilly moved adoption of the following amendment to the Charnley amendment:
On line 4 after "income" insert "dividend income, or rental income"

Mr. Tilly spoke in favor of the amendment to the amendment, and Representatives Charnley, Nelson (Dick) and Winsley spoke against it.

POINT OF ORDER

Mr. Charnley: "Mr. Speaker, I believe Representative Winsley is speaking to the original amendment and not to the amendment to the amendment, which is before us."

The Speaker (Mr. O'Brien presiding): "Your point appears to be well taken."

With the consent of the House, Mr. Tilly withdrew the amendment to the amendment.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Charnley amendment.

Representatives Pruitt and Charnley spoke in favor of the amendment, and Representatives Flanagan, Sommers and Winsley spoke against it.

Mr. Bender demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charnley to House Bill No. 355 and the amendment was adopted by the following vote: Yeas, 54; nays, 37; not voting, 7.

Voting yea: Representatives Barnes, Barr, Bender, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Erak, Fortson, Fuller, Gaines, Gallagher, Greeno, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Sherman, Shipoch, Struthers, Thompson, Tilly, Valle, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Berentson, Blair, Boldt, Bond, Clayton, Craswell, Enbody, Erickson, Fancher, Flanagan, Grier, Grimm, Gruger, Haley, Hughes, Kilbury, Knowles, Leckenby, McKibbin, Nelson G. A., Newhouse, North, Oliver, Salatino, Schmittens, Shinoda, Smith, Sommers, Taller, Walk, Warnke, Whiteside, Winsley.

Not voting: Representatives Deccio, Eng, Fischer, Gilleland, Hanna, Vrooman, and Mr. Speaker.

On motion of Ms. Sommers, the committee amendment to the title was adopted.

House Bill No. 355 was ordered engrossed.

MOTION

Mr. Polk moved that Engrossed House Bill No. 355 be rereferred to Committee on Revenue.

Mr. Polk spoke in favor of the motion, and Mr. Charnley spoke against it.

Mr. Polk spoke again in favor of the motion, and Mr. Douthwaite spoke against it.

The motion was lost.

Engrossed House Bill No. 355 was passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 601, by Committee on Commerce (Originally sponsored by Representatives Hanna, Warnke, Hawkins, Adams, Salatino, Grier, Hansen, Heck, Gallagher, McCormick and Gaines):

Revising gambling laws on card games.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 344, by Representatives Hansen, Fancher, Fortson, Kilbury, Tilly, Boldt, North and Bauer:

Prohibiting use of foreign beef and mutton in public institutions.

The bill was read the second time.

Mr. Lysen moved adoption of the following amendment:
On page 1, line 4 after "mutton" insert "or automobile"

Mr. Lysen spoke in favor of the amendment.

POINT OF ORDER

Mr. Warnke: "Mr. Speaker, would you give me a ruling on the scope and object of the amendment?"

POINT OF ORDER

Mr. Polk: "Mr. Speaker, in accordance with your ruling the other day, debate had already started and therefore it can't be ruled out of order."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It's a question of whether Reed's Rule 112 will apply on the basis of a timely objection. Debate had begun, but also, we have a further problem. The enemies of a proposition can offer amendments and the enemies may oppose it in various ways. This is Reed's Rule 159. It states in part, 'Hence the enemies of the proposition may present such amendments as will render it obnoxious to the assembly and cause its rejection.' I would think that now the debate has started that the only thing we can do is continue with the debate."

Mr. Lysen continued his remarks in favor of the amendment, and Mr. Hansen spoke against it.

POINT OF INQUIRY

Mr. Boldt asked Mr. Lysen to yield to question, and he refused to yield.

Representatives Shinoda and Barnes spoke against the amendment, and Mr. Lysen spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lysen to House Bill No. 344, and the amendment was not adopted by the following vote: Yeas, 23; nays, 67; not voting, 8.

Voting yea: Representatives Becker, Bender, Blair, Chandler, Conner, Douthwaite, Dunlap, Enbody, Erak, Fancher, Grier, Hurley G. S., King, Knedlik, Lux, Lysen, Moreau, Nelson D., Nelson G. A., Newhouse, Patterson, Sommers, Struthers.

Voting nay: Representatives Adams, Barnes, Barr, Bauer, Berentson, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Craswell, Ehlers, Erickson, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greeno, Grimm, Gruger, Haley, Hanna, Hansen, Hawki.us, Heck, Hughes, Hurley M., Keller, Kilbury, Knowles, Kreidler, Leckenby, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Oliver, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shinoda, Shipoch, Smith, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Amen, Deccio, Eng, Fischer, Gilleland, Lee, Owen, and Mr. Speaker.

MOTION

Mr. Smith moved that House Bill No. 344 be rereferred to Committee on Appropriations.

Representatives Smith, Leckenby and Blair spoke in favor of the motion, and Mr. Hansen spoke against it.

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

POINT OF PERSONAL PRIVILEGE

Mr. Blair: "I feel that the last speaker indicated that I was not being courteous. In fact those were his words—that I lacked courtesy to the agricultural industry of this state. I think he misunderstood my intention altogether. My point is that our port ships a substantial amount of agricultural products out."

ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 344 to Committee on Appropriations, and the motion was lost by the following vote: Yeas, 26; nays, 67; not voting, 5.

Voting yea: Representatives Barnes, Bender, Blair, Chandler, Charnley, Clemente, Douthwaite, Dunlap, Fuller, Grier, Gruger, Hawkins, Hughes, Hurley M., Keller, King, Knedlik, Kreidler, Lee, Lux, Nelson G. A., Polk, Salatino, Smith, Sommers, Taller.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Becker, Berentson, Boldt, Bond, Burns, Charette, Clayton, Conner, Craswell, Ehlers, Enbody, Erak, Erickson, Fancher, Flanagan, Fortson, Gaines, Gallagher, Greengo, Grimm, Haley, Hanna, Hansen, Heck, Hurley G. S., Kilbury, Knowles, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Deccio, Eng, Fischer, Gilleland, and Mr. Speaker.

MOTIONS

On motion of Mr. King, further consideration of House Bill No. 344 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

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

On motion of Mr. Bender, HOUSE BILL NO. 1311 was rereferred from Committee on State Government to Committee on Local Government.

Mr. Bender moved that HOUSE BILL NO. 424 be rereferred from Committee on Rules to Committee on Appropriations.

POINT OF PARLIAMENTARY INQUIRY

Mr. Douthwaite: "I thought the sponsor had a chance to be clued into this kind of motion. That bill has a fiscal impact of \$50,000 only and I would like to know what the reason is for that one to go to Appropriations? The impact is quite minimal; I think it's about \$51,000."

Mr. Bender: "Representative Douthwaite, the bill does have an appropriation of \$50,000 on it and it has been our policy to send these bills to the committee when they have that much fiscal impact."

Mr. Douthwaite: "Mr. Speaker, I thought there was a threshold in the rules requiring that if they do go to Appropriations, the threshold was \$200,000 and as a matter of fact for the body it might be good if we reviewed what the threshold is, if you have it."

The Speaker (Mr. O'Brien presiding): "The so-called limitation was removed from our House rules and it has been customary to send any bill with an appropriation to the Committee on Appropriations."

ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 424 to Committee on Appropriations, and the motion was lost by the following vote: Yeas, 43; nays, 44; not voting, 11.

Voting yea: Representatives Amen, Bauer, Becker, Bender, Blair, Boldt, Charnley, Clemente, Craswell, Ehlers, Flanagan, Fuller, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Kreidler, Lee, Lux, Lysen, McKibbin, Moreau, Newhouse, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Barnes, Barr, Berentson, Bond, Burns, Chandler, Charette, Clayton, Conner, Douthwaite, Dunlap, Erak, Erickson, Fancher, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Hansen, Hurley G. S., Knedlik, Knowles, Leckenby, Maxie, May, McCormick, Nelson D., Nelson G. A., North, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Sherman, Shinoda, Struthers, Taller, Tilly, Whiteside, Williams, Winsley.

Not voting: Representatives Adams, Deccio, Enbody, Eng, Fischer, Haley, Martinis, Oliver, Owen, Vrooman, and Mr. Speaker.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Friday, March 25, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 25, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chandler, Charette, Deccio, Eng, Fischer, Hansen, Hurley (Margaret), Kilbury, Williams and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Pam Bohlke and Bill Rasmussen. Prayer was offered by Reverend David Steen of the Lutheran Church of the Good Shepherd of Olympia.

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

MESSAGES FROM THE SENATE

March 23, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 240,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 24, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2254,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 30, by Representatives Shinoda, Owen, Oliver, Enbody, Struthers, Nelson (Dick), Schmitt, Pruitt, Craswell, Hughes, Taller, Salatino, Walk, Grimm, Fuller, Burns, Winsley, Keller, Heck, Fancher, Pearsall, Barr, Clayton, Sanders, Grier, Knedlik, Kreidler, Vrooman, Erak and Gruger:

Proposing start of electoral and fiscal biennia in alternate years.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 2254, by Senator Hayner:

Permitting the use in evidence of blood sample reports of the state toxicologist.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

March 22, 1977

HOUSE BILL NO. 162, Prime Sponsor: Representative Valle, directing enforcement of no smoking rules and providing penalties for their violation. Reported by Committee on Judiciary.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Leckenby, Ranking Minority Member; Hanna, Sherman, Shinpoch, Smith, Tilly, Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Knowles, Chairman; Newhouse.

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 178, Prime Sponsor: Representative Monohon, RCW correction - Corrects double amendment to RCW 82.04.291. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Flanagan, Kilbury, Nelson (Dick), Tilly, Winsley.

To Committee on Rules for second reading.

March 22, 1977

HOUSE BILL NO. 252, Prime Sponsor: Representative Adams, enacting the "Natural Death Act". Reported by Committee on Judiciary.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Shinpoch, Winsley.

To Committee on Rules for second reading.

March 22, 1977

HOUSE BILL NO. 353, Prime Sponsor: Representative Tilly, revising the provisions of the law of compensating victims of crimes. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Sherman, Shinpoch, Tilly, Winsley.

To Committee on Rules for second reading.

March 23, 1977

HOUSE BILL NO. 470, Prime Sponsor: Representative Clemente, setting forth the "In-service training act of 1977" for common school personnel training. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Dunlap, Ehlers, Fuller, Lee, Schmitten, Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 519, Prime Sponsor: Representative Burns, exempting from fees at institutions of higher education students pursuing high school diplomas or certificates. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

March 24, 1977

HOUSE BILL NO. 642, Prime Sponsor: Representative Winsley, requiring that applications for statement of taxes on destroyed property be filed in the year of destruction or within 75 days of destruction. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member, Craswell, Flanagan, Kilbury, Nelson (Dick), Tilly, Winsley.

To Committee on Rules for second reading.

March 23, 1977

HOUSE BILL NO. 777, Prime Sponsor: Representative O'Brien, authorizing the construction of a cultural arts center in Federal Way. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Gallagher, Hansen, Hawkins, Owen, Paris, Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Greengo, Ranking Minority Member; Fancher, Shinoda, Struthers.

MOTION

On motion of Mr. King, House Bill No. 777 was rereferred to Committee on Appropriations.

March 23, 1977

HOUSE BILL NO. 933, Prime Sponsor: Representative Charnley, permitting roadside area information panels. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 26 after "with" strike "specific services information" and insert "information in the specific interest of the traveling public"

On page 4, line 2 after "tourists," insert "No state funds will be expended in materials, personnel, or in any other form for the construction, fabrication, printing, painting, selling or maintenance of these panels or displays."

Signed by Representatives Conner, Chairman; Bender, Charnley, Clemente, Dunlap, Gaines, Gallagher, Grier, Lysen, Martinis, McCormick, Paris, Patterson, Sherman, Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Clayton.

To Committee on Rules for second reading.

March 23, 1977

HOUSE BILL NO. 1146, Prime Sponsor: Representative Conner, revising regulation of the trucking industry. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Gaines, Gallagher, Grier, McCormick, Patterson, Sherman, Walk.

To Committee on Rules for second reading.

March 22, 1977

HOUSE BILL NO. 1183, Prime Sponsor: Representative Martinis, making appropriations for capital projects of the department of fisheries. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Martinis, Chairman; Wilson, Ranking Minority Member, Clemente, Conner, Enbody, Fuller, Gilleland, Greengo, May, Schmitten, Shinoda, Smith, Vrooman.

MOTION

On motion of Mr. King, House Bill No. 1183 was rereferred to Committee on Appropriations.

March 23, 1977

HOUSE BILL NO. 1252, Prime Sponsor: Representative Shinpoch, authorizing bonds for certain detention and correction facilities. Reported by Committee on Institutions.

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

MOTION

On motion of Mr. King, House Bill No. 1252 was rereferred to Committee on Appropriations.

March 22, 1977

ENGROSSED SENATE BILL NO. 2159, Prime Sponsor: Senator Woody, permitting a counterclaim for malicious prosecution in the principal action. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

Beginning on line 7 after "otherwise," strike the remainder of the section and insert "a counterclaim for damages based on malicious prosecution may be litigated in the principal action. As used in this section

'malicious prosecution' means an action or counterclaim which was instituted with knowledge that the same was false, unfounded, malicious and without probable cause."

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Newhouse, Sherman, Shinpoch, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

March 23, 1977

SENATE BILL NO. 2315, Prime Sponsor: Senator Wojahn, increasing the fees for real estate brokers and salesmen's licenses. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, after line 14 insert the following new sections:

NEW SECTION. Sec. 6. There is added to chapter 18.85 RCW a new section to read as follows:

The director shall issue a land development representative registration for any applicant, upon application made by the employing real estate broker, on a form provided by the department. The minimum requirements for an individual to be registered as a land development representative are that the applicant shall:

- (1) Be eighteen years of age or older;
- (2) Be a resident of the state of Washington; and
- (3) Furnish such proof as the director may require concerning the applicant's honesty, good reputation, and identification including finger prints.

NEW SECTION. Sec. 7. There is added to chapter 18.85 RCW a new section to read as follows:

The registration for a land development representative shall be issued to and retained by the employing broker and shall be displayed as set forth in this chapter for licenses. A fee of fifteen dollars shall accompany each application for registration. Each registration shall be valid for a period of one year from date of issue or until employment with the broker is terminated, whichever occurs first. No registration may be transferred to another broker, nor may a representative be registered to more than one broker at a time. Upon the termination of employment of any representative the broker shall release and return the registration of that representative to the department.

NEW SECTION. Sec. 8. There is added to chapter 18.85 RCW a new section to read as follows:

(1) The activity of a land development representative registered with a broker under this chapter shall be restricted to land developments as defined in this section and limited to:

- (a) Disseminating information;
 - (b) Contacting prospective purchasers; and
 - (c) Transporting prospective purchasers to the land development site.
- (2) This section shall not be construed to authorize any representative to:
- (a) Engage in the selling of real estate;
 - (b) Negotiate for or bind the broker in any agreement relating to the sale of real estate;
 - (c) Receive or handle funds;
 - (d) Assist in preparation of documentation attendant upon sale of real estate; or
 - (e) Engage in any other conduct or activity specified in any of the definitions under RCW 18.85.010, except as provided by subsection (1) of this section.

(3) The words "land development" as used in this chapter mean land which is divided, for the purpose of disposition, into ten or more parcels on which no residential structure exists at the time it is offered for sale.

NEW SECTION. Sec. 9. There is added to chapter 18.85 RCW a new section to read as follows:

Full responsibility for the activities of the land development representative registered under this chapter shall rest with the employing broker. The director may deny, suspend, or revoke the registration of any representative or the license of the employing broker for any violation of this chapter by the representative."

On page 1, on line 9 of the title, after "RCW 18.85.150;" strike "and"

On page 1, on line 11 of the title, after "RCW 18.85.190" and before "." insert "; and adding new sections to chapter 18.85 RCW"

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

To Committee on Rules for second reading.

SECOND READING

REENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2620, by Committee on Ways and Means (Originally sponsored by Senators Benitz and Morrison):

Granting emergency powers to the department of ecology because of the impending drought.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 14th Day ex. sess., March 24, 1977.)

Mr. Shinpoch moved adoption of the committee amendment.

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

On page 5, section 10, line 45 after "facilities" and before the period insert "as constructed by the department with funds provided in section 18(2) or (3) of this 1977 amendatory act"

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

On page 11, section 18, line 20 after "section" strike the remainder of the sentence and insert "and for the financing and construction of agricultural water supply and distribution projects from ground and surface water sources which may become required by public bodies other than those identified in this section as a result of the drought forecast for the summer and fall of 1977."

Mr. Shinpoch spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Amen.

Mr. Amen: "Does this bill tie it down to only those projects that are presently in operation?"

Mr. Shinpoch: "Yes, Representative Amen, that's one of the things I'm sure we'll be discussing on third reading. There is nothing in this bill that irrigates new land or that provides for a project that is not in existence today."

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Shinpoch, the language in which you make a reference to public bodies, would that include the institutions of the state that might be involved in irrigation projects where their water supply has diminished?"

Mr. Shinpoch: "It is our intent that any public body is included."

The amendment to the committee amendment was adopted.

The Speaker stated the question before the House to be the committee amendment as amended.

Representatives Shinpoch and Newhouse spoke in favor of the amended amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Berentson.

Mr. Berentson: "I understand the Department of Ecology and the Department of Social and Health Services are involved in assessing the value of the projects. To what extent is the Legislature involved in approving or disapproving?"

Mr. Shinpoch: "Our approval or disapproval comes now based on the listing of the projects. Because of the long list it does not include the domestic and the municipal in the bill. Agriculture is included in the bill."

Mr. Berentson: "The projects then, once we pass the measure, are not subject to approval or appraisal by either your committee or the Senate Ways and Means Committee?"

Mr. Shinpoch: "No, sir."

The committee amendment as amended was adopted.

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

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Reengrossed Second Substitute Senate Bill No. 2620 as amended by the House was placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Shinpoch, the purpose of this question is to reenforce what I believe is legislative intent. Within the bill, section 18 (1) specified certain irrigation projects that are to receive the loan grants, but I wanted to be real sure that there is a flexibility within the bill for irrigation districts, water districts and municipalities who have not applied—if they meet the criteria for the Department of Ecology or DSHS to assist those districts?"

Mr. Shinpoch: "Yes, there is complete flexibility in the bill to do that. I think you should understand that it can only apply to purposes or projects that are in existence today. You cannot use moneys from this bill to drill a well to start a new irrigation. If it is not something that is in existence today, then you can't do that. It doesn't mean that if you have a water supply and the well goes dry that you can't run a line to a pipeline maybe—well, to give you a specific example—in Pierce County, the line that goes through Tacoma, there is a municipality that it comes to within thirty blocks of and their well is going dry. It permits you to build a line but that's for the same purpose. It provides water to that municipality. There is complete flexibility as long as the project is in existence."

Representatives Tilly, Charnley and Boldt spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Patterson.

Mr. Patterson: "I asked an earlier question about state agencies. I think you are aware of the situation at the Prosser Experimentation Station where their well has gone dry. The question I have is on the 85% payback and as to whether or not the state agencies are going to generate the revenues that pay back the 85%? Is that something you will be handling in your committee?"

Mr. Shinpoch: "I can't answer your question. I assume that like Washington State University raises most of their revenue in the State Legislature—I really can't answer your question."

Mr. Zimmerman spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "My question is a rather obvious one, but I think it should be asked and that is: Suppose the weather changes such that it begins to rain hard continuously in Eastern Washington, are we committed to taking some of these actions for those funds other than contingency funds which we cannot turn off should such an improbable weather change occur?"

Mr. Shinpoch: "Representative Douthwaite, I really don't have the confidence that the eventual control is with those people that are going to buy the water. The 85% loan must be paid back and it must be paid back by the users of the water. I really don't think—you know you really don't stop to question how much a pint of water costs if you're dehydrated. I don't really subscribe to that; however, I'm sure that if surface water is available and that's free, no one is going to agree to finance a well—to pay back a well that is going to be drilled through the mud. I just don't think that's ever going to occur. I think there is a rationale there that says that won't occur."

Mr. Douthwaite: "To an extent, would you trust the judgment of the DSHS and the DOE to not send this money unless it is absolutely necessary?"

Mr. Shinpoch: "I don't think it's to an extent; I think we're putting complete trust in them. The only thing I can say is that they do have to deal with us all the time."

Mr. Newhouse spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Second Substitute Senate Bill No. 2620 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 1; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Enbody, Erak, Erickson,

Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Chandler, Charette, Deccio, Ehlers, Eng, Fischer, Hansen, Hurley M., Kilbury, Leckenby, Williams, Wilson.

Reengrossed Second Substitute Senate Bill No. 2620 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. Boldt, Reengrossed Second Substitute Senate Bill No. 2620 as amended by the House was ordered transmitted immediately to the Senate.

ENGROSSED SENATE BILL NO. 2175, by Senator Rasmussen:

Allowing beer and wine to be served in containers other than glasses or bottles.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 4, following section 5 insert a new section as follows:

*NEW SECTION. Sec. 6. There is added to chapter 66.08 RCW a new section to read as follows:

All liquor which is sold at retail in unopened containers shall bear the following legend prominently displayed: WARNING: This product may be injurious to your health."

Renumber the remaining sections consecutively.

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

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Blair.

Mr. Blair: "I think I'm a friend of your amendment Representative Tilly, but I'm having difficulty comprehending exactly how these labels would be put on the product. I suppose for anything that is manufactured in the state of Washington they could be labeled by the manufacturer here, but I'm quite certain that most of our liquor comes from outside the state and most of it comes through the State Liquor Control Board and so I suggest that they would have to put the label on somehow in the process, which I guess could be done at the liquor stores as they open the cases. We do have some alcoholic beverages—and I think alcoholic beverage is a better term than liquor—doesn't liquor just mean hard liquor, the distilled product? Does it include beer and wine? I really have some question as to the perfection of your amendment and I think there might be a problem. How do you see this thing accomplished—the labeling it calls for?"

Mr. Tilly: "There are different ways; it could very easily be on the cans—a part of the stencil that's used when they run the cans through. I don't think that's any problem. I suppose for those manufacturers out of state it would very simple to attach a little stick-on, like we used to do to eggs and cigarettes. It's very, very simple."

Mr. Blair: "Would this be done by the manufacturer or the Washington State Liquor Control Board?"

Mr. Tilly: "I was thinking about adding to the amendment that the Liquor Control Board would promulgate the rules and regulations, but they already have that power and authority so I feel that they could do this."

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Boldt.

Mr. Boldt: "Representative Tilly, it says that all liquor shall bear the following legend. Are you going to write that on the liquor or on the can?"

Mr. Tilly: "On the container."

Mr. Boldt: "Then is that worded properly to establish that fact?"

Mr. Tilly: "I feel that it is. Our attorneys felt that this was covering the question."

Representatives Boldt and Pardini spoke against the amendment, and it was not adopted.

Engrossed Senate Bill No. 2175 was passed to Committee on Rules for third reading.

SENATE BILL NO. 2251, by Senators Bottiger, Gaspard, Benitz, Morrison and Woody:

Removing minimum wage restrictions on seasonal employees at agricultural fairs.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 60th Day, March 10, 1977.)

On motion of Mr. Lux, the committee amendment was adopted.

Senate Bill No. 2251 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 2384, by Senators Marsh, Matson and Grant (by Department of Labor and Industries request):

Changing the time for renewal of registration certificates of contractors.

The bill was read the second time and passed to Committee on Rules for third reading.

SENATE BILL NO. 2447, by Senators Morrison, Wilson and Benitz:

Increasing the maximum allowable assessment for tree fruit.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chandler, Deccio, Eng, Fischer, Hansen, Kilbury, Williams and Wilson, who were excused.

SECOND READING

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 38, by Committee on Constitution (Originally sponsored by Representatives McKibbin, Whiteside, Fortson, Bauer, Haley, Bender, Hawkins, Lee, Heck, Enbody, Erickson, Charnley and Clemente):

Amending the Constitution to authorize passage of special levies for schools by three-fifths of the electors voting thereon irrespective of the total votes cast in such taxing district at the last preceding general election.

The resolution was read the second time.

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

On page 2, line 11 after "period" strike "and any such school levy" and insert "PROVIDED FURTHER, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection by a school district"

Mr. McKibbin moved adoption of the following amendment by Representatives Thompson and McKibbin:

On page 2, line 12 strike "three-fifths" and insert "a majority of"

Representatives McKibbin, Thompson, Lee, Heck, Whiteside and Clemente spoke in favor of the amendment, and Representatives Patterson, Charette, Greengo, Oliver, Hurley (Margaret), Newhouse and Dunlap spoke against it.

Representatives Thompson and McKibbin spoke again in favor of the amendment, and Mr. Patterson spoke again in opposition to it.

MOTION

Mr. Berentson moved that further consideration of Substitute House Joint Resolution No. 38 be deferred, and the bill be placed at the bottom of today's second reading calendar.

Representatives Berentson and Polk spoke in favor of the motion, and Representatives McKibbin and Fortson spoke against it.

MOTION

Mr. King moved that further consideration of Substitute House Joint Resolution No. 38 be deferred and that the resolution be placed at the top of Monday's second reading calendar.

With the consent of the House, Mr. Berentson withdrew his motion, and the motion by Mr. King was carried.

HOUSE BILL NO. 394, by Representatives Knowles and McCormick:

Increasing the number of judges in the superior court of Spokane county.

On motion of Mr. Knowles, Substitute House Bill No. 394 was substituted for House Bill No. 394, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 394 was read the second time.

MOTION

On motion of Mr. Bender, Substitute House Bill No. 394 was rereferred to Committee on Appropriations.

MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House reconsider the vote by which Substitute House Joint Resolution No. 38 was placed on Monday's second reading calendar.

Representatives Pardini and Charette spoke in favor of the motion, and it was carried.

MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representative Charette to Substitute House Joint Resolution No. 38 was adopted.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Now that the motion has been stated, is it proper for this body to set it over to whatever place they want on the calendar?"

POINT OF PARLIAMENTARY INQUIRY

Mr. Thompson: "The House has approved a motion to reconsider this matter, do we not now have before us an approved motion to defer the bill?"

The Speaker: "We have a motion before us to reconsider the amendment by Representative Charette to Substitute House Joint Resolution No. 38. That motion is now before us. A motion to defer action on the resolution is in order and the motion that is before us now would then be before us on Monday to reconsider the action by which the amendment by Representative Charette was adopted."

MOTION

On motion of Mr. King, further consideration of Substitute House Joint Resolution No. 38 was deferred, and the resolution was ordered held for Monday's second reading calendar.

HOUSE BILL NO. 356, by Representatives Gaines, Paris, North, Gallagher and Warnke:

Limiting the liability relative to unintentional injuries of public and private landowners when such lands are being used by the public for outdoor recreation.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 5th Day ex. sess., March 15, 1977.)

On motion of Mr. Knowles, the committee amendment was adopted.

House Bill No. 356 was ordered engrossed and passed to Committee on Rules for third reading.

On motion of Mr. Thompson, Substitute House Bill No. 464 was substituted for House Bill No. 464, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 464 was read the second time.

Mr. Berentson moved adoption of the following amendment:

On page 2, line 21 after "39.58 RCW" insert ": PROVIDED, That such local official reasonably believes that the return on such funds so deposited will be at least two percent greater than such official can expect from other sources"

Representatives Berentson and Conner spoke in favor of the amendment, and Representatives Thompson and Douthwaite spoke against it.

Mr. Berentson spoke again in favor of the amendment.

The amendment was not adopted.

Substitute House Bill No. 464 was passed to Committee on Rules for third reading.

MESSAGES FROM THE SENATE

March 25, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to REENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2620, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 25, 1977

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 2620,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE SENATE BILL NO. 2620.

HOUSE BILL NO. 928, by Representatives Lysen, Sherman, King, Kilbury, O'Brien, Charnley, Gruger, Pruitt, Gallagher, Boldt, McCormick, Hawkins, Nelson (Dick), Bauer, Gaines and Clemente (by Executive request of Governor Ray):

Revising energy emergency powers and procedures.

The bill was read the second time.

On motion of Mr. Lysen, Substitute House Bill No. 928 was substituted for House Bill No. 928, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 928 was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 928 was placed on final passage.

Representatives Lysen, Dunlap and Martinis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 928, and the bill passed the House by the following vote: Yeas, 83; nays, 4; not voting, 11.

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

Voting nay: Representatives Berentson, Charette, Dunlap, Thompson.

Not voting: Representatives Chandler, Clayton, Deccio, Eng, Fischer, Hansen, Keller, Kilbury, Schmitt, Williams, Wilson.

Substitute House Bill No. 928, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 707, by Representatives Warnke, McCormick, Salatino, Gaines and Fischer:

Repealing certain sections of laws allowing inspections of massage parlors.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 707 was substituted for House Bill No. 707, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 707 was read the second time.

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

On page 1, beginning on line 20 with "NEW SECTION." strike through "effect." on page 2, line 1 and insert the following:

"Sec. 2. Section 11, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.100 are each amended to read as follows:

The provisions of this chapter relating to the licensing of any person shall (not) be exclusive, and ((any)) no political subdivisions of the state of Washington within whose jurisdiction the practice of massage is performed may require additional registrations or licenses, regulating the practice of massage or massage operators, ((and)) or charge ((any)) a fee for the same or similar purpose."

On page 2, line 5, after "RCW 18.108.180;" insert "and"

On page 2, line 7, after "RCW 18.108.190" strike "; and" and insert a period.

On page 2, beginning on line 8 strike all of subsection (3)

Mr. Greengo moved adoption of the following amendment:

On page 1, following section 1 insert a new section as follows:

"NEW SECTION. Sec. 2. The operator of a massage business shall furnish such reports and information about his business to the director as the director may require by administrative rule or regulation."

Re-number the remaining sections consecutively.

Representatives Greengo and Warnke spoke in favor of the amendment, and it was adopted.

On motion of Mr. Warnke, the following amendments to the title were adopted:

On page 1, line 1 of the title after "licensure;" insert "amending section 11, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.100;"

On page 1, line 3 of the title after "RCW 18.108.180;" insert "and"

On page 1, beginning on line 4 after "RCW 18.108.190" strike through "RCW 18.108.210" on line 6.

Substitute House Bill No. 707 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 839, by Representatives Sommers, Taller, Becker, Berentson, Kilbury, Wilson, Craswell, Douthwaite, Grimm and Hurley (Margaret):

Making the leasehold excise tax inapplicable to certain property within certain historical sites.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 839 was substituted for House Bill No. 839, the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 839 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 657, by Representatives Ehlers, Nelson (Gary) and Sommers (by State Auditor request):

Removing the state auditor from membership on the state retirement board.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 643, by Representatives Deccio, Knowles, Whiteside and Chandler:
Granting grandparent visitation rights.

The bill was read the second time.

On motion of Mr. Smith, Substitute House Bill No. 643 was substituted for House Bill No. 643, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 643 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 580, by Representatives Knowles, Knedlik, Vrooman, Hughes and Smith:

Making the possession of a device to evade telephone toll charges a felony.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 755, by Representatives Conner, McCormick, Berentson, Enbody and Gilleland:

Providing for tamperproof licenses and identicards.

The bill was read the second time.

Mr. Taller moved adoption of the following amendment:

On page 1, following section 2 add a new section as follows:

"NEW SECTION. Sec. 3. There is added to chapter 46.20 RCW a new section to read as follows:
The department of motor vehicles shall add to the fee charged for an identicard or driver's license a surcharge sufficient to cover the additional cost of preparing an identicard or driver's license pursuant to section 2 of this act. Such surcharge shall be deposited to the highway safety fund."

Representatives Taller and Zimmerman spoke in favor of the amendment, and Representatives Conner and Knedlik spoke against it.

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

The amendment was not adopted.

House Bill No. 755 was passed to Committee on Rules for third reading.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 1296 was rereferred from Committee on Judiciary to Committee on Institutions.

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, March 28, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

EIGHTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 28, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ann O'Rourke and Jim Ferguson. Prayer was offered by Reverend James Blundell of St. John's Episcopal Church of Olympia.

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

MESSAGE FROM THE GOVERNOR

March 25, 1977

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

I have the honor to advise that on March 25, 1977, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 35: Relating to elections;

HOUSE BILL NO. 57: Relating to the environmental coordination procedures act;

SUBSTITUTE HOUSE BILL NO. 181: Relating to physicians;

SUBSTITUTE HOUSE BILL NO. 209: Relating to the voter's pamphlet;

HOUSE BILL NO. 230: Relating to winter recreational parking;

HOUSE BILL NO. 237: Relating to business and professions;

SUBSTITUTE HOUSE BILL NO. 291: Relating to student transfers within the common schools;

HOUSE BILL NO. 321: Relating to public health;

SUBSTITUTE HOUSE BILL NO. 385: Relating to life insurance;

HOUSE BILL NO. 386: Relating to insurance;

SUBSTITUTE HOUSE BILL NO. 427: Relating to county operated ferries;

HOUSE BILL NO. 585: Relating to state colleges.

Sincerely,

Joe Zaspel, Legislative Assistant.

MESSAGE FROM THE SENATE

March 25, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2082,

SUBSTITUTE SENATE BILL NO. 2125,

SUBSTITUTE SENATE BILL NO. 2154,

SUBSTITUTE SENATE BILL NO. 2435,

ENGROSSED SENATE BILL NO. 2437,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2082, by Committee on State Government (Originally sponsored by Senators Wilson, Rasmussen, Cunningham, Gould, Sandison, Donohue, Wanamaker, Day, Odegaard and Wojahn):

Establishing procedures for abolishing state agencies.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 2125, by Committee on Transportation (Originally sponsored by Senators Henry, Gaspard and Bausch):

Requiring railway bridges to have walkways.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2154, by Committee on Labor (Originally sponsored by Senators Bottiger and Hayner):

Governing increased state participation in third party industrial insurance actions.

To Committee on Labor

SUBSTITUTE SENATE BILL NO. 2435, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Scott and Sandison):

Providing for disposition of operating fees charged at institutions of higher education.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 2437, by Senators Henry, Guess, Beck, Lewis and Woody:

Enacting the interstate compact for school bus safety.

To Committee on Transportation

MOTION

On motion of Mr. King, all bills listed on today's agenda under the fourth order of business were considered first reading and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

March 23, 1977

HOUSE BILL NO. 187, Prime Sponsor: Representative Fischer, creating a commission on youth and environmental development. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Knowles, Salatino.

To Committee on Rules for second reading.

March 23, 1977

HOUSE BILL NO. 480, Prime Sponsor: Representative Clemente, providing program of bilingual instruction in the common schools and state aid therefor. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Ehlers, Fuller, Lee, McKibbin, Schmitt, Valle.

Rereferred to Committee on Appropriations.

March 24, 1977

HOUSE BILL NO. 619, Prime Sponsor: Representative Sommers, modifying investment authority of the state finance committee. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman;

Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Salatino, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 620, Prime Sponsor: Representative Sommers, clarifying investment authority of the state finance committee. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Salatino, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 728, Prime Sponsor: Representative Winsley, modifying laws relating to collection of property taxes and the sale of property acquired for nonpayment of taxes. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Flanagan, Kilbury, Nelson (Dick), Tilly, Winsley.

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 897, Prime Sponsor: Representative Thompson, revising state employees' insurance and health care. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Salatino, Sanders, Sommers, Struthers.

Rereferred to Committee on Appropriations.

March 25, 1977

HOUSE BILL NO. 906, Prime Sponsor: Representative Hansen, providing for legislative overview of department of ecology rules regarding agricultural point sources. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Clayton, Fancher, Flanagan, Hansen.

MINORITY recommendation: Do not pass. Signed by Representatives Amen, Ranking Minority Member; Becker, Boldt.

To Committee on Rules for second reading.

March 25, 1977

HOUSE BILL NO. 960, Prime Sponsor: Representative Clemente, relating to education. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Education.

March 25, 1977

HOUSE BILL NO. 1102, Prime Sponsor: Representative Burns, relating to postsecondary education. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Higher Education.

March 25, 1977

HOUSE BILL NO. 1131, Prime Sponsor: Representative Clayton, clarifying the law on the storage of agricultural commodities. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

March 25, 1977

HOUSE BILL NO. 1141, Prime Sponsor: Representative Kilbury, establishing water resource allocation committee. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Amen, Ranking Minority Member; Boldt, Flanagan, Hansen.

To Committee on Rules for second reading.

March 25, 1977

HOUSE BILL NO. 1203, Prime Sponsor: Representative McKibbin, relating to education. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Education.

March 25, 1977

HOUSE JOINT RESOLUTION NO. 32, Prime Sponsor: Representative Sommers, amending the Constitution to provide for a redistricting commission. Reported by Committee on Constitution.

MAJORITY recommendation: The substitute bill proposed by the Committee on Elections and Governmental Ethics be substituted therefor and that the substitute bill do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Patterson, Sommers.

To Committee on Rules for second reading.

March 21, 1977

REENGROSSED SENATE BILL NO. 2418, Prime Sponsor: Senator Walgren, revising the laws relating to criminal justice training. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Becker, Deccio, Fischer, Knowles, Salatino.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 707, by Committee on Commerce (Originally sponsored by Representatives Warnke, McCormick, Salatino, Gaines and Fischer):

Revising laws relating to licensing, regulation, and inspection of massage parlors.

The bill was read the third time and placed on final passage.

Representatives Warnke and Greengo 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. 707, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

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

Voting nay: Representatives Charette, Douthwaite, Nelson G. A.

Not voting: Representatives Bauer, Deccio, Gruger, Hansen, Maxie.

Engrossed Substitute House Bill No. 707, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 601, by Committee on Commerce (Originally sponsored by Representatives Hanna, Warnke, Hawkins, Adams, Salatino, Grier, Hansen, Heck, Gallagher, McCormick and Gaines):

Revising gambling laws on card games.

The bill was read the third time and placed on final passage.

Representatives Salatino, Struthers and Hanna spoke in favor of the bill, and Mr. Greengo spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 601, and the bill passed the House by the following vote: Yeas, 65; nays, 30; not voting, 3.

Voting yea: Representatives Adams, Amen, Bender, Berentson, Boldt, Charette, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Conner, Craswell, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, May, McCormick, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bauer, Becker, Blair, Bond, Burns, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Eng, Fuller, Gilleland, Greengo, Hughes, Leckenby, Lee, Lysen, McKibbin, Moreau, Nelson G. A., Paris, Sanders, Shinpoch, Tilly, Whiteside, Williams, Zimmerman.

Not voting: Representatives Gruger, Hurley G. S., Maxie.

Substitute House Bill No. 601, having received the 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. 657, by Representatives Ehlers, Nelson (Gary) and Sommers (by State Auditor request):

Removing the state auditor from membership on the state retirement board.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 657, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Gruger, Maxie.

House Bill No. 657, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 643, by Committee on Judiciary (Originally sponsored by Representatives Deccio, Knowles, Whiteside and Chandler):

Granting grandparent visitation rights.

The bill was read the third time and placed on final passage.

Mr. Deccio spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 643, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen,

Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gruger, Maxie, Salatino.

Substitute House Bill No. 643, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 58, by Representatives Ehlers, Boldt and Polk:

Establishing a method by which certain criminal cost bills will be paid by the state.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 58, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Gruger, Maxie.

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.

ENGROSSED HOUSE BILL NO. 356, by Representatives Gaines, Paris, North, Gallagher and Warnke:

Limiting the liability relative to unintentional injuries of public and private landowners when such lands are being used by the public for outdoor recreation.

The bill was read the third time and placed on final passage.

Mr. Gaines spoke in favor of final passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 356, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Gruger, Maxie.

Engrossed House Bill No. 356, having received the 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. 2057, by Senators Henry, Guess and Beck (by Department of Motor Vehicles request):

Bringing various laws dealing with motor vehicle operators into accord with current practices.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2057, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

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

Voting nay: Representatives Bond, Greengo, Struthers.

Not voting: Representatives Bender, Craswell, Gruger, Maxie.

Engrossed Senate Bill No. 2057, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 38, by Committee on Constitution (Originally sponsored by Representatives McKibbin, Whiteside, Fortson, Bauer, Haley, Bender, Hawkins, Lee, Heck, Enbody, Erickson, Charnley and Clemente):

Amending the Constitution to authorize passage of special levies for schools by three-fifths of the electors voting thereon irrespective of the total votes cast in such taxing district at the last preceding general election.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 15th Day ex. sess., March 25, 1977.)

The Speaker stated the question before the House to be the motion by Representative Pardini to reconsider the vote by which the amendment by Representative Charette was adopted.

Mr. Pardini spoke in favor of the motion, and Mr. Charette spoke against it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Berentson.

Mr. Berentson: "In looking at the wording, which those of us who are not trained legally have some problems with—let me preface the question if I could. In your amendment it would seem that any such school levy as was contained in the original resolution would be far more restrictive than the new language—'. . . any proposition by the school districts,' and that particularly in view of the fact that the state or the State Legislature could present a proposition just prior to your amendment to levy additional tax in support of common schools. Under the original wording of HJR 38, I think it could be reasonably argued that a statewide proposition would need the sixty percent approval should we ever go to that, and we've talked about that, however, it would seem to me, (and I would like your intent here) if we go with your amendment for a statewide proposal, it would not be covered because it would not be submitted by a school district. Now is that your intent? It's understandable then that it could be just a fair majority if it were a statewide levy rather than being submitted by a school district?"

Mr. Charette: "It is the intent of the amendment as proposed to apply only to those levies that are proposed by school districts."

Mr. Pardini closed debate, speaking again in favor of the motion to reconsider.

The motion was lost.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

The House resumed consideration of Substitute House Joint Resolution No. 38 on second reading.

The Speaker stated the question before the House to be the following amendment by Representatives Thompson and McKibbin:

On page 2, line 12 strike "three-fifths" and insert "a majority"

The amendment was adopted.

On motion of Mr. Thompson, the following amendment by Representatives Thompson and McKibbin was adopted:

On page 2, line 14 after "election" and before the semicolon insert the following: "PROVIDED FURTHER, That such taxing district shall not submit a proposition to levy additional tax for the support of the common schools more than once during the twelve month period prior to the date on which the proposed levy is to be made"

Mr. Leckenby moved adoption of the following amendment:

On page 2, line 14 after "election" insert "AND PROVIDED FURTHER, That no proposition for the support of the common schools pursuant to this subsection shall exceed 10% of the annual operating expenses, not including capital expenditures, of the district"

POINT OF ORDER

Mr. McKibbin: "Mr. Speaker, will you rule on scope and object of this amendment?"

SPEAKER'S RULING

The Speaker: "Your point is not well taken, Representative McKibbin. The Speaker rules that it is in within the scope of the bill."

Mr. Leckenby spoke in favor of the amendment, and Mr. McKibbin spoke against it.

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

Mr. Leckenby spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Leckenby to page 2, line 14 of Substitute House Joint Resolution No. 38, and the amendment was not adopted by the following vote: Yeas, 23; nays, 72; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Clayton, Deccio, Fancher, Fuller, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Patterson, Schmitt, Shinoda, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Conner, Keller, Shipoch.

On motion of Mr. Thompson, the following amendment by Representatives Thompson and McKibbin was adopted:

Beginning on page 2, line 33 after "herein" strike all material down to and including "election:" on page 3, line 4 and insert "1"

Substitute House Joint Resolution No. 38 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 344, by Representatives Hansen, Fancher, Fortson, Kilbury, Tilly, Boldt, North and Bauer:

Prohibiting use of foreign beef and mutton in public institutions.

The bill was read the second time.

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

On line 5 strike "the Continental limits"

Mr. Patterson moved adoption of the following amendment:

On page 1, line 9 after "Whoever" insert "knowingly"

Representatives Patterson and Flanagan spoke in favor of the amendment, and Mr. Hansen spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patterson to House Bill No. 344, and the amendment was adopted by the following vote: Yeas, 81; nays, 15; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Boldt, Clayton, Enbody, Fancher, Fortson, Hansen, Hurley G. S., Kilbury, Lux, North, Pardini, Vrooman, Walk, Warnke.

Not voting: Representatives McKibbin, Valle.

Ms. Sommers moved adoption of the following amendment:

On page 1, line 13 add a new section as follows:

"NEW SECTION. Sec. 4. This act shall terminate on June 30, 1980 unless extended by law for a fixed period of time."

Representatives Sommers and Hansen spoke in favor of the amendment, and it was adopted.

On motion of Ms. Sommers, the following amendment to the title was adopted:

On page 1, line 2 of the title strike "and" and after "penalties" insert "; and prescribing a termination date"

House Bill No. 344 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 257, by Representatives Thompson, Haley, Adams, Blair, Charnley, Becker, Hanna, Douthwaite, Williams, Lux, Chandler, King, Burns and Nelson (Dick):

Enacting the Marihuana Education and Control Act of 1977.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 257 was substituted for House Bill No. 257, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 257 was read the second time.

MOTION

Mr. Oliver moved that further consideration of Substitute House Bill No. 257 be indefinitely postponed.

Mr. Oliver spoke in favor of the motion.

POINT OF ORDER

Mr. Thompson: "What latitude are you going to grant for an explanation on a motion to defer a bill?"

The Speaker: "That's not really a point of order; it's a question. On a motion to indefinitely postpone the merits of the bill are open to full debate and so on both sides of the question the debate has to address itself to the merits of the legislation."

Mr. Oliver continued his remarks in favor of the motion, and Representatives Thompson and Haley spoke against it.

Mr. Bond spoke in favor of the motion.

POINT OF ORDER

Mr. Boldt: "Mr. Speaker, I make reference to Rule 57, 'When the reading of any paper is called for, and objected to by any member, it shall be determined by a vote of the house.'"

The Speaker: "Your point is well taken."

MOTION

Representative Hurley (Margaret) moved that Representative Bond be allowed to read his paper, and the motion was carried.

Mr. Bond continued his remarks in favor of the motion.

Representatives Owen, Struthers and Clayton spoke in favor of the motion, and Representatives Charette and Conner spoke against it.

Mr. King demanded the previous question and the demand was sustained.

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

ROLL CALL

The Clerk called the roll on the motion to indefinitely postpone consideration of Substitute House Bill No. 257, and the motion was lost by the following vote: Yeas, 29; nays, 68; not voting, 1.

Voting yea: Representatives Barnes, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Fischer, Flanagan, Fuller, Gilleland, Grengo, Hansen, Hurley M., Lee, May, Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Polk, Schmitt, Struthers, Warnke, Wilson, Winsley.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fortson, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pardini, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representative Gaines.

POINT OF PERSONAL PRIVILEGE

Mr. Oliver: "I would like to state information that I have available and which I did not convey in my earlier remarks which are very important and I was blocked from presenting them to this body in closing debate."

SPEAKER'S RULING

The Speaker: "That's not a point of personal privilege. There is no rule that allows you as the maker of a motion to indefinitely postpone this bill to close debate. Only a prime sponsor of a bill or the committee chairperson that the issue came from would be allowed to close debate, so I don't think your rights were denied you. The information you have you are at liberty, of course, to distribute to the members."

The Speaker called on Mr. O'Brien to preside.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 12 after the enacting clause insert a new section as follows:

"NEW SECTION. Section 1. The legislature finds that any act changing the legal status of the use of marihuana is by its nature controversial and of great interest to the citizens of the state of Washington. In deference to the will of the voters of this state, the Marihuana Education and Control Act of 1977 as described in sections 2 through 12 of this amendatory act and the Marihuana Legalization Act of 1977 as described in sections 13 through 15 of this 1977 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all 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.

The voters of this state shall express their choice between the Marihuana Legalization Act of 1977, or the Marihuana Education and Control Act of 1977, or neither of the two acts. To accomplish this purpose, the ballots shall be so printed that a voter can express two preferences: First, as between either measure or neither; and secondly, as between one or the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and shall be made public. If a majority voting on the first issue is for either, then the act receiving a majority of the votes on the second issue shall become law."

Renumber the remaining sections consecutively.

Representatives Tilly, Pardini, Bond and Berentson spoke in favor of the amendment, and Representatives Thompson, Hurley (George), Douthwaite and Hawkins spoke against it.

Mr. Thompson spoke again in opposition to the amendment.

POINT OF INQUIRY

Mr. Knowles yielded to question by Mrs. Winsley.

Mrs. Winsley: "I think in discussion in committee we were talking about legalization and the comment was made that according to federal law, marihuana is illegal in the United States. Therefore, could the state of Washington have a law legalizing marihuana if federal law prohibited it?"

Mr. Knowles: "I guess the best answer I can give you, Representative Winsley, is that as has been said here a number of times, this does not attempt to legalize marihuana. If the Tilly amendment were to pass and the people were to adopt that, then that question would probably be pertinent, but not under this bill as it is presently written."

Mr. Smith spoke against the amendment, and Mrs. Lee spoke in favor of it.

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

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

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 Representative Tilly to Substitute House Bill No. 257, and the amendment was not adopted by the following vote: Yeas, 32; nays, 64; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Bender, Berentson, Blair, Bond, Clayton, Craswell, Deccio, Dunlap, Enbody, Fischer, Flanagan, Fuller, Gilleland, Greengo, Hansen, Hughes, Lee, Lysen, Newhouse, Owen, Pardini, Paris, Patterson, Polk, Salatino, Schmitt, Tilly, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pearsall, Pruitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taler, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Sanders, and Mr. Speaker.

Mr. Zimmerman moved adoption of the following amendments:

On page 1, line 15 strike "forty" and insert "twenty-eight"

On page 1, line 17 strike "forty" and insert "twenty-eight"

On page 1, line 22 strike "forty" and insert "twenty-eight"

On page 1, line 26 strike "forty" and insert "twenty-eight"

Mr. Zimmerman spoke in favor of the amendments, and Mr. Knowles spoke against them.

POINT OF PARLIAMENTARY INQUIRY

Mr. Oliver: "I have offered amendments on this same section which take the grams down to five rather than twenty-eight. I would like to know when the body acts upon these amendments, will what I'm offering still be debatable?"

The Speaker (Mr. O'Brien presiding): "According to our rules, we take the highest amount first and yours is five and this is twenty-eight. It all depends on what happens to this one, then yours will follow."

Mr. Knowles continued his remarks against the amendments.

POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Patterson.

Mr. Patterson: "Then if we adopt this amendment reducing it down to twenty-eight grams, would the state law prevail in King County?"

Mr. Knowles: "Very definitely. The Seattle Ordinance, once we pass the state law, will have to coincide with the state law."

Mr. Oliver spoke against the amendments.

POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Hanna.

Mr. Hanna: "Representative Zimmerman, if we adopted your amendments, you would have the situation where part of the forty grams would be covered under the felony statutes and you'd have the twenty-eight as the cut-off point in the misdemeanor or citation statutes. What would you do with the grams in between?"

Mr. Zimmerman: "We're changing the whole thing to twenty-eight. Everyone of them would be reduced to twenty-eight."

Mr. Hanna: "Are you sure you're not beyond the scope and object? You're in the misdemeanor section of the state law."

Mr. Zimmerman: "No, by reducing it all to twenty-eight, it's much more consistent."

Mr. Zimmerman spoke again in favor of the amendments.

POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Bender.

Mr. Bender: "It seems like we're dealing with another threshold here and I'm just wondering now, is a lid considered to be a misdemeanor or is it a felony—the twenty-eight itself?"

Mr. Zimmerman: "The amendment, of course, strikes forty and inserts twenty-eight throughout the bill. It provides that you are going to be in violation or it is a misdemeanor if you are using above twenty-eight grams. That's the line; that's the break-off point right there. If you're selling, and are involved in bigger amounts than that, you're in deeper trouble. I'm just saying one level—don't have different levels—just one plain line and that's the line of twenty-eight."

Representatives Thompson and Shinpoch spoke against the amendments, and Mr. Zimmerman spoke again in favor of them.

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

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Zimmerman to Substitute House Bill No. 257, and the amendments were not adopted by the following vote: Yeas, 43; nays, 53; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Bender, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Hansen, Heck, Hughes, Hurley M., Keller, Lee, Nelson G. A., Newhouse, North, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Shinoda, Struthers, Tilly, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fortson, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Hurley G. S., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Oliver, Salatino, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Williams, Winsley.

Not voting: Representatives Owen, and Mr. Speaker.

Mr. Oliver moved adoption of the following amendment:

On page 1, line 15 strike "forty" and insert "five"

Mr. Oliver spoke in favor of the amendment, and Mr. Thompson spoke against it.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Bond.

Mr. Bond: "In this present amendment, limiting the thing to five grams, it brings to my mind again the problem that I have with young people in junior high and below that, and I wonder if you would point out to me what provision there is for youngsters possessing marihuana?"

Mr. Thompson: "Minors discovered to be in possession of marihuana are subject to a violation, their parents are advised of this and the penalty is extracted. If they continue to use this drug and are discovered then they receive the benefits of the educational provisions of this act."

Mr. Bond: "Is this beyond page 1, line 28, which deals with the sales to a minor?"

Mr. Thompson: "Does your question have something to do with the level of five grams?"

Mr. Bond: "I'm trying to determine what the provision is for the possession of any amount by a minor."

Mr. Thompson: "A minor discovered to be using marihuana by a law enforcement official will be subject to the penalties of this act."

Mr. Bond: "Could you tell me where that provision is?"

Mr. Thompson: "I think you'd benefit, Representative Bond, from reading this bill and finding it yourself."

Mr. Oliver spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Oliver moved adoption of the following amendments by Representatives Oliver and Polk:

On page 1, line 15 strike "(1)"

On page 1, line 15 after "grams" insert "(weight when dried)"

On page 1, line 16 after "less of" strike all the material down to and including "dried" on line 17

Representatives Oliver and Polk spoke in favor of the amendments, and Representative Thompson spoke against them.

Mr. Oliver spoke again in favor of the amendments, and Mr. Thompson spoke again in opposition.

The amendments were not adopted.

MOTIONS

On motion of Mr. King, further consideration of Substitute House Bill No. 257 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

On motion of Mr. King, the House adjourned until 11:00 a.m., Tuesday, March 29, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

NINETEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 29, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Catherine Inman and Bill Carpenter. Prayer was offered by Reverend James H. Blundell of St. John's Episcopal Church of Olympia.

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

MESSAGE FROM THE SENATE

March 28, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2196,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2196, by Senators Woody, Clarke and Bottiger:

Increasing civil courts filing fees.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

March 25, 1977

HOUSE BILL NO. 4, Prime Sponsor: Representative Fischer, enacting a hazardous substance act. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Bauer, Becker, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Maxie, Pardini, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 105, Prime Sponsor: Representative Warnke, correcting a definition in economic development law. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 113, Prime Sponsor: Representative Warnke, authorizing the establishment of foreign trade zones. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

March 25, 1977

HOUSE BILL NO. 138, Prime Sponsor: Representative Eng, continuing the Washington State Commission on Asian-American affairs until June 30, 1983. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill by the Committee on State Government be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Pardini, Taller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

March 23, 1977

HOUSE BILL NO. 334, Prime Sponsor: Representative Kreidler, establishing a sexually transmitted disease clinic at University of Washington. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Blair, Ranking Minority Member; Bauer, Becker, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Maxie, Pardini, Taller, Valle, Warnke, Zimmerman.

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 400, Prime Sponsor: Representative Nelson (Gary), authorizing a pilot project to be known as the Washington innovation service institute. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following line 28 add a new subsection as follows:

"(4) 'Inventor' or 'innovator' shall mean one who thinks of, imagines or creates something new which may result in a device, contrivance or process for the first time through the use of the imagination of ingenious thinking and experiment."

Renumber the remaining subsections consecutively.

On page 2, following line 25 add a new section as follows:

"NEW SECTION. Sec. 6. Sections 1 through 5 of this 1977 amendatory act shall be added to chapter 43.31 RCW."

Renumber the remaining sections consecutively.

On page 1, line 2 of the title after "project;" strike all material down to and including "sections" on line 3 and insert "adding new sections to chapter 43.31 RCW"

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

Rereferred to Committee on Appropriations.

March 24, 1977

HOUSE BILL NO. 446, Prime Sponsor: Representative Warnke, changing the requirements for real estate licenses. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

March 25, 1977

HOUSE BILL NO. 449, Prime Sponsor: Representative Erickson, establishing a state women's commission. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Becker, Charette, Ehlers, Hawkins, Hughes, Keller, Lee, Maxie, Pardini, Taller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 467, Prime Sponsor: Representative Lux, repealing the laws on safety glazing material. Reported by Committee on Labor.

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

To Committee on Rules for second reading.

March 24, 1977

HOUSE BILL NO. 474, Prime Sponsor: Representative Lux, allowing payment in full of retainage in contracts. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 715, Prime Sponsor: Representative King, requiring certain school district labor contracts be made by or with the consent of the bargaining representative. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton, Sanders.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 746, Prime Sponsor: Representative Thompson, modifying terms of members of county legislative authorities. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 18 strike "for approximately"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Douthwaite, Fancher, Gilleland, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 901, Prime Sponsor: Representative Lux, establishing a wage claim trust fund for payment of valid wage claims. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Ranking Minority Member; Clayton, Sanders.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 927, Prime Sponsor: Representative Flanagan, exempting community college district employees working outside states' boundaries from higher education personnel law. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Oliver, Patterson.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 1229, Prime Sponsor: Representative Bender, revising laws relating to boiler inspections. Reported by Committee on Labor.

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

To Committee on Rules for second reading.

March 25, 1977

HOUSE BILL NO. 1351, Prime Sponsor: Representative Valle, establishing strict liability for oil spills and requiring evidence of financial responsibility by oil terminal facilities. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Douthwaite, Grier, Hughes, Hurley (George), Kreidler.

MINORITY recommendation: Do not pass. Signed by Representatives Barr, Ranking Minority Member; Leckenby, Oliver.

To Committee on Rules for second reading.

March 28, 1977

ENGROSSED SENATE BILL NO. 2478, Prime Sponsor: Senator Sandison, allowing institutions of higher education to collect certain debt charges if provided for in the agreement signed by the debtor. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Moreau, Oliver, Patterson.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 355, by Representatives Burns, Vrooman, Lux, Pruitt, Clemente, Lysen, Charnley, Douthwaite and Sherman:

Relaxing income limitations for retired persons' property tax exemption.

The bill was read the third time and placed on final passage.

Representatives Burns, Salatino and Polk spoke in favor of passage of the bill, and Mr. Pardini spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 355, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

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

Voting nay: Representatives Amen, Bond, Clayton, Newhouse, Pardini, Patterson, Struthers.

Not voting: Representatives Gilleland, Knedlik, Lysen, Schmitten.

Engrossed House Bill No. 355, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please record me as voting "Yea" on Engrossed House Bill No. 355.

WILL KNEDLIK, 45th District.

SUBSTITUTE HOUSE BILL NO. 464, by Committee on Local Government (Originally sponsored by Representatives Thompson, Newhouse, Eng, King and Berentson - by State Treasurer request):

Creating a local government investment pool trust fund.

The bill was read the third time and placed on final passage.

Representatives Thompson and Conner spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Leckenby.

Mr. Leckenby: "On page 2, line 22, it says that the investment officer shall invest the funds in such a manner as to effectively maximize the yield to the investment pool. Representative Thompson, just how much leeway does that word 'maximize' leave to the investment officer? How much flexibility is there in there for him to use his judgment?"

Mr. Thompson: "No more flexibility than he presently has or enjoys under the existing authority for the investment of state funds."

Representatives Struthers, Owen, Zimmerman, Fancher and Berentson spoke against passage of the bill, and Mr. Thompson spoke again in favor of it.

Mr. King demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 464, and the bill passed the House by the following vote: Yeas, 59; nays, 37; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Eng, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Charette, Clayton, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Flanagan, Fuller, Greengo, Haley, Hanna, Hansen, Kreidler, Leckenby, May, Oliver, Owen, Patterson, Pearsall, Polk, Sanders, Schmitt, Smith, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

Not voting: Representatives Gilleland, Lysen.

Substitute House Bill No. 464, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 727, by Representatives Conner, Gallagher, Gilleland and Vrooman:

Changing laws on reporting of vehicle accidents.

The bill was read the third time and placed on final passage.

Representatives Conner, Barnes and Douthwaite spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Deccio.

Mr. Deccio: "I guess I'm a little confused on this bill. You say we're increasing the threshold over what it is now to \$300?"

Mr. Barnes: "That is the mandatory reporting requirement—that threshold is increasing from \$100 to \$300. The threshold which will enable an injured, or a driver who had damage to his car by some other driver, to get the state to do something about it is being lowered from \$200 to \$100. That does not mean that you have to report an accident for which there has been more than \$100 damage, only if you want to get the state to take action against the other driver, then you can report it."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 727, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

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

Voting nay: Representatives Hurley G. S., Knowles, Newhouse, Whiteside, Winsley.

Not voting: Representatives Gilleland, Lysen, Salatino, Tilly.

Engrossed House Bill No. 727, having received the 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 HOUSE JOINT RESOLUTION NO. 38, by Committee on Constitution (Originally sponsored by Representatives McKibbin, Whiteside, Fortson, Bauer, Haley, Bender, Hawkins, Lee, Heck, Enbody, Erickson, Charnley and Clemente):

Amending the Constitution to authorize passage of special levies for schools by three-fifths of the electors voting thereon irrespective of the total votes cast in such taxing district at the last preceding general election.

The resolution was read the third time and placed on final passage.

Mr. McKibbin spoke in favor of passage of the resolution.

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

Representatives Heck, Thompson, Fortson, Blair and Shipoch spoke in favor of the resolution, and Representatives Patterson, Greengo and Berentson spoke against it.

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

POINT OF PARLIAMENTARY INQUIRY

Mr. Patterson: "In voting on Engrossed Substitute House Joint Resolution No. 38, does it require a constitutional two-thirds vote of the body or a two-thirds vote of those present and voting? I'd like to know the number of votes that would be required."

The Speaker: "It requires two-thirds vote of the elected members, which means it requires sixty-six votes."

Mr. McKibbin closed debate, speaking again in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 38, and the resolution failed to receive the two-thirds majority by the following vote: Yeas, 58; nays, 38; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Bender, Blair, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Becker, Berentson, Boldt, Bond, Charette, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gallagher, Greengo, Haley, Hansen, Hurley M., Leckenby, May, Moreau, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Smith, Struthers, Tally, Tilly, Vrooman, Williams, Wilson.

Not voting: Representatives Gilleland, Lysen.

Engrossed Substitute House Joint Resolution No. 38, having failed to receive the constitutional two-thirds majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Charette, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Joint Resolution No. 38 failed to pass the House.

MOTION

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

AFTERNOON SESSION

The House was called to order at 1:45 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barr, Fancher, Gilleland, Lysen and Struthers, who were excused.

MESSAGE FROM THE SENATE

March 29, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2057,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2057.

THIRD READING

ENGROSSED HOUSE BILL NO. 150, by Representatives May, Grier and Wilson:

Revising the definition of "public work" for government contracts.

The bill was read the third time and placed on final passage.

Representatives Thompson and May spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 150, and the bill passed the House by the following vote: Yeas, 85; nays, 3; not voting, 10.

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

Voting nay: Representatives Flanagan, North, Smith.

Not voting: Representatives Barr, Bond, Dunlap, Enbody, Fancher, Gilleland, Leckenby, Lysen, Moreau, Struthers.

Engrossed House Bill No. 150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 54, by Representatives Ehlers, Boldt and Polk:

Authorizing direct billing to the legislature for services provided by the department of general administration.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 54, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

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

Not voting: Representatives Barr, Enbody, Fancher, Gilleland, Leckenby, Lysen, Moreau, Salatino, Struthers, Warnke, Wilson.

House Bill No. 54, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 257, by Committee on Judiciary (Originally sponsored by Representatives Thompson, Haley, Adams, Blair, Charnley, Becker, Hanna, Douthwaite, Williams, Lux, Chandler, King, Burns and Nelson, Dick):

Enacting the Marihuana Education and Control Act of 1977.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 18th Day ex. sess., March 28, 1977.)

Mr. Oliver moved adoption of the following amendment:

On page 1, line 19 strike "fifty" and insert "two hundred"

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

POINT OF ORDER

Mr. Pardini: "Representative Hurley is impugning the motives of people offering amendments to a bill that is wide open for discussion. I wish he would confine his remarks just a little."

The Speaker: "Continue, Representative Hurley."

Mr. Hurley (George) continued his remarks in opposition to the amendment.

POINT OF ORDER

Mr. Berentson: "This is the marihuana bill; I don't quite follow what Representative Hurley's remarks are about."

The Speaker: "Would you confine your remarks to the amendment before us, Representative Hurley?"

Mr. Hurley continued his remarks.

POINT OF ORDER

Mr. Nelson (Gary): "Mr. Speaker, in your wisdom I'm hoping you might maintain order in the House, and that we don't have a lot of interplay and insulting one another on the floor."

The Speaker: "Your point is well taken. Representative Hurley, I have been quite liberal in my rulings on the podium, and I wish you would confine your remarks to the amendment, which deals with raising the penalty, and avoid making references to other members in any kind of derogatory fashion."

Mr. Hurley concluded his remarks against the amendment.

Representatives Bond and Oliver spoke in favor of the amendment, and Representatives Thompson and Charette spoke against it.

Mr. King demanded the previous question, and a division was called.

ROLL CALL

The Clerk called the roll on the demand for the previous question to conclude the debate on the Oliver amendment to Substitute House Bill No. 257, and the demand was sustained by the following vote: Yeas, 61; nays, 30; not voting, 7.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Eng, Erak, Erickson, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Blair, Bond, Chandler, Clayton, Deccio, Dunlap, Fancher, Fischer, Fuller, Greengo, Haley, Hurley G. S., Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Taller, Tilly, Vrooman, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Barr, Enbody, Gilleland, Lysen, Nelson D., North, Struthers.

POINT OF PERSONAL PRIVILEGE

Mr. Oliver: "Could you elaborate for me—on page 2, line 11, with regards to this particular act, in section (a), 'For the purposes of section 1(a) of this 1977 amendatory act, a violation shall not be deemed a criminal act, and arrest for a violation—"

POINT OF ORDER

Mr. Ehlers: "I just wonder what his point of personal privilege is?"

The Speaker: "I was just waiting for him to get to that point. Continue, Representative Oliver."

Mr. Oliver: "Is this, in fact, decriminalization? Representative Charette has said it is not. Is it, in fact, decriminalization?"

The Speaker: "That's a question of debate, not a point of personal privilege."

The Speaker stated the question before the House to be the amendment by Representative Oliver to page 1, line 19.

The amendment was not adopted.

On motion of Mr. Knowles, the following amendment was adopted:
On page 1, line 22 after "marihuana," strike "or uses"

Mr. Whiteside moved adoption of the following amendment by Representatives Whiteside, Smith and Pardini:

On page 1, line 24 after "misdemeanor." insert "If a person possesses or controls forty grams or less of marihuana and this is a third violation after citation or arrest of any subsequent violation after citation or arrest after two violations, including violations under subsection (a) of this act, for any offense involving marihuana or any controlled substance, this violation shall be a misdemeanor."

Mr. Whiteside spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Nelson (Dick).

Mr. Nelson (Dick): "Representative Whiteside, if the first violation and citation is given to a person that is age eighteen and the second at age twenty-eight and the third at age thirty-eight, would that third violation then be a misdemeanor?"

Mr. Whiteside: "In the spirit of the amendment, yes."

Representatives Knowles, Smith and Thompson spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I note there is no comment in the language about the statute of limitations on these three violations. I assume from what Representative Nelson brought out that once you are on record you are on record for the rest of your life and I wonder as to the wisdom of that?"

Mr. Smith: "I, frankly, would hope that people aren't cited for three offenses and I don't think it should make much difference what the length of time is if they are."

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

The amendment was adopted.

MOTION FOR RECONSIDERATION

Mr. Chandler moved that the House reconsider the vote by which the amendment by Representative Oliver to page 1, line 19 failed to be adopted.

Representative Chandler spoke in favor of the motion, and Representatives Knowles and Smith spoke against it.

The motion was lost.

The Speaker called on Mr. O'Brien to preside.

Mr. Taller moved adoption of the following amendment:

On page 1, beginning with "Who" on line 30 strike all the material down to and including "junior" on page 2, line 1.

Representatives Taller and Polk spoke in favor of the amendment, and Representatives Knedlik and Blair spoke against it.

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

Mr. Taller spoke again in favor of the amendment, and Mr. Smith spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the Taller amendment to page 1, line 30 of Substitute House Bill No. 257, and the amendment was not adopted by the following vote: Yeas, 36; nays, 54; not voting, 8.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fischer, Flanagan, Fuller, Greengo, Grier, Hansen, Hughes, Hurley M., Leckenby, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Shinpoch, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Becker, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fortson, Gaines, Gallagher, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley.

Not voting: Representatives Barr, Bauer, Fancher, Gilleland, Lysen, McKibbin, Struthers, and Mr. Speaker.

Mr. Oliver moved adoption of the following amendment by Representatives Oliver and Berentson:

On page 4, line 11 strike "second or subsequent"

Representatives Oliver and Berentson spoke in favor of the amendment, and Mr. Thompson spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representatives Oliver and Berentson:

On page 4, beginning on line 12 after "act" strike all the material down to and including "period" on line 13

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

Mr. Polk moved adoption of the following amendment:

On page 4, line 15 after "dollars" insert ", in addition to any assessment or fine allowed or imposed under the provisions of this act,"

Representatives Polk and Thompson spoke in favor of the amendment, and it was adopted.

On motion of Mr. King, the following amendment by Representatives King and Knowles was adopted:

On page 6, line 36 after "seeds" strike all material down to and including "seeds" on page 7, line 2.

Mr. Amen moved adoption of the following amendment:

On page 14, line 3 strike "may" and insert "((may)) shall"

Mr. Amen spoke in favor of the amendment, and Mr. Thompson spoke against it.

POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Hanna.

Mr. Hanna: "Where are you going to put these three to ten times more people that we would have in prison than we now do? You really can't talk about just one part of your amendment, but where are you going to put them?"

Mr. Amen: "Really, the bill as it is written now—this doesn't cover any more than we have presently, in my estimation."

Mr. Hanna: "When you start talking about mandatory minimums of two years for this level of crime, you are talking about actually doubling the population of the Shelton prison for starters; you're talking about filling up the system with nineteen and twenty-year-olds, and I guess I'd like to know where you are going to put them?"

Mr. Amen: "I would hope that would not happen, Representative Hanna. I would hope that if we enact this legislation, the first time they would have the opportunity that they might not be in prison, but then if they again sell and are caught and convicted of it, that this will deter them from doing that—that they know they will be in prison for that length of time. I think the major problem we have in our drug problem is the pusher, and we want to really throw it at the pusher to try to control the use of the drugs and the spread of drugs."

Representatives Hanna and Blair spoke against the amendment.

The amendment was not adopted.

The Clerk read the following amendment by Representative Amen:
On page 14, line 4 strike "up to" and insert "(up-to)"

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

Mr. Oliver moved adoption of the following amendment:

On page 14, following section 10 insert a new section as follows:

***NEW SECTION.** Sec. 11. This act shall be submitted to the people for their adoption and ratification or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the law adopted to facilitate the operation thereof."

Renumber the remaining sections consecutively.

Representatives Oliver, Deccio and Tilly spoke in favor of the amendment, and Representatives Haley and Thompson spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Oliver, adding a new section 11 to Substitute House Bill No. 257, and the amendment was not adopted by the following vote: Yeas, 31; nays, 58; not voting, 9.

Voting yea: Representatives Bender, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Endbody, Fischer, Flanagan, Fortson, Fuller, Hansen, Hughes, Knedlik, Kreidler, Lee, Maxie, Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Polk, Salatino, Schmittens, Shinoda, Taller, Tilly, Wilson.

Voting nay: Representatives Adams, Amen, Barnes, Becker, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Lux, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pardini, Pearsall, Pruitt, Sanders, Sherman, Shinpoch, Smith, Sommers, Thompson, Vrooman, Walk, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barr, Bauer, Fancher, Gilleland, Leckenby, Lysen, Struthers, Valle, Warnke.

The Clerk read the following amendment by Representative Tilly:

On page 14, add new sections following section 12, as follows:

***NEW SECTION.** Sec. 13. Sections 13 through 15 shall be known as the Marihuana Legalization Act of 1977.

NEW SECTION. Sec. 14. The legislature of the state of Washington finds that the use of marihuana has in recent years become socially acceptable to a large segment of the population of this state. The legislature therefore declares it to be the policy of the state of Washington and the purpose of sections 13 through 15 of this 1977 amendatory act to legitimize the use of marihuana by legalizing the use, sale, distribution, and manufacture of marihuana, as defined in RCW 69.50.101(n).

NEW SECTION. Sec. 15. Neither the state of Washington nor any of its political subdivisions shall enact any law prohibiting or regulating the use, sale distribution, or manufacture of marihuana as defined in

RCW 69.50.101(n): PROVIDED, That the governor of this state shall appoint a committee to study the problems involved in state regulation of the use, sale, distribution, and manufacture of marihuana: PROVIDED FURTHER, That said committee shall within a reasonable time submit to the legislature both their findings and proposed legislation concerning repeal of current penal statutes and state regulation of the use, sale, distribution and manufacture of marihuana."

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

Substitute House Bill No. 257 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Wednesday, March 30, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 30, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Derise Chavez and Marty Martinis. Prayer was offered by Reverend James Blundell of St. John's Episcopal Church of Olympia.

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

MESSAGE FROM THE SENATE

March 29, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2143,
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2143, by Committee on Judiciary (Originally sponsored by Senators Bottiger, Gaspard and Wojahn):

Increasing the number of superior court judges in Spokane, Pierce, Kitsap, Benton-Franklin, Cowlitz, and San Juan-Island judicial districts.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

March 24, 1977

HOUSE BILL NO. 163, Prime Sponsor: Representative Berentson, eliminating basic science examination requirement for physicians, surgeons, and osteopaths. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Lux, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 267, Prime Sponsor: Representative Martinis, modifying the law on the acquisition and disposition of public lands for state highways. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Gaines, Gallagher, Grier, Lysen, Martinis, McCormick, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 327, Prime Sponsor: Representative Thompson, providing for the certification and regulation of operators of public water supply systems. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Douthwaite, Keller, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 389, Prime Sponsor: Representative Berentson, regulating traffic control devices used when constructing or repairing railroad crossings. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 19 after "signs" strike "and barricades" and insert ", barricades, and other control devices"

On page 1, beginning on line 22 strike all of subsection (5)

Renumber the remaining subsection

On page 2, line 15 after "81.04 RCW" strike the remainder of the section and insert ": PROVIDED, That rules adopted by the commission shall recognize that cities with a population in excess of 400,000 are responsible for specific public thoroughfares and have the specific responsibility and authority for determining the practices relating to safeguarding the public during construction, repair and maintenance activities."

Signed by Representatives Conner, Chairman; Bender, Berentson, Burns, Charnley, Clayton, Gaines, Gallagher, Grier, Lysen, Martinis, McCormick, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 451, Prime Sponsor: Representative Kilbury, requiring reflectors at railroad crossings. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Bender, Berentson, Burns, Charnley, Clayton, Gaines, Gallagher, Grier, Lysen, Martinis, McCormick, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 29, 1977

HOUSE BILL NO. 612, Prime Sponsor: Representative Hurley (Margaret), repealing certain laws on the environmental impact of highways. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Chandler, Douthwaite, Grier, Gruger, Hughes, Hurley (George), Kreidler, Leckenby, Tilly.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 673, Prime Sponsor: Representative Smith, specifying rest and travel time for ships' pilots. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Gaines, Gallagher, Grier, Lysen, Martinis, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 865, Prime Sponsor: Representative Sommers, establishing a revised public employees' retirement system. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Boldt, Chandler, Ehlers, Hawkins, Heck, Hughes, Lee, Taller, Valle, Vrooman.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 866, Prime Sponsor: Representative Sommers, establishing a revised teachers' retirement system. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Boldt, Chandler, Ehlers, Hawkins, Heck, Hughes, Lee, Taller, Thompson, Valle, Vrooman.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 880, Prime Sponsor: Representative Bauer, implementing law relating to school principals and their powers and duties and allowing school district management teams. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Bender, Boldt, Craswell, Fortson, Fuller, Lee, Schmitt, Valle, Warnke, Whiteside.

MINORITY recommendation: Do not pass. Signed by Representatives Dunlap, Ehlers.

To Committee on Rules for second reading.

March 28, 1977

HOUSE BILL NO. 1263, Prime Sponsor: Representative Lysen, deleting references in the law to the state power commission. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 27 strike "atomic" and insert "((atomic)) nuclear"

On page 8, line 11 strike "conservation" and insert "((conservation)) ecology"

Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Bond, Charnley, Kilbury, Leckenby, McCormick, McKibbin, Pearsall, Williams, Wilson.

To Committee on Rules for second reading.

March 28, 1977

HOUSE JOINT RESOLUTION NO. 27, Prime Sponsor: Representative Sommers, amending the Constitution to authorize the governor to organize and reorganize the executive branch of state government. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Salatino, Sommers, Struthers.

MINORITY recommendation: That the proposed substitute bill, H.J.R. 27, do not pass. Signed by Representative Sanders.

MOTION

On motion of Mr. King, House Joint Resolution No. 27 was rereferred to Committee on Constitution.

March 28, 1977

SUBSTITUTE SENATE BILL NO. 2245, Prime Sponsor: Senator McDermott, implementing law relating to contract rights of employees in the common schools. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Bender, Boldt, Ehlers, Fortson, Fuller, Lee, Schmitt, Valle, Warnke.

To Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 593, by Representatives Sommers, Pardini, Hawkins, Patterson, Fortson, Gruger, Heck, Nelson (Dick), Erickson, Gaines, Lux, Charnley, Berentson and Polk:

Establishing a redistricting commission.

On motion of Mr. King, Substitute House Bill No. 593 was substituted for House Bill No. 593, and the substitute bill was placed on the calendar for second reading.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 593 was deferred, and the bill was ordered placed at the top of Friday's second reading calendar.

HOUSE BILL NO. 691, by Representatives Fischer, Pardini and Kreidler (by State Treasurer and Chairman of Public Deposit Protection Commission request):

Revising the liability of a public depository.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 7th Day ex. sess., March 17, 1977.)

On motion of Mr. Eng, the committee amendments were adopted.

House Bill No. 691 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 286, by Representatives Nelson (Gary), North, Fortson and Shinoda:

Authorizing humane societies to purchase, possess, and administer sodium pentobarbital for the sole purpose of euthanizing injured, sick, homeless, or unwanted domestic pets and animals.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 718, by Representatives Charnley, Berentson, Conner, Patterson, Hansen, Gilleland, Burns, Gallagher, Chandler, Gaines, Sherman, Bender, Clemente, Thompson, Leckenby, Blair, Nelson (Dick), Martinis and Wilson:

Creating a department of transportation.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 718 was substituted for House Bill No. 718, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 718 was read the second time.

Mr. Shinoda moved adoption of the following amendment by Representatives Sommers and Shinoda:

On page 7, line 27 after "terms of office," strike all the material down to and including "mountains" on line 31 and insert the following: "not more than one member of the commission shall reside in the same congressional district nor shall more than two members of the commission reside in the same county"

Representatives Shinoda, Sommers and Charnley spoke in favor of the amendment, and Mr. Tilly spoke against it.

Mr. Charnley spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Sommers and Shinoda to Substitute House Bill No. 718, and the amendment was adopted by the following vote: Yeas, 70; nays, 26; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fuller, Gaines, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Keller, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Boldt, Clayton, Deccio, Fancher, Flanagan, Fortson, Gallagher, Gilleland, Haley, Hansen, Hughes, Hurley M., Kilbury, Leckenby, May, Newhouse, O'Brien, Oliver, Pardini, Patterson, Struthers, Tilly, Walk, Whiteside.

Not voting: Representatives Bond, Conner.

STATEMENT FOR THE JOURNAL

I wish the House Journal to show that I intended to vote "No" on the Sommers/Shinoda amendment to Substitute House Bill No. 718.

ROLLIE SCHMITTEN, 12th District.

Substitute House Bill No. 718 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 890, by Representatives Becker, Kilbury, Boldt, Monohon, Fancher, Shinoda and Vrooman:

Regulating nondairy products.

On motion of Mr. Kilbury, Substitute House Bill No. 890 was substituted for House Bill No. 890, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 890 was read the second time.

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

On page 2, line 12 strike "lieu" and insert "place"

On page 2, line 18 strike "lieu" and insert "place"

Substitute House Bill No. 890 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 733, by Representatives Conner, Gallagher and Gilleland (by Department of Motor Vehicles request):

Prescribing penalties for misuse of transporter plates.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 3, by Representatives Kilbury, Boldt and Oliver:

Taxing federal nuclear power generators.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 3 was substituted for House Bill No. 3, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 3 was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 391, by Committee on Social and Health Services (Originally sponsored by Representatives Pearsall, Newhouse, Hanna and Lux):

Regulating audiologists and speech pathologists.

The bill was read the second time. (For previous action, see page 462.)

On motion of Mr. Adams, Second Substitute House Bill No. 391 was substituted for Substitute House Bill No. 391, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 391 was read the second time.

Mr. Haley moved adoption of the following amendment by Representatives Haley and Hawkins:

On page 4, line 12 strike "six" and insert "seven"

Mr. Haley spoke in favor of the amendment, and Representatives Newhouse, Pearsall and Whiteside spoke against it.

Mr. Haley spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Haley and Hawkins to Second Substitute House Bill No. 391, and the amendment was not adopted by the following vote: Yeas, 35; nays, 55; not voting, 8.

Voting yea: Representatives Barr, Berentson, Blair, Burns, Chandler, Charette, Clayton, Craswell, Douthwaite, Dunlap, Erak, Erickson, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Leckenby, Nelson D., Pardini, Patterson, Polk, Salatino, Sanders, Shinoda, Sommers, Struthers, Taller, Zimmerman.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Bender, Boldt, Bond, Charnley, Conner, Deccio, Eng, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Heck, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barnes, Clemente, Ehlers, Enbody, Lee, Oliver, Paris, Schmitt.

The Clerk read the following amendment by Representatives Haley and Hawkins:
On page 4, line 29 after "appointment." insert "One member shall be a medical doctor specializing in otolaryngology."

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

Mr. Haley moved adoption of the following amendment:

On page 4, line 22 after "18.35 RCW" insert "who is neither an audiologist nor a speech pathologist"

Mr. Haley spoke in favor of the amendment, and Mrs. Pearsall spoke against it.

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

On motion of Mrs. Pearsall, the following amendment was adopted:

On page 8, line 7 after "court" strike "of" and insert "in."

On motion of Mr. Ehlers, the following amendment by Representatives Ehlers, Sommers, and Nelson (Gary) was adopted:

On page 10, line 28 insert the following new section:

"NEW SECTION. Sec. 21. The board established by this act shall cease to exist on June 30, 1983, unless extended by law for an additional fixed period of time."

Renumber the remaining sections consecutively.

On motion of Mr. Nelson (Gary), the following amendment to the title was adopted:

On line 2 of the title after "18 RCW;" insert "prescribing a termination date"

Second Substitute House Bill No. 391 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 672, by Representatives Smith, Fortson, Chandler, Charnley, Monohon, Berentson, Conner, Wilson, Salatino, Knedlik and Douthwaite:

Limiting the size of ships that newly-licensed pilots may pilot.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

SECOND READING

HOUSE BILL NO. 646, by Representatives King, Fischer and Lux:

Including law enforcement officers of all cities, counties, and certain port districts within the definition of "uniformed personnel" of the public employees' collective bargaining act.

The bill was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 2, after section 1, add a new section as follows:

"Sec. 2. Section 2, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.150 are each amended to read as follows:

It shall be an unfair labor practice for a bargaining representative:

(1) To interfere with, restrain, or coerce public employees in the exercise of their rights guaranteed by this chapter;

(2) To induce the public employer to commit an unfair labor practice;

(3) To discriminate against a public employee who has filed an unfair labor practice charge;

(4) To refuse to engage in collective bargaining;

(5) To collect, transfer, or pay any dues, fees, or other moneys for or on behalf of any uniformed personnel or for or on behalf of the bargaining representative of any uniformed personnel to any other labor organization which represents, directly or indirectly, workers other than uniformed personnel."

Mr. Polk spoke in favor of the amendment, and Representatives King and Lux spoke against it.

Mr. Polk spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Lux.

Mr. Lux: "I can't for the life of me understand why you would want to restrict these people. What gives you the feeling that the Legislature has this great wisdom to tell these people how to organize?"

Mr. Polk: "Would you repeat your question?"

Mr. Lux: "I say what do you feel gives you the wisdom, with your background, to tell these people how they should organize?"

Mr. Polk: "Well, Representative Lux, I think the members of this body, both bodies of the Legislature, were elected by people in a representative government to come here and represent a given number of people—in this case around 68,000 people. We were all elected to use our judgment, to use our wisdom, if you will, to make this kind of decision for the rest of the public. The point that I was trying to make to you before, and the point that was made over and over again to you on that legislation that I referred to as a bad bill that passed this House earlier, was that the people of the state are not the ones who are pushing for that kind of legislation, but it has been simply from—well, there's an awful lot of stuff coming out of your committee this year, and the people, we don't believe, have been asking for that kind of thing. As a matter of fact, we have grave concerns that not even the uniformed personnel have really been urging that kind of thing or asking for it either. That, I think, would give me and all the members of this House enough wisdom to try to respond to the concerns of the people out there and offer some suggested amendments which would perhaps make this even a better piece of legislation."

Mr. Lux spoke again in opposition to the amendment.

Ms. Becker demanded an electric roll call and the demand was sustained.

Mr. Greengo spoke in favor of the amendment, and Representatives May and Pruitt spoke against it.

POINT OF INQUIRY

Mr. Knedlik asked Mr. Greengo to yield to question, and Mr. Greengo refused to yield.

Mr. Bond spoke in favor of the amendment, and Mr. King spoke against it.

ROLL CALL

The Clerk called the roll on the amendment by Representative Polk to House Bill No. 646, and the amendment was not adopted by the following vote: Yeas, 26; nays, 67; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Gilleland, Greengo, Haley, Nelson G. A., Newhouse, Pardini, Patterson, Polk, Sanders, Schmitt, Struthers, Tally, Tilly, Whiteside, Zimmerman.

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

Not voting: Representatives Blair, Leckenby, Oliver, Paris, Shinoda.

House Bill NO. 646 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 443, by Representatives Hurley (Margaret) and Hughes:

Authorizing the parks and recreation commission to control vehicular traffic on beaches.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, 6th Day ex. sess., March 16, 1977.)

POINT OF ORDER

Mr. Martinis: "I would request that the committee amendment, since it is at the end of the bill, and I realize that the normal procedure of the House would be that the committee amendment be addressed first, but there are many amendments on the desk pertaining to this bill and they would possibly supersede the requirements of the committee amendment, or would perhaps improve the intent of this amendment, and I would request that the Chair rule that this amendment be held until it's proper place in the procedure of the amendatory process."

Mrs. Hurley (Margaret): "I think that Representative Martinis should save his big guns for the next amendment. This is just a one word amendment related to the word 'reasonable.' We thought that there was no reason not to put the word 'reasonable' in there because we like reasonable things. This is why we have this amendment."

SPEAKER'S RULING

The Speaker: "The Chair is going to rule that by practice we allow a committee to put the full intent of their legislation before the body and therefore we take committee amendments first. We allow other amendments offered from the floor to go back and address any section of the bill that may be necessary. Your point is not well taken, Representative Martinis."

On motion of Representative Hurley (Margaret), the committee amendment to page 1, line 12 was adopted.

MOTION

Mr. Martinis moved that the rules be suspended, and that the second committee amendment take its place in the proper order of amendments.

SPEAKER'S RULING

The Speaker: "Representative Martinis, it is not necessary to suspend the rules to place the motion that you wish to place. The practice of the House is that we take the committee amendments first. If you want to make a motion now to take another amendment first, then that motion is in order, but it only takes a majority rather than two-thirds."

MOTION

Mr. Martinis moved that the second committee amendment take its place in the normal order of amendments.

POINT OF ORDER

Mr. Pardini: "I would call the Chair's attention to Reed's Rule 84."

SPEAKER'S RULING

The Speaker: "House Rule No. 30: 'When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house in the same manner as amendments that may be offered from the floor.' Which says, in effect, that they take their normal place. By practice the House has normally taken the committee amendments first, but House Rules do supersede Reed's Rules."

POINT OF ORDER

Mr. Polk: "Mr. Speaker, are you saying that Reed's Rule 84, that states, 'The amendments proposed by the committee, which are usually explained by the report, are first to be voted on, because they are the first proposed to the assembly, and are in fact offered by the assembly itself, which clothed the committee with power to examine the question.'—are you saying that Rule 84 does not apply in this case?"

SPEAKER'S RULING

The Speaker: "Representative Polk, House Rule 30 dealing with committee amendments supersedes Reed's Rules. By practice we have followed Reed's by considering committee amendments first, however, we deviate from that on occasion when perfecting amendments are necessary, but the strict interpretation would be House Rule No. 30 which takes precedence over Reed's Rule 84."

Mr. Polk: "Then I would presume by your ruling regardless of practice, since we know that the Chair always follows the House Rules to their letter and detail as a rule, that we will

henceforth be taking up all amendments that would precede committee amendments on all second reading?"

The Speaker: "That's not true; we'll continue with our same normal practice unless someone wants to challenge it."

Mr. Martinis spoke in favor of the motion, and Representative Hurley (Margaret) spoke against it.

POINT OF PARLIAMENTARY INQUIRY

Mr. Martinis: "Is the committee amendment before the House the one that states on page 1, line 20 after 'beds' and inserts a proviso?"

The Speaker: "The question before the House is a motion by Representative Martinis to not consider the amendment to page 1, line 20."

ROLL CALL

The Clerk called the roll on the motion to consider the second committee amendment to House Bill No. 443 in normal order of amendments, and the motion was lost by the following vote: Yeas, 33; nays, 53; not voting, 12.

Voting yea: Representatives Adams, Bauer, Becker, Boldt, Charette, Clayton, Conner, Enbody, Erak, Gaines, Gallagher, Grier, Grimm, Hansen, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lux, Martinis, McCormick, McKibbin, Pearsall, Pruitt, Shinoda, Shinpoch, Smith, Thompson, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bender, Berentson, Blair, Bond, Burns, Charnley, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gilleland, Greengo, Gruger, Haley, Hawkins, Hughes, Hurley M., Kreidler, Leckenby, Lee, Lyßen, Maxie, May, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Patterson, Polk, Salatino, Sanders, Schmittten, Sommers, Struthers, Taller, Tilly, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Barr, Chandler, Deccio, Erickson, Hanna, Moreau, Newhouse, Oliver, Paris, Sherman, Valle, Vrooman.

Representative Hurley (Margaret) moved that the House do not adopt the committee amendment to page 1, line 20.

Mr. Charette moved that the House do adopt the committee amendment.

Mr. Charette spoke in favor of the amendment.

POINT OF ORDER

Representative Hurley (Margaret): "I don't believe the Representative from Aberdeen is talking on his motion; he's talking about some other amendment."

The Speaker: "I think he's speaking to reasons for adopting the committee amendment."

Mr. Charette continued his remarks in favor of the amendment, and Representative Hurley (Margaret) spoke against it.

POINT OF ORDER

Mr. Martinis: "Mr. Speaker, Representative Hurley is not speaking to the motion by Representative Charette to adopt the committee amendment; she is speaking to another amendment that is on your desk."

SPEAKER'S RULING

The Speaker: "In order for Representative Hurley to make her point as to why she would like you to vote against the committee amendment, I think she does have to refer to what she would like you to adopt as an amendment so you will have a better idea of what you are doing."

POINT OF ORDER

Mr. Martinis: "Mr. Speaker, in reference to an earlier amendment, there was a clarifying motion, and due to the maneuvers on the floor of this House, we were not allowed to set this amendment aside to debate the further amendment. I implore you, Mr. Speaker, to rule Representative Hurley out of order."

The Speaker: "Representative Hurley, you are legitimate in referring to future further amendments that may be acted upon later on in the bill, however, you should not engage in full debate on those further amendments. Would you please confine yourself just a little?"

Representative Margaret Hurley continued her remarks.

POINT OF ORDER

Mr. Martinis: "Mr. Speaker, the Parks and Recreation Commission has the right to regulate driving on the beaches in the state parks, and I think Representative Hurley's remarks do not pertain to the bill in front of us."

The Speaker: "Confine your remarks to the amendment. You are doing a pretty good job of explaining what the amendment does and I think we should try to stick pretty close to that."

Mrs. Hurley continued.

POINT OF ORDER

Mr. Martinis: "Mr. Speaker, the bill that is before us and the amendment before us does not pertain to driving on the beaches that are within state parks. Those beaches that are within the state parks—and I apologize for my outbursts previously—are already within the purview of the Parks and Recreation Commission to regulate driving or other traffic within a state park. Representative Hurley's comments are not to the amendment."

POINT OF ORDER

Representative Hurley (Margaret): "Representative Martinis is not talking to his point of order."

The Speaker: "Representative Hurley, please confine your remarks to driving on the ocean beaches, which is what this amendment refers to, and I'm not sure how we get to discussing driving on beaches within the confines of state parks."

Representative Hurley (Margaret) concluded her remarks.

Mr. Martinis spoke in favor of the committee amendment.

MOTION

Mr. Martinis moved that House Bill No. 443 be rereferred to Committee on Parks and Recreation.

The Speaker: "You are out of order, Representative Martinis, you cannot make a motion in the middle of a speech."

POINT OF ORDER

Mr. Martinis: "Mr. Speaker, I ask if you would allow me to back up. I apologize to the House for starting a speech before I made my motion. It was an oversight on my part and I would ask the House to perhaps give me some latitude at this point."

The Speaker: "I could recognize you a second time, Representative Martinis, but the motion is not now in order."

MOTION

Mr. Charette moved that House Bill No. 443 be rereferred to Committee on Parks and Recreation.

Representative Charette spoke in favor of the motion, and Representative Hurley (Margaret) spoke against it.

The Speaker called on Mr. O'Brien to preside.

Mr. Martinis spoke in favor of the motion.

POINT OF ORDER

Mr. Douthwaite: "The issue is not whether the industry is a good industry or whether it is raising revenues; the issue is whether we should put this bill back to the Parks and Recreation Committee. I think the speaker is not dealing with the issue which has been moved here."

The Speaker (Mr. O'Brien presiding): "There is some latitude on a motion to commit a bill on the discussion of the merits and demerits of the motion."

Mr. Martinis continued his remarks in favor of the motion.

POINT OF ORDER

Mr. Berentson: "Mr. Speaker, Representative Martinis is straying a little from the initial intent of the motion and I think we have had plenty of debate on the amendments themselves."

The Speaker (Mr. O'Brien presiding): "Reed's Rule 120 states as follows: 'The motion to commit is debatable, but the merits of the main question are not open to discussion on this motion, since that discussion will be in order when the committee reports.' It goes on to say, 'If, however, the proposition be to commit with instructions as to the main question, then the debate can be held on the merits.' It doesn't really, Representative Martinis, open the whole question, the main question, for debate. You can speak on the reasons why you want the committee to reconsider House Bill No. 443, but I would hold it generally to these points."

Mr. Martinis: "Mr. Speaker, the committee chairman has been allowed great latitudes in addressing the amendments that are on the desk, and I think that in addressing the amendments that are on the desks that have been presented by the committee chairwoman—"

The Speaker (Mr. O'Brien presiding): "The motion to commit or rerefer is before us, not any amendments that might be pending."

Mr. Martinis continued to speak in favor of the motion.

POINT OF PERSONAL PRIVILEGE

Representative Hurley (Margaret): "My point of personal privilege, Mr. Speaker, is that my motives have been impugned as not being pure. I just won't stand for that. I certainly did not adopt this amendment in order to get it to Rules Committee so that it would get out of Rules Committee a little easier. The proof of that is that it didn't get out very easy. I certainly didn't have this in mind when the amendment was adopted and I think another apology is in order."

Representatives Craswell, Douthwaite and Berentson spoke against the motion.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Rule 49 states in part, '... question under debate, and avoid personalities; and no member shall impugn the motive of any member's vote or argument.' Representative Berentson, continue, but keep it on a different level."

Mr. Berentson continued his remarks in opposition to the motion.

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

ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 443 to Committee on Parks and Recreation, and the motion was lost by the following vote: Yeas, 16; nays, 77; not voting, 5.

Voting yea: Representatives Boldt, Charette, Conner, Enbody, Erak, Gaines, Gallagher, Gilleland, Keller, Martinis, McKibbin, Owen, Pardini, Shinoda, Walk, Williams.

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

Not voting: Representatives Bauer, Leckenby, Lee, Moreau, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the second committee amendment.

Representatives Fuller and Martinis spoke in favor of adoption of the amendment, and Representatives Hurley (Margaret) and Polk spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to House Bill No. 443, and the amendment was not adopted by the following vote: Yeas, 40; nays, 52; not voting, 6.

Voting yea: Representatives Adams, Becker, Bender, Berentson, Boldt, Charette, Clayton, Clemente, Conner, Enbody, Erak, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Kreidler, Lux, Martinis, McCormick, McKibbin, Owen, Pardini, Pearsall, Sanders, Shinoda, Shipoch, Vrooman, Walk, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Bond, Burns, Chandler, Charnley, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Gruger, Haley, Hughes, Hurley M., Knedlik, Knowles, Leckenby, Lysen, Maxie, May, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Polk, Pruitt, Salatino, Schmittens, Sherman, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Warnke, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Bauer, Hanna, Lee, Moreau, Wilson, and Mr. Speaker.

The Clerk read the following amendment by Representative Martinis:

On page 10, after "state" insert "highway commission after consultation with the Washington director of fisheries and Washington state"

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

Mr. Martinis moved adoption of the following amendment:

On page 1, line 11 strike "may" and insert "shall"

Representatives Martinis, Hurley (Margaret) and Charette spoke in favor of the amendment.

POINT OF ORDER

Mr. Martinis: "Mr. Speaker, Representative Charette is not talking about the requirements; he's talking about whether the legislature or the Parks Commission is picking on the people of his district. I've submitted all these amendments and I'm a three-hour drive from there and I don't think he's talking to the amendment."

The Speaker (Mr. O'Brien presiding): "Representative Charette, will you hold your remarks to the question under debate?"

Mr. Charette continued his remarks in favor of the amendment.

The amendment was adopted.

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

On page 1, line 10 after "commission" strike all material down through and including "beaches" on line 15 and insert "((after agreement with the Washington state highway commission, shall establish reasonable regulations for the use and control of vehicular traffic on and along the ocean beach highways as designated and established under RCW 79-16.130, 79-16.160, and 79-16.170)) , shall promulgate regulations for the use and control, including prohibition where necessary, of vehicular traffic on beaches. Such regulation shall consider: (1) prudent management of the clam beds, (2) preservation of beach vegetation, (3) protection of the sand dune topography, (4) elimination of through traffic between access points, and (5) safety of pedestrians: PROVIDED, That driving may only be restricted or prohibited in any specific area during legal razor clam digging hours pursuant to regulations adopted by the parks and recreation commission and agreed to by the director of the department of fisheries"

Mr. Martinis moved adoption of the following amendment to the Hurley amendment:

On line 12 of the amendment after "(4)" strike all the language through "(5)"

Mr. Martinis spoke in favor of the amendment, and Representatives Hurley (Margaret) and Polk spoke against it.

POINT OF ORDER

Mr. Martinis: "Mr. Speaker, with great reluctance, so that it wouldn't cloud the intent, the previous speaker has absolutely talked to the bill as a whole or the amendment as a whole. He is not talking about limiting it to a single access and having to return, because there is no language he is talking about—the safety of children and older people—it's still there, the safety of pedestrians. He is not talking to the idea of saying that if you get access to the beach, you drive and you have to turn around and come out through the same access—"

POINT OF ORDER

Mr. Polk: "Mr. Speaker, under the guise of a point of order, Representative Martinis has just usurped the floor by using a point of order as a means of harrassing tactics. In fact, I was discussing point number four, which states, 'elimination of through traffic between access points.' It says nothing at all about what Representative Martinis says that I'm talking about. That's what I was addressing if Representative Martinis had been paying attention."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Speaker will make this comment: Rising to a point of order is getting somewhat abused. If you rise to a point of order, you do have some basis if the parliamentary procedure is being abused or if the speaker is diverting his comments

on a more broad basis than the subject at hand, but it's hard for the speaker to rule precisely and specifically on occasion when somebody is really out of order. The rules do point out rather clearly that all remarks to the question under debate should be confined to such question and personalities should be avoided. We have to be somewhat patient and tolerant, but I would also advise that the speakers who are on the subject matters try to hold it to the question at hand."

Mr. Polk continued his remarks in opposition to the amendment to the amendment.

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

The amendment by Representative Martinis to the Hurley amendment was not adopted.

The amendment by Representative Hurley (Margaret) was adopted.

The Clerk read the following amendment by Representative Martinis:

On page 1, line 16 after "state" and before "commission" strike "parks and recreation" and insert ~~"((parks and recreation))~~ highway"

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

Mr. Charette moved adoption of the following amendment:

On page 1, line 16 after "with" insert "city police."

Representatives Charette and Hurley (Margaret) spoke in favor of the amendment, and it was adopted.

MOTIONS

On motion of Mr. King, further consideration of House Bill No. 443 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

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

REPORTS OF STANDING COMMITTEES

March 30, 1977

HOUSE BILL NO. 178, Prime Sponsor: Representative Monohon, RCW correction - corrects double amendment to RCW 82.04.291. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Revenue.

March 21, 1977

HOUSE BILL NO. 538, Prime Sponsor: Representative Hanna, regulating social workers. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Hanna, Lux, May, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 29, 1977

HOUSE BILL NO. 602, Prime Sponsor: Representative Polk, providing for salary surveys and incentive pay for public employees. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Nelson (Gary), Sanders, Sommers, Struthers.

MOTION

Mr. King moved that House Bill No. 602 be rereferred to Committee on Appropriations.

Representatives King and Ehlers spoke in favor of the motion, and Mr. Newhouse spoke against it.

The motion was carried.

March 30, 1977

HOUSE BILL NO. 1008, Prime Sponsor: Representative Sommers, pertaining to revenue and taxation. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Revenue.

MOTION

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

MOTION FOR RECONSIDERATION

Mr. Charette, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Substitute House Joint Resolution No. 38 failed to pass the House.

Mr. Charette stated that with the consent of the House he would withdraw his motion for reconsideration.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Thompson, the issue before us is a major issue. In the event that we continue with school funding as we have in the past, if Representative Charette withdraws his motion, is it possible that we could have another similar proposal before us within the next few days?"

Mr. Thompson: "It is indeed possible, in fact, when we arrive at the eighth order today, there will be a motion to transfer such a title into the Committee on Constitution."

The motion for reconsideration was withdrawn.

MOTION

Mr. Bender moved that HOUSE JOINT RESOLUTION NO. 42 be rereferred from Committee on Revenue to Committee on Constitution.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Sommers, House Joint Resolution No. 42 has been booked in your committee for some time. The previous bill, House Joint Resolution No. 38, as I understand it, came out of first the Education Committee and this is obviously concerning revenue. Would not your committee be a better committee to consider House Joint Resolution No. 42?"

Ms. Sommers: "No, I think not, Representative Newhouse, I'm a member of both Revenue Committee and Constitution Committee. Revenue Committee has a heavy work schedule ahead of it. Constitution Committee has looked at the issue and I believe they can handle it quickly."

POINT OF INQUIRY

Mr. King yielded to question by Mr. Berentson.

Mr. Berentson: "Under House rules, we have some concern as to whether this may be an attempt to put HJR 38 back in similar position and we would like your comments as to whether that is a possibility. We would have to challenge that on the basis of HJR 38 now being a dead issue. Could you comment on whether we are going to bring HJR 42 out in its pure form or whether perhaps this is a device by which you might go back to the issue that lost yesterday?"

Mr. King: "I really couldn't answer that question. I'm not on the committee and it's up to the committee to decide what they want to do. Of course, when the issue reaches the floor it will be up to the body to decide what they want. They would have an opportunity on second reading again to amend."

The motion was carried.

MOTIONS

On motion of Mr. Bender, HOUSE BILL NO. 909 was rereferred from Committee on Social and Health Services to Committee on Parks and Recreation.

On motion of Mr. King, the House adjourned until 11:00 a.m., Thursday, March 31, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 31, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chandler, Clemente, Ehlers, Fischer and Knedlik. Representatives Chandler, Clemente, Ehlers and Knedlik were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Suzanne O'Brien and Denny Gabriel. Prayer was offered by Reverend James Blundell of St. John's Episcopal Church of Olympia.

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

MESSAGE FROM THE GOVERNOR

March 30, 1977

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

I have the honor to advise that on March 30, 1977, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 30: Relating to water and sewer facilities;

HOUSE BILL NO. 216: Allowing expenses for school district superintendent candidates who travel for employment interview;

HOUSE BILL NO. 240: Relating to railroads;

HOUSE BILL NO. 262: Relating to game commission.

Sincerely,
Joe Zaspel, Legislative Assistant.

MESSAGE FROM THE SENATE

March 30, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2210,
ENGROSSED SENATE BILL NO. 2221,
ENGROSSED SENATE BILL NO. 2222,
REENGROSSED SENATE BILL NO. 2426,
SUBSTITUTE SENATE BILL NO. 2431,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2537,
SUBSTITUTE SENATE BILL NO. 2543,
SUBSTITUTE SENATE BILL NO. 2544,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2210, by Committee on Financial Institutions (Originally sponsored by Senators Woody and Wilson):

Regulating prearrangement funeral service contracts.

To Committee on Financial Institutions

ENGROSSED SENATE BILL NO. 2221, by Senators Francis, Clarke and Van Hollebeke:

Increasing the number of King county superior court judges.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2222, by Senators Francis, Clarke, Bottiger, Van Hollebeke, Woody and Hayner:

Revising the number of judges in the court of appeals.

To Committee on Judiciary

REENGROSSED SENATE BILL NO. 2426, by Senators Ridder and Morrison (by Department of Employment Security request):

Regulating the disclosure of the records of the department of employment security.

To Committee on Labor

SUBSTITUTE SENATE BILL NO. 2431, by Committee on State Government (Originally sponsored by Senators Marsh, Henry and Talley):

Providing for the erection of a statue in statuary hall in the national capitol.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 2537, by Committee on Transportation (Originally sponsored by Senator Henry - by Governor Ray request):

Permitting the Department of Motor Vehicles to set fuel tax rates.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2543, by Committee on Transportation (Originally sponsored by Senator Henry - by Governor Ray request):

Making biennial appropriations for the operations and capital improvements of the state highway commission, the urban arterial board, and the Washington toll bridge authority.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2544, by Committee on Transportation (Originally sponsored by Senator Henry - by Executive request of Governor Ray):

Making appropriations and authorizing reimbursable expenditures relating to highways.

To Committee on Transportation

MOTION

On motion of Mr. King, all bills listed on today's agenda under the fourth order of business were considered first reading, and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

March 30, 1977

HOUSE BILL NO. 115, Prime Sponsor: Representative Conner, exempting timber harvested by nonprofit organizations from timber taxes where proceeds support youth programs. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Bond, Craswell, Erickson, Flanagan, Hurley (George), Kilbury, Nelson (Dick), O'Brien, Tilly, Winsley.

To Committee on Rules for second reading.

March 29, 1977

HOUSE BILL NO. 534, Prime Sponsor: Representative Martinis, allowing the revocation of food fish and shellfish licenses for violations of food fish and shellfish laws. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Enbody, Gilleland, Greengo, May, Schmitt, Shinoda, Smith, Vrooman.

To Committee on Rules for second reading.

March 29, 1977

HOUSE BILL NO. 553, Prime Sponsor: Representative May, exempting certain theatre employees from the law establishing a minimum overtime wage. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16, after "vessel" strike everything through "pay" on line 19 and insert "nor to any individual employed as a motion picture projectionist if that employee is covered by a collective bargaining agreement which regulates hours of work and overtime pay"

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

To Committee on Rules for second reading.

March 29, 1977

HOUSE BILL NO. 800, Prime Sponsor: Representative Gruger, allowing an earned income exemption for recipients of developmental disability services. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Fortson, Gruger, Hanna, Lux, Pearsall, Pruitt.

To Committee on Rules for second reading.

March 30, 1977

HOUSE BILL NO. 828, Prime Sponsor: Representative King, authorizing civil penalties against collection agencies. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

March 30, 1977

HOUSE BILL NO. 838, Prime Sponsor: Representative Blair, excluding babysitting referral services from the definition of employment agencies. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 25 after "services" insert "which may include convalescent care and care for the elderly and which have a monthly gross income from the services of one thousand dollars or less"

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

To Committee on Rules for second reading.

March 25, 1977

HOUSE BILL NO. 1184, Prime Sponsor: Representative Martinis, authorizing salmon enhancement facilities bonds. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 strike "twenty-nine" and insert "thirty-three"

On page 3, beginning on line 15 strike all of section 9 and insert:

"NEW SECTION. Sec. 9. There is established in the state treasury a fund to be known as the salmon revenue fund which shall consist of all revenues as may be directed by law. This fund shall be used exclusively for the reimbursement of the general fund for payment of interest on and retirement of bonds issued for the construction of salmon propagation facilities and for the defrayment of expenses incurred for the operation and maintenance of such facilities constructed subsequent to July 1, 1977. No funds directed by state law into the salmon revenue fund shall be diverted to any purposes other than those enumerated in this section. Furthermore, if a surplus of funds should accrue above the enumerated needs as specified by this section, that surplus shall not be diverted for any other purposes, except to provide revenue for the financing of future fisheries related enhancement projects."

Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Enbody, Fuller, Gilleland, Greengo, Lysen, May, Schmitt, Shinoda, Vrooman.

MOTION

On motion of Mr. King, House Bill No. 1184 was rereferred to Committee on Appropriations.

March 29, 1977

HOUSE BILL NO. 1188, Prime Sponsor: Representative Martinis, allowing department of fisheries to deposit revenues into funds other than the general fund when so provided by law. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Conner, Enbody, Fuller, Gilleland, Greengo, Lysen, May, Schmitt, Shinoda, Smith, Vrooman.

MOTION

On motion of Mr. King, House Bill No. 1188 was rereferred to Committee on Appropriations.

March 29, 1977

HOUSE JOINT MEMORIAL NO. 8, Prime Sponsor: Representative Pruitt, petitioning for a full employment program. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

To Committee on Rules for second reading.

March 30, 1977

HOUSE JOINT RESOLUTION NO. 30, Prime Sponsor: Representative O'Brien, amending the Constitution to permit the property taxes from increased property values attributable to development or redevelopment projects to be used to support such projects. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Bond, Craswell, Eng, Erickson, Kilbury, Moreau, O'Brien, Tilly, Winsley.

MOTION

On motion of Mr. King, House Joint Resolution No. 30 was rereferred to Committee on Constitution.

March 29, 1977

SENATE BILL NO. 2338, Prime Sponsor: Senator Walgren, permitting additional cost factors to be considered when dealing with sheltered workshops. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Haley, Hanna, May, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 257, by Committee on Judiciary (Originally sponsored by Representatives Thompson, Haley, Adams, Blair, Charnley, Becker, Hanna, Douthwaite, Williams, Lux, Chandler, King, Burns and Nelson, Dick):

Enacting the Marihuana Education and Control Act of 1977.

The bill was read the third time and placed on final passage.

Representatives Thompson, Hurley (George), Taller, Knowles, Douthwaite, Whiteside, Haley and Smith spoke in favor of passage of the bill, and Representatives Oliver, Bond, Tilly, Deccio, Craswell and Greengo spoke against it.

Mr. King demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 257, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 47; not voting, 5.

Voting yea: Representatives Adams, Amen, Becker, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Eng, Gaines, Greengo, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Keller, King, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, McKibbin, Moreau, Nelson D., O'Brien, Pardini, Pruitt, Salatino, Sanders, Shinoda, Shinpoch, Smith, Sommers, Taller, Valle, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bauer, Bender, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Enbody, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grimm, Hansen, Hughes, Hurley M., Kilbury, Lee, Lysen, May, McCormick, Nelson G. A., Newhouse, North, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Schmittin, Sherman, Struthers, Thompson, Tilly, Vrooman, Walk, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Ehlers, Fischer, Knedlik, Warnke.

Engrossed Substitute House Bill No. 257, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Thompson, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 257 failed to pass the House.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ehlers, Fischer, Knedlik, Lee and Moreau. Representatives Ehlers, Fischer, Knedlik and Lee were excused.

MOTION

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

RESOLUTIONS

HOUSE RESOLUTION NO. 77-20, by Representatives Thompson and Lux:

WHEREAS, The Legislature in the Washington Industrial Safety and Health Act has declared its intent to assure "safe and healthful working conditions for every man and woman working in the state of Washington;" and

WHEREAS, Larry Dean Grant, 21 years of age, was killed in the course of his employment at the Longview Fibre Company in Longview, Washington, on March 14, 1977, leaving a widow, Janie, 19 years of age, and grieving parents; and

WHEREAS, The death of this fine young man may fairly be cited as representative of the 432 men and women killed in the workplaces of this state during the past three years; and

WHEREAS, The continuing occurrence of industrial fatalities reminds us as legislators and as compassionate human beings that the mission of workplace safety remains an unfulfilled goal;

NOW, THEREFORE, BE IT RESOLVED, That the House extend to the widow and parents of Larry Dean Grant its profound sympathies and its prayers for solace in their time of suffering; and

BE IT FURTHER RESOLVED, That the House on this sorrowful occasion reaffirm its solemn commitment to exercise its lawful powers to the end that the lives of workers shall be protected in the workplace by strong safety laws and regulations, effectively enforced.

On motion of Mr. Thompson the resolution was adopted.

HOUSE RESOLUTION NO. 77-21, by Representatives North and Sherman:

WHEREAS, Each year for the past nine years the State Class AA High School Basketball Tournament for schools of medium enrollment has been held to select the state champion class AA basketball team; and

WHEREAS, This year's championship game between Mount Si and Shelton was held on Saturday March 19 before a capacity crowd at the University of Puget Sound Fieldhouse; and

WHEREAS, Coach Ray Beach of Mount Si is now in his third year as head basketball coach; and

WHEREAS, Mount Si, in a game characterized by five offensive and defensive skills, won by a score of 51-48; and

WHEREAS, Coach Beach's son Brad was named as the Most Valuable Player for the tournament, and to the State Class AA All - Tournament Team; and

WHEREAS, Coach Beach's son Todd and Rene Haydel were named as Honorable Mention members to the State Class AA All - Tournament Team; and

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extends its congratulations and good wishes to Coach Beach and the entire Mount Si Basketball team; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to Coach Beach and to each member of the team.

Mrs. North moved adoption of the resolution.

Representatives North, Owen and Tilly spoke in favor of the resolution and it was adopted.

HOUSE RESOLUTION NO. 77-22, by Representatives Oliver, Grier, Fancher, Taller, Walk, Chandler, Schmitten, Shinoda, Craswell, Deccio, Grimm, Clayton, Bond and Tilly:

WHEREAS, Millions of Americans, because of diabetes and other health reasons, require an artificial sugar substitute; and

WHEREAS, The decision of the federal Food and Drug Administration to ban the use of saccharin in foods leaves these persons without any sugar substitute and will have great economic impact on the food and soft drink industry; and

WHEREAS, The experiments relied upon by the Food and Drug Administration are unreliable in determining the effect of saccharin on humans because the experiments involved rats consuming an amount of saccharin equivalent to a human consuming eight hundred cans of dietetic soft drinks every day; and

WHEREAS, The federal Food, Drug, and Cosmetic Act was not intended to produce the ridiculous result of banning a food substance on the basis of such unreliable and irrelevant evidence;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests the Food and Drug Administration to reconsider its action in prohibiting the use of saccharin in foods; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to the federal Food and Drug Administration.

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

MESSAGE FROM THE SENATE

March 30, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 116,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

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

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 116, by Senators Sandison, Walgren and Donohue:

Pertaining to prescribing of cut-off dates for consideration of Senate bills.

MOTIONS

On motion of Mr. King, the rules were suspended and Senate Concurrent Resolution No. 116 was placed on second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 116 was placed on final passage and adopted.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 588, by Representative Hawkins:

Modifying the filling of U.S. Senate vacancies.

The bill was read the third time and placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 588, and the bill failed to pass the House by the following vote: Yeas, 47; nays, 45; not voting, 6.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Fortson, Fuller, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Lux, Lysen, Maxie, McKibbin, Nelson D., North, Owen, Pruitt, Sherman, Shinpoch, Smith, Sommers, Taller, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Barr, Berentson, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Erak, Erickson, Fancher, Flanagan, Gallagher, Gilleland, Greengo, Haley, Hurley M., Knowles, Leckenby, May, McCormick, Nelson G. A., Newhouse, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Struthers, Thompson, Tilly, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Ehlers, Fischer, Knedlik, Lee, Martinis, Moreau.

Engrossed House Bill No. 588, having failed to receive the constitutional majority, was declared lost.

ENGROSSED HOUSE BILL NO. 617, by Representatives Fischer and Eng:

Allowing some mutual savings banks to pay higher expenses for management and operation.

The bill was read the third time and placed on final passage.

Mr. Eng spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 617, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Ehlers, Fischer, Knedlik, Lee, Martinis, Moreau.

Engrossed House Bill No. 617, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Bauer to preside.

SUBSTITUTE HOUSE BILL NO. 839, by Committee on Revenue (Originally sponsored by Representatives Sommers, Taller, Becker, Berentson, Kilbury, Wilson, Craswell, Douthwaite, Grimm and Hurley, Margaret):

Making the leasehold excise tax inapplicable to certain property within certain historical sites.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Newhouse.

Mr. Newhouse: "The ownership, I understand, of this quite narrowly-drawn piece of legislation, would be public, that is, a city or something like that—property used for commercial purposes? And the other question I have revolves around the fiscal impact. This \$168,000, is that how much money would be lost to schools from the state collected property tax?"

Ms. Sommers: "First, the exemption is drawn so that it applies only to property, designated property held by a public corporation and there are just a few cases of that. The Farmers Market is one and there are only perhaps one or two others. Also public corporations that were in effect or had been established prior to January 1, 1976. That was very tightly drawn. That fiscal impact is divided between state and local fiscal impact."

Mr. Newhouse: "Most of our fiscal impact statements apply only to state revenue or loss of revenue."

Ms. Sommers: "The fiscal note I have in my hand talks about state impact over the biennium of \$85,000 and local impact of \$82,000."

Representatives Hurley (Margaret), Nelson (Dick) and Burns spoke in favor of the bill, and Representatives Nelson (Gary) and Deccio spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 839, and the bill passed the House by the following vote: Yeas, 75; nays, 17; not voting, 6.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charney, Clemente, Conner, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., O'Brien, Oliver, Owen, Pardini, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Clayton, Craswell, Deccio, Fancher, Flanagan, Gilleland, Leckenby, Nelson G. A., Newhouse, North, Paris, Patterson, Pearsall, Struthers, Wilson.

Not voting: Representatives Bond, Ehlers, Fischer, Knedlik, Lee, Moreau.

Substitute House Bill No. 839, having received the 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. 779, by Representatives Vrooman, Knowles, Lux, Keller, Martinis, Burns, Wilson, Taller and Berentson:

Authorizing group filing for certain labor liens.

The bill was read the third time and placed on final passage.

Mr. Vrooman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 779, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Bond, Ehlers, Fischer, Knedlik, Lee, Moreau, Patterson.

House Bill No. 779, having received the 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

Mrs. Erickson, having voted on the prevailing side, served notice that she would, on the next working day, move for reconsideration of the vote by which Engrossed House Bill No. 588 failed to pass the House.

HOUSE BILL NO. 580, by Representatives Knowles, Knedlik, Vrooman, Hughes and Smith:

Making the possession of a device to evade telephone toll charges a felony.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 580, and the bill passed the House by the following vote: Yeas, 89; nays, 3; not voting, 6.

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

Voting nay: Representatives Barnes, Blair, Shipoch.

Not voting: Representatives Bond, Ehlers, Fischer, Knedlik, Lee, Moreau.

House Bill No. 580, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 344, by Representatives Hansen, Fancher, Fortson, Kilbury, Tilly, Boldt, North and Bauer:

Prohibiting the use of foreign beef and mutton in public institutions.

The bill was read the third time and placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Hansen yielded to question by Mr. Nelson (Gary).

Mr. Nelson (Gary): "Representative Hansen, so I can understand the impact of this measure, could you tell the body how many pounds of foreign beef are being used in our public institutions in the state of Washington today or maybe even how many pounds of American beef are being used in our public institutions in the state of Washington?"

Mr. Hansen: "I don't believe there is any way I could answer that and be truthful. There are 30,000 pounds per month being shipped in from foreign countries into the state of Washington that go to all segments of our society. It would take an act of Congress through the Tariff Commission to try to limit the quotas that are allowed to come into the United States. These foreign countries can ship their red meat, no bones, red meat, pure lean meat, and then the American processors use the surplus fat from our choice cattle to mix into this red import meat that is served not only in our state institutions, but also all of the markets. What we're asking is that foreign red meat not be mixed into the contract prices of the cattle that goes into our institutions. For actual pounds there is no way in the world I could answer

that question. Even the minute part that it is I think at this time we should demand that they use American grown products."

Mr. Nelson (Gary): "Which institutions are even using the mixed beef? If you could give me an example of one where the problem apparently exists that this piece of legislation is trying to correct?"

Mr. Hansen: "I think any state institution, whether it be from our schools—and I had one gentleman say, 'Well, I don't think they deserve good meat in our prisons so make them eat foreign meat.'"

Mr. Nelson (Gary): "Do you have any specific prison in mind that is using foreign beef?"

Mr. Hansen: "Every contract that is given out from schools to institutions are adding foreign meat into their mixture."

Representatives Struthers and Fancher spoke in favor of the bill, and Representatives Blair and Barnes spoke against it.

Mr. Hansen spoke again in favor of the bill, and Mr. Barnes now spoke in favor of the bill.

Mr. Smith spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 344, and the bill passed the House by the following vote: Yeas, 51; nays, 39; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Boldt, Bond, Charette, Clayton, Deccio, Douthwaite, Enbody, Erak, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Haley, Hansen, Heck, Hurley G. S., Keller, Kilbury, Knowles, Kreidler, Leckenby, Lysen, Martinis, May, McCormick, Nelson D., North, O'Brien, Oliver, Pardini, Paris, Patterson, Pruitt, Schmitten, Shinoda, Struthers, Tilly, Vrooman, Warnke, Whiteside, Winsley.

Voting nay: Representatives Becker, Bender, Blair, Burns, Chandler, Charnley, Clemente, Conner, Craswell, Dunlap, Eng, Erickson, Greengo, Grimm, Gruger, Hanna, Hawkins, Hughes, Hurley M., King, Lux, Maxie, McKibbin, Nelson G. A., Newhouse, Owen, Pearsall, Polk, Salatino, Sanders, Shipoch, Smith, Sommers, Taller, Valle, Walk, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Ehlers, Fischer, Knedlik, Lee, Moreau, Sherman, Thompson, Zimmerman.

Engrossed House Bill No. 344, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 618, by Representatives Fischer and Eng:

Revising laws regulating sale of securities.

The bill was read the third time and placed on final passage.

Mr. Eng spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 618, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Ehlers, Fischer, Knedlik, Lee, Moreau, Sherman.

Engrossed House Bill No. 618, having received the 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. 755, by Representatives Conner, McCormick, Berentson, Enbody and Gilleland:

Providing for tamperproof licenses and identicards.

The bill was read the third time and placed on final passage.

Representatives Conner, Taller and Enbody spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 755, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

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

Voting nay: Representatives Blair, Charnley, Eng, Zimmerman.

Not voting: Representatives Ehlers, Fischer, Knedlik, Lee, Moreau.

Engrossed House Bill No. 755, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

HOUSE BILL NO. 443, by Representatives Hurley (Margaret) and Hughes:

Authorizing the parks and recreation commission to control vehicular traffic on beaches.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 20th Day ex. sess., March 30, 1977.)

The Clerk read the following amendment by Representative Berentson:

On line 18 after "driving" strike "if" and insert "shall not be".

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

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

On page 1, line 18 after "That" strike the remainder of the section and insert "~~((automobile driving shall be permitted on the beaches subject to the authority of the department of fisheries to prohibit driving over clam beds))~~ driving shall not be permitted in the area north of the northern boundary of Leadbetter Point state park on the Long Beach peninsula"

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

POINT OF INQUIRY

Representative Martinis asked Representative Hurley (Margaret) to yield to question, and she refused to yield.

Representatives Martinis, Charette and Zimmerman spoke against the amendment, and Representative Hurley (Margaret) spoke again in favor of it.

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

The amendment was not adopted.

House Bill No. 443 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 662, by Representatives Erickson, Grimm, Chandler, Knowles, Oliver, Owen, Grier, Salatino, Bender, Gilleland, Haley, Fuller, Taller, Bond, Hawkins, Bauer, Charette, Enbody, Tilly, Sanders, Clayton, Winsley, Paris and Monohon:

Regulating granting of sabbaticals by institutions of higher education.

The bill was read the second time.

On motion of Mrs. Erickson, Substitute House Bill No. 662 was substituted for House Bill No. 662, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 662 was read the second time.

Mr. Charnley moved adoption of the following amendment:

On page 2, line 13 after "leaves" insert ", and the aggregate cost of remunerated professional leaves awarded at any community college during any year, including costs for replacement personnel, shall not exceed one and one-quarter times the cost of salaries which otherwise would have been paid to personnel on leave"

Representatives Charnley and Douthwaite spoke in favor of the amendment, and Representatives Erickson and Enbody spoke against it.

Mr. Charnley spoke again in favor of the amendment, and Mr. Deccio spoke against it.

POINT OF PERSONAL PRIVILEGE

Mr. Charnley: "Mr. Speaker, Representative Deccio, I believe, has impugned my motives and the motives of the purpose of my presenting this. To my knowledge in recent times no faculty person has taken a sabbatical so that he could get off a year early. In the case of every person I've been associated with, they have come back and continued to teach for many, many years and every one of them have been better teachers than they were when they went."

Mr. Deccio continued his remarks against the amendment, and Mr. King spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charnley to Substitute House Bill No. 662, and the amendment was not adopted by the following vote: Yeas, 38; nays, 52; not voting, 8.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Erak, Fuller, Gaines, Greengo, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Lux, Lysen, Martinis, McKibbin, Nelson D., North, Pardini, Salatino, Sherman, Shinoda, Shipoch, Sommers, Thompson, Valle, Vrooman, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Eng, Erickson, Fancher, Flanagan, Fortson, Gallagher, Gilleland, Grier, Grimm, Haley, Hanna, Hansen, Hurley M., Keller, Knowles, Kreidler, Leckenby, Maxie, May, McCormick, Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Smith, Struthers, Teller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Ehlers, Fischer, Knedlik, Lee, Moreau, Walk, and Mr. Speaker.

Substitute House Bill No. 662 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 703, by Representatives Conner, Gallagher and Berentson (by Department of Motor Vehicles request):

Revising the laws regulating motor vehicle wreckers.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1033, by Representative Shipoch:

Relating to appropriations.

On motion of Mr. Charette, Substitute House Bill No. 1033 was substituted for House Bill No. 1033 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1033 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 429, by Representatives Kilbury, May, Clemente, Lux, Burns, Fischer, Becker, Martinis, Bender, Boldt and Grier:

Requiring the department of labor and industries to conduct railroad safety inspections relating to employees.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 12th Day ex. sess., March 22, 1977.)

On motion of Mr. Lux, the committee amendment to page 2, line 19 was adopted.

Mr. Lux moved adoption of the committee amendment to page 3, line 12.

POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Patterson.

Mr. Patterson: "As I understand the present law and the amendment that we just adopted, what we would be doing is transferring the current duties and assignments for inspection from the Utilities and Transportation Commission to the Department of Labor and Industries for the purposes of safety, for personnel, and dealing with the railroad. Is that correct?"

Mr. Lux: "That's right, employees only."

Mr. Patterson: "And we are making that mandatory?"

Mr. Lux: "That's correct."

Mr. Patterson: "Then in the amendment we are speaking to now there is an interagency agreement involved which really talks about the funds that are basically collected by the Utilities and Transportation Commission, and they would be transferred over to the Department of Labor and Industries to carry out the function of the last amendment. Is that correct?"

Mr. Lux: "As I understand it, that's true."

Mr. Patterson: "In other words, we are having the Transportation Commission levy against the railroad companies some fees for the purpose of carrying out the safety inspections, and I understand that's where the money comes from, and by law we are now—not by agreement between the two agencies, but by law—we are saying that those moneys collected for that purpose, without designating really how many dollars we are talking about, shall be transferred to the Department of Labor and Industries. In other words, you are asking one agency of government to collect the money and make the assessment against the agencies that are going to be turned over to another agency of government to carry out the functions?"

Mr. Lux: "Representative Patterson, as I understand it, and I'm not a railroader, we heard the testimony of the Utilities and Transportation Commission that there are not sufficient inspectors to handle the duties of the WISHA and OSHA regulations now in force by the Department of Labor and Industries. Basically, these are the same safety regulations that we are referring to here. They have the inspectors available to do this; they have the expertise to do this and this is why this bill has been introduced—to take care of the situation so that there will be adequate safety inspections on the railroad for the employees."

Mr. Patterson: "Then what you are telling me is that the Department of Labor and Industries currently has enough personnel aboard on the payroll of the department to carry out these functions or are we going to be, by law, authorizing the Department of Labor and Industries to add several employees to carry out the functions that we are transferring?"

Mr. Lux: "That's correct, we're asking that these duties be transferred to the Department of Labor and Industries and that the moneys be transferred also. That's what that interagency agreement is all about."

Mr. Patterson: "Your statement was that the Department of Labor and Industries currently has the necessary personnel aboard to do the inspections."

Mr. Lux: "That was the testimony, yes. They apparently have ninety inspectors to do this in the state. The UCC apparently does this, there's federal inspectors too, and there just simply aren't enough inspectors to handle it to do a competent job and that's what this bill speaks to and what this amendment speaks to."

Mr. Patterson: "Are we going to be adding personnel to the Department of Labor and Industries to carry out the provisions of this amendment? That's the only question I'm trying to ask."

Mr. Lux: "We may be transferring the personnel, Representative Patterson."

Mr. Patterson: "This provides for transfer of people between the two departments?"

Mr. Lux: "This I don't know, but that very likely might be what happens. As I understand it we are just talking about transferring funds."

Mr. Patterson spoke against the amendment, and Representatives King and Kilbury spoke in favor of it.

MOTIONS

On motion of Mr. Polk, further consideration of House Bill No. 429 was deferred, and the bill was ordered held for the top of tomorrow's second reading calendar.

On motion of Mr. King, the House adjourned until 1:00 p.m., Friday, April 1, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-SECOND DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, April 1, 1977.

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker, Fancher, Fischer, Hurley (Margaret), O'Brien, Pardini, Shinoda and Thompson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sandra Gremmels and Mike Weinand. Prayer was offered by Reverend Richard Hart 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.

MESSAGES FROM THE SENATE

March 31, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2443,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2956,
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 1, 1977

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 116,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 116.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2443, by Senators Ridder, Bailey and Sellar:

Establishing an additional purpose and function of the board of electrical examiners and creating the department of labor and industries, division of building and construction safety inspection services revolving fund.

To Committee on Labor

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, by Committee on Transportation (originally sponsored by Senator Henry):

Relating to outdoor advertising.

To Committee on Transportation

REPORTS OF STANDING COMMITTEES

March 29, 1977

HOUSE BILL NO. 24, Prime Sponsor: Representative Gaines, authorizing a deduction for value of products added by minor final assembly from the business and occupation tax. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Nelson (Gary),

Ranking Minority Member; Bond, Craswell, Eng, Erickson, Flanagan, Hurley (George), O'Brien, Tilly, Winsley.

To Committee on Rules for second reading.

March 31, 1977

HOUSE BILL NO. 187, Prime Sponsor: Representative Fischer, creating a commission on youth and environmental development. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

March 30, 1977

HOUSE BILL NO. 312, Prime Sponsor: Representative Erickson, charging tuition and fees at state institutions of higher education based on portion of educational costs incurred. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Enbody, Grimm, Haley, Moreau, Oliver, Patterson, Thompson.

To Committee on Rules for second reading.

March 30, 1977

HOUSE BILL NO. 543, Prime Sponsor: Representative May, funding public transportation systems. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Gaines, Gallagher, Grier, Lysen, McCormick, Sherman, Wilson.

To Committee on Rules for second reading.

March 30, 1977

HOUSE BILL NO. 546, Prime Sponsor: Representative Douthwaite, facilitating the use of mopeds. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Gallagher, Grier, Lysen, McCormick, Sherman, Wilson.

To Committee on Rules for second reading.

March 30, 1977

HOUSE BILL NO. 656, Prime Sponsor: Representative O'Brien, mandating certain public agencies to make surplus books, equipment, etc., available at depreciated cost to private schools. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitt, Warnke, Whiteside.

To Committee on Rules for second reading.

March 29, 1977

HOUSE BILL NO. 688, Prime Sponsor: Representative Gruger, providing continuing general assistance for unemployed employable persons under certain conditions. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Fortson, Hanna, Gruger, Lux, Pearsall, Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Whiteside, Ranking Minority Member; Haley, May, Newhouse.

MOTION

On motion of Mr. King, House Bill No. 688 was rereferred to Committee on Appropriations.

March 30, 1977

HOUSE BILL NO. 921, Prime Sponsor: Representative Schmitt, providing that fork lifts shall be exceptions to certain requirements for motor vehicles. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Berentson, Clayton, Clemente, Gaines, Gallagher, Lysen, McCormick, Patterson, Wilson.

To Committee on Rules for second reading.

March 31, 1977

HOUSE BILL NO. 1025, Prime Sponsor: Representative Douthwaite, relating to readability and disclosure of insurance. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Insurance.

March 31, 1977

HOUSE BILL NO. 1054, Prime Sponsor: Representative Haley, relating to damages for personal injuries. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Insurance.

March 31, 1977

HOUSE BILL NO. 1092, Prime Sponsor: Representative Thompson, relating to local government. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Local Government.

March 31, 1977

HOUSE BILL NO. 1351, Prime Sponsor: Representative Valle, establishing strict liability for oil spills and requiring evidence of financial responsibility by oil terminal facilities. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ecology.

March 30, 1977

HOUSE JOINT MEMORIAL NO. 12, Prime Sponsor: Representative Lysen, memorializing the President and Congress to terminate airline mutual aid pacts. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Bender, Burns, Charnley, Clemente, Gaines, Gallagher, Lysen, McCormick, Sherman.

MINORITY recommendation: Do not pass. Signed by Representatives Gilleland, Ranking Minority Member; Berentson, Clayton.

To Committee on Rules for second reading.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Becker, Fancher, Fischer, Hurley (Margaret), O'Brien, Pardini, Shinoda and Thompson.

MOTION

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

SECOND READING

HOUSE BILL NO. 210, by Representatives Shinpoch, Knedlik and Vrooman:

Authorizing a civil penalty to be assessed against certain public officers who fail to have motor vehicles marked in accordance with the provisions of law.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 25, 1977.)

On motion of Mr. Owen, the committee amendments were adopted.

House Bill No. 210 was ordered engrossed.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 210 was placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 210, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

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

Voting nay: Representative Tilly.

Not voting: Representatives Becker, Fancher, Fischer, Hurley M., O'Brien, Pardini, Shinoda, Thompson.

Engrossed House Bill No. 210, having received the 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. 298, by Representatives Martinis, Moreau and Wilson (by Department of Natural Resources request):

Extending forest patrol assessments to public bodies.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 12th Day ex. sess., March 22, 1977.)

On motion of Mr. Martinis, the committee amendments were adopted.

House Bill No. 298 was ordered engrossed.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 298 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 298, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

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

Voting nay: Representative Charette.

Not voting: Representatives Becker, Fischer, Hurley M., O'Brien, Pardini, Shinoda, Thompson.

Engrossed House Bill NO. 298, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 393, by Representative Eng:

Requiring information to be filed before the acquisition of control of a bank.

The bill was read the second time.

On motion of Mr. Eng, Substitute House Bill No. 393 was substituted for House Bill No. 393, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 393 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 393 was placed on final passage.

Mr. Eng spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 393, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Becker, Fancher, Fischer, Hurley M., O'Brien, Pardini, Shinoda, Thompson.

Substitute House Bill No. 393, having received the 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.

Representatives Fancher and Fischer appeared at the bar of the House.

HOUSE BILL NO. 402, by Representatives Lysen and Hurley (Margaret):

Requiring state agencies to submit budgets that would not require increased taxes.

The bill was read the second time.

On motion of Mr. Lysen, Substitute House Bill No. 402 was substituted for House Bill No. 402, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 402 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 402 was placed on final passage.

Mr. Lysen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 402, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Becker, Hurley M., O'Brien, Pardini, Shinoda, Thompson.

Substitute House Bill No. 402, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

MOTION FOR RECONSIDERATION

Mr. Bender, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed Substitute House Bill No. 257 failed to pass the House.

The motion was carried.

MOTION

On motion of Mr. King, further consideration of Engrossed Substitute House Bill No. 257 was deferred and the bill was ordered held for the top of Monday's calendar.

MOTION FOR RECONSIDERATION

Mrs. Erickson, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed House Bill No. 588 failed to pass the House.

Representatives Erickson and Hawkins spoke in favor of the motion.

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

ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the House failed to pass Engrossed House Bill No. 588, and the motion was carried by the following vote: Yeas, 49; nays, 43; not voting, 6.

Voting yea: Representatives Barnes, Bauer, Bender, Blair, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Maxie, McKibbin, Nelson D., North, Owen, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Taller, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Barr, Berentson, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Haley, Hansen, Knowles, Leckenby, Lee, Martinis, May, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Struthers, Tilly, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Hurley M., O'Brien, Pardini, Shinoda, Thompson.

MOTIONS

On motion of Mr. King, further consideration of Engrossed House Bill No. 588, was deferred, and the bill was ordered held for Monday's calendar immediately following Engrossed Substitute House Bill No. 257.

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, April 4, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 4, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ehlers, Haley, Hurley (Margaret), Knedlik, Knowles, O'Brien, Shinoda, Valle, Vrooman and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shon Verge and Jeff Moore. Prayer was offered by 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.

MESSAGE FROM THE SENATE

April 1, 1977

Mr. Speaker:

The Senate has passed:

REENGROSSED SUBSTITUTE SENATE BILL NO. 2034,
SENATE BILL NO. 2302,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2375,
ENGROSSED SENATE JOINT MEMORIAL NO. 103,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 2034, by Committee on Constitution and Elections (Originally sponsored by Senator Beck):

Making various changes in election laws.

To Committee on Elections and Governmental Ethics

SENATE BILL NO. 2302, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Modifying the fee for a writ of garnishment.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 2375, by Committee on Transportation (Originally sponsored by Senators Beck, Wanamaker and Bottiger - by Department of Highways request):

Authorizing the sale of general obligation bonds and the use of proceeds for the acquisition of new ferry vessels.

To Committee on Transportation

ENGROSSED SENATE JOINT MEMORIAL NO. 103, by Senators Buffington, Guess, Pullen, von Reichbauer, Rasmussen and Herr:

Memorializing the President and Congress to continue to support the Republic of China.

To Committee on State Government

REPORTS OF STANDING COMMITTEES

April 1, 1977

HOUSE BILL NO. 42, Prime Sponsor: Representative Hurley (Margaret), limiting the use of state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Paris.

To Committee on Rules for second reading.

March 29, 1977

HOUSE BILL NO. 305, Prime Sponsor: Representative Hanna, developing a supplemental job training and employment referral program. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Hanna, Lux, May, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

March 31, 1977

HOUSE BILL NO. 753, Prime Sponsor: Representative Knowles, authorizing sewer district removal of pollutants from nearby waters. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 6 strike "abuts or is vicinal" and insert "contains within its borders, abuts, or is located adjacent"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member, Keller, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 1, 1977

HOUSE BILL NO. 837, Prime Sponsor: Representative North, providing for preservation of the Mt. Si and Little Si area. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 29 after "presented" insert "by the department of natural resources"

On page 3, line 33 after "(2)" strike all the material down to and including "recreation" on line 36, and insert "The parks and recreation commission shall appraise all lands except those identified in subsection (1) of this section to establish fair market fee title value of the interest therein. The parks and recreation commission shall present to the interagency committee for outdoor recreation the completed report of the cost of obtaining the desired interest in such lands."

On page 4, line 5 strike "one million four hundred thousand" and insert "two million seven hundred fifty thousand"

On page 4, beginning on line 13 strike all of section 7 and renumber the remaining sections consecutively.

On page 4, beginning on line 36 strike all of section 9 and insert:

"NEW SECTION. Sec. 9. Section 2, chapter 88, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.941 are each repealed."

On page 1, line 4 of the title after "section" strike the remainder of the title and insert "2, chapter 88, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.941."

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

MOTION

On motion of Mr. King, House Bill No. 837 was rereferred to Committee on Appropriations.

April 1, 1977

HOUSE BILL NO. 917, Prime Sponsor: Representative Lee, authorizing the interagency committee on outdoor recreation to produce a state recreation guide. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 after "guide" strike "may" and insert "shall"

On page 1, line 14 after "agency" insert ", local government agency."

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

To Committee on Rules for second reading.

April 1, 1977

HOUSE BILL NO. 1127, Prime Sponsor: Representative Smith, relating to child support collections. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Judiciary.

March 30, 1977

HOUSE BILL NO. 1132, Prime Sponsor: Representative Conner, designating the commercial driving record of a person separately for commercial insurance purposes. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Erak, Erickson, Knedlik, Sanders, Taller.

To Committee on Rules for second reading.

March 29, 1977

HOUSE BILL NO. 1151, Prime Sponsor: Representative Lux, creating an advisory committee on vocational rehabilitation. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Hanna, Lux, May, Pearsall.

MOTION

On motion of Mr. King, House Bill No. 1151 was rereferred to Committee on State Government.

March 31, 1977

HOUSE BILL NO. 1258, Prime Sponsor: Representative Vrooman, authorizing private improvement or completion of county roads. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Douthwaite, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

March 31, 1977

HOUSE BILL NO. 1293, Prime Sponsor: Representative Hawkins, clarifying which public officials must disclose their finances. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Barnes, Blair, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 440, by Representatives Smith, Winsley and Knowles (by Judicial Council request):

Increasing the homestead exemption.

The bill was read the second time.

On motion of Mr. Smith, Substitute House Bill No. 440 was substituted for House Bill No. 440, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 440 was read the second time.

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

On page 2, line 32 add a new section as follows:

"NEW SECTION. Sec. 6. 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 line 13 of the title after "290" insert "; and adding an emergency clause"

Substitute House Bill No. 440 was ordered engrossed,

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 440 was placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

MOTION

On motion of Mr. King, further consideration of Engrossed Substitute House Bill No. 440 was deferred, and the bill was ordered held at the top of today's third reading calendar.

HOUSE BILL NO. 470, by Representatives Clemente, Barnes, Ehlers and Heck (by Superintendent of Public Instruction request):

Setting forth the "In-service training act of 1977" for common school personnel training.

The bill was read the second time.

On motion of Mr. Clemente, Substitute House Bill No. 470 was substituted for House Bill No. 470, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 470 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 470 was placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 470, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Ehlers, Haley, Hurley M., Kilbury, Knedlik, Knowles, Maxie, O'Brien, Shinoda, Valle, Vrooman, Wilson.

Substitute House Bill No. 470, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to be recorded as voting "Yea" on Substitute House Bill No. 470.

PEGGY JOAN MAXIE, 37th District.

HOUSE BILL NO. 495, by Representative Lux (by Department of Employment Security request):

Modifying the definitions under unemployment compensation law.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day, February 22, 1977.)

On motion of Mr. Lux, the committee amendment was adopted.

House Bill No. 495 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 495 was placed on final passage.

Representatives Lux and Pardini spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 495, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio,

Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Shinoda, Valle, Vrooman, Wilson.

Engrossed House Bill No. 495, having received the 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. 502, by Representative Sommers (by Department of Revenue request):

Modifying appeals procedures to and from board of tax appeals.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 502 was substituted for House Bill No. 502, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 502 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 502 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 502, and the bill passed the House by the following vote: Yeas, 85; nays, 2; not voting, 11.

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

Voting nay: Representatives Nelson G. A., Pardini.

Not voting: Representatives Ehlers, Flanagan, Haley, Hurley M., Knedlik, Knowles, O'Brien, Shinoda, Valle, Vrooman, Wilson.

Substitute House Bill No. 502, having received the 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. 583, by Representatives Whiteside, Deccio, Fortson and Wilson:

Permitting school districts to waive or reduce fees for low-income senior citizens.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and House Bill No. 583 was placed on final passage.

Mr. Whiteside spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 583, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

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

Not voting: Representatives Berentson, Ehlers, Haley, Hurley G. S., Hurley M., Knedlik, Knowles, O'Brien, Pruitt, Shinoda, Sommers, Valle, Vrooman, Wilson.

House Bill No. 583, having received the 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. 622, by Representatives Blair, Erickson and McKibbin:

Establishing a calculation base for supplemental payments under TIAA/CREFF.

The bill was read the second time.

On motion of Mr. Blair, Substitute House Bill No. 622 was substituted for House Bill No. 622, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 622 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 622 was placed on final passage.

Mr. Blair spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 622, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

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

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Shinoda, Valle, Vrooman, Whiteside, Wilson.

Substitute House Bill No. 622, having received the 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. 642, by Representatives Winsley, Monohon, Kreidler and Keller:

Requiring that applications for abatement of taxes on destroyed property be filed in the year of destruction or within 75 days of destruction.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and House Bill No. 642 was placed on final passage.

Mrs. Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 642, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

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

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, Lysen, O'Brien, Shinoda, Valle, Vrooman, Wilson.

House Bill No. 642, having received the 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. 670, by Representatives Pardini, Eng, Knowles, Fuller, Lee and Paris:

Restricting use of residential reserve accounts.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and House Bill No. 670 was placed on final passage.

Mr. Pardini spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 670, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

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

Not voting: Representatives Chandler, Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Patterson, Shinoda, Vrooman, Wilson.

House Bill No. 670, having received the 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. 819, by Representatives Adams, Kreidler, Fortson, Gruger, May, Pearsall and Lux:

Extending child welfare services.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and House Bill No. 819 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 819, and the bill passed the House by the following vote: Yeas, 85; nays, 2; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Tally, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Pardini, Struthers.

Not voting: Representatives Clemente, Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Shinoda, Tilly, Vrooman, Wilson.

House Bill No. 819, having received the 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. 1146, by Representatives Conner and Gaines:

Revising regulation of the trucking industry.

The bill was read the second time.

On motion of Mr. Conner, Substitute House Bill No. 1146 was substituted for House Bill No. 1146, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1146 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1146 was placed on final passage.

Mr. Conner spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1146, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio,

Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Shinoda, Vrooman, Wilson.

Substitute House Bill No. 1146, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 440:

The House resumed consideration of the bill on third reading.

Mr. Gallagher 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. 440, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

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

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Shinoda, Vrooman, Wilson.

Engrossed Substitute House Bill No. 440, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ehlers, Haley, Hurley (Margaret), Knedlik, Knowles, O'Brien, Oliver, Shinoda and Vrooman.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 718, by Committee on Transportation (Originally sponsored by Representatives Charnley, Berentson, Conner, Patterson, Hansen, Gilleland, Burns, Gallagher, Chandler, Gaines, Sherman, Bender, Clemente, Thompson, Leckenby, Blair, Nelson [Dick], Martinis and Wilson):

Creating a department of transportation.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill, and Representatives Pardini and Hansen spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 718, and the bill passed the House by the following vote: Yeas, 54; nays, 34; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Eng, Erickson, Fischer, Gaines, Greengo, Grimm, Gruger, Hanna, Heck, Hughes, Hurley G. S., Keller, King, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, McKibbin, Moreau, Nelson D., Nelson G. A., North, Owen, Paris, Pruitt, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Boldt, Bond, Charette, Clayton, Craswell, Deccio, Dunlap, Erak, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grier, Hansen, Hawkins, Kilbury, Martinis, May, McCormick, Newhouse, Pardini, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Struthers, Tilly, Whiteside, Wilson.

Not voting: Representatives Ehlers, Enbody, Haley, Hurley M., Knedlik, Knowles, O'Brien, Oliver, Shinoda, Vrooman.

Engrossed Substitute House Bill No. 718, having received the 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

A mistake was made on my vote for Engrossed Substitute House Bill No. 718. I am opposed to legislation which might give the East side of the state only one, or at the most two, commissioners. Therefore, my vote should have been "No."

OTTO AMEN, 9th District.

HOUSE BILL NO. 672, by Representatives Smith, Fortson, Chandler, Charnley, Monohon, Berentson, Conner, Wilson, Salatino, Knedlik and Douthwaite:

Limiting the size of ships that newly-licensed pilots may pilot.

The bill was read the third time and placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 672, and the bill passed the House by the following vote: Yeas, 77; nays, 11; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Eng, Erak, Erickson, Fancher, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Bond, Deccio, Fischer, Flanagan, Gilleland, Kilbury, Newhouse, Patterson, Sanders, Struthers.

Not voting: Representatives Ehlers, Enbody, Haley, Hurley M., Knedlik, Knowles, O'Brien, Oliver, Shinoda, Vrooman.

House Bill No. 672, having received the 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. 286, by Representatives Nelson (Gary), North, Fortson and Shinoda:

Authorizing humane societies to purchase, possess, and administer sodium pentobarbital for the sole purpose of euthanizing injured, sick, homeless, or unwanted domestic pets and animals.

The bill was read the third time and placed on final passage.

Representatives Nelson (Gary) and North spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 286, and the bill passed the House by the following vote: Yeas, 80; nays, 6; not voting, 12.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North,

Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Boldt, Fischer, Flanagan, Newhouse, Patterson.

Not voting: Representatives Berentson, Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Oliver, Shinoda, Tilly, Valle, Vrooman.

House Bill No. 286, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 391, by Committee on Social and Health Services (Originally sponsored by Representatives Pearsall, Newhouse, Hanna and Lux):

Regulating audiologists and speech pathologists.

The bill was read the third time and placed on final passage.

Mrs. Pearsall spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 391, and the bill passed the House by the following vote: Yeas, 74; nays, 14; not voting, 10.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bond, Chandler, Enbody, Eng, Fancher, Fuller, Greengo, Hawkins, Pardini, Patterson, Sommers, Struthers.

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Oliver, Owen, Shinoda, Vrooman.

Engrossed Second Substitute House Bill No. 391, having received the 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. 646, by Representatives King, Fischer and Lux:

Including law enforcement officers of all cities, counties, and certain port districts within the definition of "uniformed personnel" of the public employees' collective bargaining act.

The bill was read the third time and placed on final passage.

Representatives King, Lux, Bond and Owen spoke in favor of the bill, and Representatives North, Barnes, Fuller, Zimmerman, Barr and Newhouse spoke against it.

Mr. King spoke again in favor of the bill, and Mrs. North spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 646, and the bill failed to pass the House by the following vote: Yeas, 49; nays, 39; not voting, 10.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Thompson, Valle, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Erak, Erickson, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, King, Leckenby, Lee, Nelson G. A., Newhouse, North, Pardini, Patterson, Polk, Sanders, Schmitt, Smith, Sommers, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, May, O'Brien, Oliver, Shinoda, Vrooman.

House Bill No. 646, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. King, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Bill No. 646 failed to pass the House.

Mr. Oliver appeared at the bar of the House.

SUBSTITUTE HOUSE BILL NO. 1033, by Committee on Appropriations (Originally sponsored by Representative Shinpoch):

Providing funds for sundry claims and elections costs.

The bill was read the third time and placed on final passage.

Representatives Charette and Polk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1033, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Shinoda, Vrooman.

Substitute House Bill No. 1033, having received the 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. 2251, (as amended by the House) by Senators Bottiger, Gaspard, Benitz, Morrison and Woody:

Removing minimum wage restrictions on seasonal employees at agricultural fairs.

The bill was read the third time and placed on final passage.

Mr. Lux spoke in favor of passage of the bill, and Mr. Polk spoke against it.

POINT OF ORDER

Mr. Lux: "Representative Polk is not speaking to this bill at all. He's speaking to a bill we have in committee and it will be out here shortly. He can speak to it then. I would suggest he keep his remarks to the bill."

The Speaker: "Representative Polk, will you confine your remarks to the issue before us, which is Senate Bill No. 2251."

Mr. Polk continued his remarks in opposition to the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2251 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 7; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Gilleland, King, Lee, May, Pardini, Salatino.

Not voting: Representatives Ehlers, Haley, Hurley M., Knedlik, Knowles, O'Brien, Oliver, Shinoda, Vrooman.

Senate Bill No. 2251 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. King moved that the House revert to the sixth order of business.

POINT OF PERSONAL PRIVILEGE

Mr. Berentson: "I think at this time we, in the minority caucus, would like to express displeasure with the procedure that occurred this morning in the Education Committee. If I might I would like to point to what we feel was a violation of—"

SPEAKER'S RULING

The Speaker: "Representative Berentson, we are on a motion to revert to the sixth order of business. I don't believe a point of personal privilege is in order at this time."

The motion to revert to the sixth order of business was carried.

POINT OF PERSONAL PRIVILEGE

Mr. Berentson: "Again, we would like to register our displeasure with the procedure used this morning—"

POINT OF ORDER

Mr. Charette: "Mr. Speaker, it's my understanding that under rule of personal privilege, that it's personal to any member. Mr. Berentson has started with 'we' and I would suggest it is not personal to Representative Berentson. He's merely trying to state something for a group he represents."

SPEAKER'S RULING

The Speaker: "The question of personal privilege under House Rule 63, 'Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.'"

Mr. Berentson: "I guess I should be speaking in the first person if that would satisfy Representative Charette. On the other hand, I suppose we could place a motion as a point of parliamentary inquiry as to what occurred this morning, but if you would just afford me a few moments, we would like to call to your attention a procedure that did occur this morning and we felt the best way to do that would be with a point of personal privilege."

The Speaker: "The Chair will be a little lenient."

Mr. Berentson: "I might just point out that we questioned the procedure that was used this morning when the Education Committee had a meeting at the same time the roll was being called here in the House of Representatives. According to Rule 83, a committee cannot meet while the House is in session. There is some question as to whether the roll call was completed, but as we looked upon it there was no—"

POINT OF ORDER

Mr. Bender: "Representative Berentson is not on the Education Committee, so how can he talk to the actions taken in committee as a personal matter?"

The Speaker: "The Speaker was allowing him a little leeway, Representative Bender. Your point is well taken. He's discussing why the Education Committee was meeting, I think. Continue, Representative Berentson."

Mr. Berentson: "I was really talking about Rule 83, not the Education Committee. We really don't care what committee is meeting just so it's meeting according to the rules of the House. Let me point out that this morning that committee did meet, there was no notice to the general public; no notice to some committee members that the bill would be on executive session, which we think is an understanding we have here in the House, but yet we notice that some special interest groups were notified that the executive action would take place. We would hope that this is not a forerunner of the type of action we are going to see from this point on as we get down to the major issues before us. All we're asking is that you give us consideration; if you don't want bills out without public notice, that then we do have input here from the minority side. I trust that this bill, which has passed out of the committee on a straight party line vote of 9 to 7, and now includes probably an appropriation in the area of \$1 billion, will now be sent to the Appropriations Committee. We realize fully that it does not have to be, that we can take the skeleton, put it in Appropriations Committee, and let Mr. Shinpoch put some meat on it without having the actual bill there, but this leads us to wonder

again, and we would like to serve notice, that if it is not going to be a completely partisan matter we would like to suggest again that we resolve ourselves into a Committee of the Whole, because it's apparent that the Education Committee and the Appropriations Committee, two very important committees, are not speaking to each other. In fact we wonder if the Education Committee hasn't capitulated entirely to the wishes of the Appropriations Committee—"

POINT OF ORDER

Mr. Charette: "Mr. Speaker, under a point of personal privilege, it seems to me that Representative Berentson is really doing something that could be accomplished by calling a press conference rather than costing the state about \$600 a line in the House Journal under a point of personal privilege."

The Speaker: "Well, Representative Charette, as I indicated earlier, the Speaker is being a little lenient on this point of personal privilege. We'll let Representative Berentson continue for a moment or two until we retaliate."

Mr. Berentson: "Representative Charette, this is a very personal matter to all of us over here. I'd like to point out, it's late in the day, and you people might miss the press release in the morning and we just want you to understand how we feel, but with that suggestion we might even have a press conference later in the day. In leaving you with this thought, that we some time ago suggested a Committee of the Whole so that the public might have some input. We think there are some real advantages. I would remind you again that the budget is considered in that manner over in the Senate and I would close by saying that we hope that this minority caucus will receive much better treatment in the future than we feel that we've received this morning."

The Speaker: "Representative Berentson, just to clear up a point or two in regard to your point of personal privilege, there was advertised a meeting of the Education Committee at 9:30, the agenda was hearing and executive session of basic education along with House Bill 1203 and House Bill 737 and House Bill 637. Adequate notice was given, the issue of basic education was advertised to be on executive session this morning, which took place. As far as the committee continuing to meet while we were in session, that did not occur. The house was called to order at 11 o'clock, the roll was called and as is a normal practice with committees when they are dealing with priority issues, they continue their meeting as long as is practical and they come to the House Chamber as soon as possible to answer the roll before the session is convened: That committee did adjourn itself prior to the time this session was actually convened with a quorum of the members present. Therefore there was no violation of House Rule 83. This is an issue that we have talked about, the minority party has consistently requested that we have the issue of basic education before us; the majority party is doing all in its power to allow that issue to come before us so that it can be adequately discussed.

In regard to the Committee of the Whole, that's a very viable possibility and that just may perhaps be the way the issue is finally discussed on the floor of this House. That issue did pass in executive session during the lunch hour today and there is nothing wrong with that procedure. It has occurred many times in the past that because of a time constraint a special committee meeting is called for executive action, which does not require additional testimony, so I think your point of personal privilege, which will be in the record, is not well taken."

Mr. Berentson: "Our concern was that within the agenda that did appear, a given bill number was not listed. It was listed only as a public hearing and executive session, and basic education as a subject matter was listed without a definite bill being identified. The whole thing that concerns us is that there was no public hearings, no public input whatsoever. We realize that people are late from committee meetings, but when a point of order was raised in the committee as to whether Rule 83 was being complied with, the meeting was immediately adjourned. So I think there was some reason for question there."

HOUSE BILL NO. 1169, by Representatives Adams, Kreidler, Hanna and Haley:

Modifying restrictions on marriage.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, after "that" on line 19 insert "such applicant is not gravely disabled as defined in RCW 71.05.020, and"

Representatives Tilly and Adams spoke in favor of the amendment, and it was adopted.

House Bill No. 1169 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 584, by Representatives Thompson, Grimm and Charnley:

Permitting college and university professors to request trustee or regent approval to continue teaching beyond age seventy.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 14th Day ex. sess., March 24, 1977.)

Ms. Erickson moved adoption of the committee amendment.

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

On page 1, beginning on the 17th line after "institution" strike all material down to and including "July 1, 1970" on the last line.

Mr. Berentson spoke in favor of the amendment to the amendment, and Mr. Thompson spoke against it.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Thompson, it makes it retroactive to 1970, which would conceivably make the person 77 years old and I wonder if there is an individual you are trying to reach that to?"

Mr. Thompson: "There may well be, Representative Shinpoch, some individual who has both the vigor and the continuing intellectual capacity to continue the valuable service to the institution. Maybe someone on this floor can name such an individual. My intent was more general."

Mr. Shinpoch: "Do I understand correctly that the date 1970 was not selected—that it could have been 1972 or 1975 or some other date, that we did not select that date to pick up a certain individual?"

Mr. Thompson: "It was selected to be sufficiently broad so as to afford sufficient latitude to consider anyone within that age range that would qualify under the act."

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

The amendment to the amendment was not adopted.

The Speaker stated the question before the House to be adoption of the committee amendment, and a division was called.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to House Bill No. 584, and the amendment was adopted by the following vote: Yeas, 70; nays, 4; not voting, 24.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Keller, King, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, Owen, Pardini, Pearsall, Polk, Pruitt, Salatino, Schmittin, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Greengo, Leckenby, Paris, Zimmerman.

Not voting: Representatives Blair, Boldt, Bond, Clemente, Deccio, Ehlers, Fortson, Gilleland, Haley, Hawkins, Hurley M., Kilbury, Knedlik, Knowles, Lysen, Newhouse, O'Brien, Oliver, Patterson, Sanders, Shinoda, Vrooman, Warnke, Winsley.

House Bill No. 584 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 353, by Representatives Tilly, Wilson and Leckenby:

Revising the provisions of the law of compensating victims of crime.

The bill was read the second time.

On motion of Mr. Smith, Substitute House Bill No. 353 was substituted for House Bill No. 353, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 353 was read the second time.

Mr. Tilly moved adoption of the following amendments by Representatives Tilly and Smith:

On page 3, line 11 after "act," strike "except as abolished by RCW 7.68.040,"

On page 10, following line 10 insert the following new section:

"NEW SECTION. Sec. 10. Section 4, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.040 are each hereby repealed."

Representatives Tilly and Smith spoke in favor of the amendments, and Representatives Shinpoch and Charette spoke against them.

Mr. Tilly spoke again in favor of the amendments, and they were not adopted.

The Clerk read the following amendment by Representatives Tilly and Smith:

On page 3, line 19 after "so made" insert "including any recovery resulting from an action against the state,"

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

On motion of Mr. Tilly, the following amendment by Representatives Tilly and Smith was adopted:

On page 5, at the beginning of line 18 before "of" strike "and (c)"

Substitute House Bill No. 353 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1131, by Representatives Clayton, Amen, Barr, Hansen, Oliver, Newhouse, Kilbury, Boldt and Flanagan:

Clarifying the law on the storage of agricultural commodities.

The bill was read the second time.

On motion of Mr. Kilbury, Substitute House Bill No. 1131 was substituted for House Bill No. 1131, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1131 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 933, by Representatives Charnley and Conner:

Permitting roadside area information panels.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 15th Day ex. sess., March 25, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

House Bill No. 933 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 10, by Representative Fischer:

Revising law on public employees' collective bargaining.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day, February 28, 1977.)

On motion of Mr. Lux, the committee amendments were adopted.

MOTIONS

On motion of Mr. King, further consideration of House Bill No. 10 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

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

On motion of Mr. Bender, SUBSTITUTE HOUSE BILL NO. 371, HOUSE BILL NO. 307 and HOUSE BILL NO. 874 were rereferred from Committee on Appropriations to Committee on Institutions.

On motion of Mr. King, the House adjourned until 11:00 a.m., Tuesday, April 5, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 5, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ehlers, Hurley (Margaret), Knowles, Lee, Shinoda and Vrooman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shannon Fisher and Brett Anderson. Prayer was offered by 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.

MESSAGE FROM THE SENATE

April 4, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2132,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2924,
SUBSTITUTE SENATE BILL NO. 3047,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2132, by Committee on Local Government (Originally sponsored by Senators Washington, Sellar and Talley):

Raising the salary of PUD commissioners.

To Committee on Local Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 2924, by Committee on Transportation (Originally sponsored by Senators Henry, Beck, Bottiger, Peterson, Keefe, Sellar, Wanamaker and Talley):

Creating a department of transportation.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 3047, by Committee on Ways and Means (Originally sponsored by Senators Washington, Morrison and Donohue):

Extending the application date to April 30 for current use classification of agricultural land for taxation beginning in the subsequent year.

To Committee on Revenue

REPORTS OF STANDING COMMITTEES

April 5, 1977

HOUSE BILL NO. 24, Prime Sponsor: Representative Gaines, authorizing a deduction for value of products added by minor final assembly from the business and occupation tax. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Revenue.

April 1, 1977

HOUSE BILL NO. 218, Prime Sponsor: Representative Kilbury, relating to water. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Becker, Boldt, Clayton, Hansen.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 512, Prime Sponsor: Representative Kreidler, permitting counties, cities, and districts to make direct bank deposits of salaries. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Douthwaite, Eng, Fancher, Gilleland, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 1, 1977

HOUSE BILL NO. 678, Prime Sponsor: Representative Kilbury, modifying the law on theft of livestock. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Amen, Ranking Minority Member; Boldt, Clayton, Hansen.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 787, Prime Sponsor: Representative Hawkins, authorizing counties to establish personnel systems. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 7 after "to" strike everything down to the period in line 10 and insert "advise and assist all elected officials in the selection, promotion, retention, discipline, and separation of county employees so that all personnel decisions shall be based on merit, fitness, and/or performance"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Douthwaite, Eng, Fancher, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 960, Prime Sponsor: Representative Clemente, relating to education. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Bender, Boldt, Fortson, McKibbin, Valle, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Ranking Minority Member; Fuller, Schmitten.

To Committee on Rules for second reading.

April 1, 1977

HOUSE BILL NO. 1266, Prime Sponsor: Representative Eng, authorizing the director of general administration to deputize an assistant as supervisor of division of savings and loan associations to perform the supervisor's functions in his absence. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Deccio, Ranking Minority Member; Hurley (Margaret), Knowles, Kreidler, Nelson (Gary), Pardini, Winsley.

To Committee on Rules for second reading.

April 4, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, Prime Sponsor: Senator Washington, authorizing resident tuition and fee rates at institutions of higher education to certain nonimmigrant alien families. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 24 after "Washington" strike all material down to and including "by the" on line 25 and insert "who attend in such countries institutions of higher education which are comparable to"

On page 1, line 30 strike "sections 1 and 2" and insert "section 1"

On page 2, line 7 insert a new section as follows:

"NEW SECTION. Sec. 4. If any provisions of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Patterson, Thompson.

To Committee on Rules for second reading.

April 4, 1977

ENGROSSED SENATE BILL NO. 2273, Prime Sponsor: Senator Sandison, providing for tuition and fees for students participating in a joint program conducted by two or more institutions of higher education. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 9 strike the remainder of the section and insert:

"Where students at any of the four year state colleges or universities participate in a joint program undertaken by two or more of such institutions, and which leads to a degree, the tuition and fees assessed each student participating in such joint program shall be equal.

The governing board at each state four year institution shall, where the tuition and fees which it charges resident students participating in a joint program falling within the scope of this 1977 act would be less than those charged to any such students from any other state four year institution who participates in such joint program, impose a supplemental fee upon its resident students so participating in order to make the tuition and fees charged to them equal to the highest amount charged to any other resident student from a state four year institution who participates in the program. Such governing board shall, where the tuition and fees which it charges nonresident students participating in a joint program falling within the scope of this 1977 act would be less than those charged to any such students participating from any other state four year institution who participates in such joint program, impose a supplemental fee upon its nonresident students so participating in order to make the tuition and fees charged to them equal to the highest amount charged to any other nonresident student from a state four year institution who participates in the program."

Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Patterson, Thompson.

To Committee on Rules for second reading.

March 31, 1977

ENGROSSED SENATE BILL NO. 2282, Prime Sponsor: Senator Grant, simplifying reporting requirements for campaign treasurers. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 4 delete everything after the enacting clause and insert the following:

"Section 1. Section 2, chapter 1, Laws of 1973 as amended by section 2, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.020 are each amended to read as follows:

(1) 'Agency' includes all state agencies and all local agencies. 'State agency' includes every state office, ~~((public official,))~~ department, division, bureau, board, commission, or other state agency. 'Local agency' includes every county, city, ~~((city and county, school district))~~ town, municipal corporation, quasi municipal corporation, or special purpose district, ((political subdivision,)) or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(2) 'Ballot proposition' means any 'measure' as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision or other voting constituency from and after the time when such proposition has been initially filed with the appropriate election officer of that constituency prior to its circulation for signatures.

(3) 'Campaign depository' means a bank designated by a candidate or political committee pursuant to RCW 42.17.050.

(4) 'Campaign treasurer' and 'deputy campaign treasurer' mean the individuals appointed by a candidate or political committee, pursuant to RCW 42.17.050, to perform the duties specified in that section.

(5) 'Candidate' means any individual who seeks election to public office. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office.

(6) 'Commercial advertiser' means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public

whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(7) 'Commission' means the agency established under RCW 42.17.350.

(8) 'Compensation' unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind: PROVIDED, That for the purpose of compliance with RCW 42.17.240, as now or hereafter amended, the term 'compensation' shall not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while such official is engaged in the official business of such governmental entity.

(9) 'Continuing political committee' means a political committee which is an organization of continuing existence not established in anticipation of any particular election.

(10) 'Contribution' includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration, but does not include interest on moneys deposited in a political committee's account, ordinary home hospitality and the rendering of 'part time' personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of twenty-five dollars personally paid for by such worker. 'Part time' services, for the purposes of this chapter, means services in addition to regular full time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution.

(11) 'Elected official' means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(12) 'Election' includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters: PROVIDED, That an election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(13) 'Election campaign' means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(14) 'Expenditure' includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term 'expenditure' also includes a promise to pay, a payment or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. The term 'expenditure' shall not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported, or payment of service charges against a political committee's campaign account.

(15) 'Final report' means the report described as a final report in RCW 42.17.080(2).

(16) 'Immediate family' includes the spouse, dependent children, and other dependent relatives, if living in the household.

(17) 'Legislation' means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter which may be the subject of action by either house, or any committee of the legislature and all bills and resolutions which having passed both houses, are pending approval by the governor.

(18) 'Lobby' and 'lobbying' each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state administrative procedure acts, chapter 34.04 RCW and chapter 28B.19 RCW.

(19) 'Lobbyist' includes any person who shall lobby either in his own or another's behalf.

(20) 'Lobbyist's employer' means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist.

(21) 'Person' includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(22) 'Person in interest' means the person who is the subject of a record or any representative designated by said person, except that if such person be under a legal disability, the term 'person in interest' shall mean and include the parent or duly appointed legal representative.

(23) 'Political advertising' includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(24) 'Political committee' means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(25) 'Public office' means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

(26) 'Public record' includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(27) 'Writing' means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires.

Sec. 2. Section 3, chapter 1, Laws of 1973 and RCW 42.17.030 are each amended to read as follows:

The provisions of this chapter relating to the financing of election campaigns shall apply in all election campaigns other than (a) for precinct committeeman; (b) for ((the president and vice president of the United States)) a federal elective office; and (c) for an office the constituency of which does not encompass a whole county and which contains less than five thousand registered voters as of the date of the most recent general election in such district.

Sec. 3. Section 6, chapter 1, Laws of 1973 as amended by section 4, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.060 are each amended to read as follows:

(1) All monetary contributions received by a candidate or political committee shall be deposited by the campaign treasurer or deputy treasurer in a campaign depository in an account designated, 'Campaign Fund of' (name of candidate or political committee).

((All deposits made by a campaign treasurer or deputy campaign treasurer shall be accompanied by)) At the time each deposit is made, the campaign treasurer or deputy campaign treasurer shall prepare and file with the commission a statement containing the name of each person contributing the funds so deposited and the amount contributed by each person: PROVIDED, That contributions not exceeding ten dollars from any one person may be deposited without identifying the contributor. ((The statement shall be in triplicate, upon a form prescribed by the commission, one copy to be retained by the campaign depository for its records for the minimum term of three years, one copy to be filed by the campaign treasurer with the commission, and one)) A duplicate copy ((to)) of the statement shall be retained by the campaign treasurer for his records. In the event of deposits made by a deputy campaign treasurer, the ((third)) duplicate copy shall be forwarded to the campaign treasurer to be retained by him for his records. Each statement shall be certified as correct by the campaign treasurer or deputy campaign treasurer making the deposit.

(3) Political committees which support or oppose more than one candidate or ballot proposition, or exist for more than one purpose, may maintain multiple separate bank accounts within the same designated depository for such purpose: PROVIDED, That each such account shall bear the same name followed by an appropriate designation which accurately identifies its separate purpose: AND PROVIDED FURTHER, That transfers of funds which must be reported under RCW 42.17.090(1)(d), as now or hereafter amended, may not be made from more than one such account.

(4) Nothing in this section shall prohibit a candidate or political committee from investing funds on hand in a campaign depository in bonds, certificates, or savings accounts or other similar savings instruments in financial institutions other than the campaign depository: PROVIDED, That the commission is notified in writing of the initiation and the termination of the investment: PROVIDED FURTHER, That the principal of such investment when terminated together with all interest, dividends, and income derived from the investment are deposited in the campaign depository in the account from which the investment was made and properly reported to the commission prior to any further disposition or expenditure thereof.

(5) Accumulated unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b), which total in excess of one percent of the total accumulated contributions received in the current calendar year or three hundred dollars (whichever is more), shall not be deposited, used, or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund.

Sec. 4. Section 16, chapter 1, Laws of 1973 as amended by section 9, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.160 are each amended to read as follows:

The following persons and activities shall be exempt from registration and reporting under RCW 42.17.150, 42.17.170, ((42.17.190)) and 42.17.200:

(1) Persons who limit their lobbying activities to appearance before public sessions of committees of the legislature, or public hearings of state agencies((-);

(2) News or feature reporting activities and editorial comment by working members of the press, radio, or television and the publication or dissemination thereof by a newspaper, book publisher, regularly published periodical, radio station, or television station((-);

(3) Persons who lobby without compensation or other consideration for acting as a lobbyist: PROVIDED, Such person makes no expenditure for or on behalf of any member of the legislature or elected

official or public officer or employee of the state of Washington in connection with such lobbying. Any person exempt under this subsection (3) may at his option register and report under this chapter((-);

(4) Except persons who restrict their lobbying activities to no more than four days or parts thereof during any three-month period and whose total expenditures during such three-month period for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington in connection with such lobbying do not exceed fifteen dollars: PROVIDED, That the commission shall promulgate regulations to require disclosure by persons exempt under this subsection or their employers or entities which sponsor or coordinate the lobbying activities of such persons if it determines that such regulations are necessary to prevent frustration of the purposes of this chapter. Any person exempt under this subsection (4) may at his option register and report under this chapter((-);

(5) The governor((-);

(6) The lieutenant governor((-);

(7) Except as provided by RCW 42.17.190(1), members of the legislature((-);

(8) Except as provided by RCW 42.17.190(1), persons employed by the legislature for the purpose of aiding in the preparation or enactment of legislation or the performance of legislative duties((-);

(9) Except as provided by RCW 42.17.190, elected (~~state~~) officials, and officers(~~state officers~~ appointed by the governor subject to confirmation by the senate;) and employees of any (~~state~~) agency.

Sec. 5. Section 17, chapter 1, Laws of 1973 as amended by section 10, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.170 are each amended to read as follows:

(1) Any lobbyist registered under RCW 42.17.150 and any person who lobbies shall file with the commission periodic reports of his activities signed by ((both)) the lobbyist ((and the lobbyist's employers)). The reports shall be made in the form and manner prescribed by the commission. They shall be due ((quarterly)) monthly and shall be filed within ((thirty)) fifteen days after the ((end)) last day of the calendar ((quarter)) month covered by the report. ((In addition to the quarterly reports, while the legislature is in session, any lobbyist who lobbies with respect to any legislation shall file interim weekly periodic reports for each week that the legislature is in session, which reports need be signed only by the lobbyist and which shall be filed on each Tuesday for the activities of the week ending on the preceding Saturday: PROVIDED, That it shall not be necessary to file any such interim weekly periodic reports for any week during which no expenditure reportable under subsection (2) hereof was made by the reporting person.))

(2) Each such ((quarterly and weekly)) monthly periodic report shall contain:

(a) The totals of all expenditures made or incurred by such lobbyist or on behalf of such lobbyist by the lobbyist's employer during the period covered by the report, which totals shall be segregated according to financial category, including food and refreshments; living accommodations; advertising; travel; telephone; contributions; office expenses, including rent and the salaries and wages paid for staff and secretarial assistance, or the proportionate amount thereof, paid or incurred for lobbying activities; and other expenses or services: PROVIDED HOWEVER, That unreimbursed personal living and travel expenses of a lobbyist not incurred directly or indirectly for any lobbying purpose need not be reported((-AND PROVIDED FURTHER, That the interim weekly reports of legislative lobbyists for the legislative session need show only the expenditures for food and refreshments; living accommodations; travel; contributions; and such other categories as the commission shall prescribe by rule)). Each individual expenditure of more than ((fifteen)) twenty-five dollars for entertainment shall be identified by date, place, amount, and the names of all persons in the group partaking in or of such entertainment including any portion thereof attributable to the lobbyist's participation therein but without allocating any portion of such expenditure to individual participants.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of such expenditures in each category incurred on behalf of each of his employers.

(c) An itemized listing of each such expenditure in the nature of a contribution of money or of tangible or intangible personal property to any ((legislator)) candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition, or for or on behalf of any ((legislator)) candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition. All contributions made to, or for the benefit of, any ((legislator)) candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition shall be identified by date, amount, and the name of the ((legislator)) candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

(d) The subject matter of proposed legislation or rulemaking; the proposed rules, standards, rates, or other legislative enactments under chapter 34.04 RCW and chapter 28B.19 RCW (the state administrative procedure acts) and the state agency considering the same; and the number of each senate or house bill, resolution, or other legislative activity which the lobbyist has been engaged in supporting or opposing during the reporting period: PROVIDED, That in the case of appropriations bills the lobbyist shall enumerate the specific section or sections which he supported or opposed.

Sec. 6. Section 19, chapter 1, Laws of 1973 as amended by section 12, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.190 are each amended to read as follows:

(1) Every legislator and every committee of the legislature shall file with the commission quarterly reports listing the names, addresses, and salaries of all persons employed by the person or committee making the filing for the purpose of aiding in the preparation or enactment of legislation or the performance of legislative duties of such legislator or committee during the preceding quarter. The reports shall be made in the form and the manner prescribed by the commission and shall be filed between the first and tenth days of each calendar quarter: PROVIDED, That the information required by this subsection may be supplied,

insofar as it is available, by the chief clerk of the house of representatives or by the secretary of the senate on a form prepared by the commission.

~~(2) (Unless expressly authorized by law, no state funds shall be used directly or indirectly for lobbying: PROVIDED, This shall not prevent state officers or employees from communicating with a member of the legislature on the request of that member; or communicating to the legislature, through the proper official channels, requests for legislative action or appropriations which are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties: PROVIDED FURTHER, That this subsection shall not apply to the legislative branch:)) Any agency may expend public funds to compensate its officers or employees for services rendered on behalf of the agency in connection with lobbying only to the extent that such officers or employees are advocating the official position or interests of the agency, or providing information to or communicating with any elected official or officer or employee of any agency on matters pertaining to official agency business: PROVIDED, That public funds shall not be expended as a direct or indirect gift or campaign contribution provided to any elected official or officer or employee of any agency. For the purposes of this subsection, the term 'gift' shall mean a voluntary transfer of real or personal property of any kind without consideration of equal or greater value, but shall not include informational material such as books, reports, pamphlets, calendars, or periodicals. No payment for travel or reimbursement for any expenses shall be deemed 'informational material':~~

~~(3) Each ((state)) agency which expends ((state)) public funds for any lobbying ((pursuant to an express authorization by law or whose officers or employees communicate on legislation directly affecting the agency to members of the legislature on request of any member or communicate to the legislature requests for legislation)) activities for which the expenditure of public funds is authorized under subsection (2) of this section shall file with the commission quarterly statements providing the following information for the quarter just completed:~~

~~(a) The name of the agency filing the statement;~~

~~(b) The name, title, and job description and salary of each employee engaged in such ((legislative activity)) activities, a general description of the nature of ((his legislative)) the activities, and the proportionate amount of ((his)) time spent on ((such)) the activities;~~

~~(c) An itemized listing of any expenditures incurred by the agency in connection with lobbying activities.~~

The statements shall be in the form and the manner prescribed by the commission and shall be filed within thirty days after the end of the quarter covered by the report.

~~(4) The provisions of this section shall not relieve any ((state)) elected official or officer or ((any)) employee of ((a state)) an agency from complying with other provisions of this chapter, if such elected official, officer, or employee is not otherwise exempted.~~

~~NEW SECTION. Sec. 7. There is added to chapter 1, Laws of 1973 and to chapter 42.17 RCW a new section to read as follows:~~

~~Any person owning or controlling any newspaper or periodical of any kind and any owner, licensee, or operator of a radio or television broadcasting station who permits, authorizes, or makes any editorial comment on any ballot proposition, initiative, or referendum shall publicly disclose any financial interest he or she may have in the outcome of the ballot proposition, initiative, or referendum.~~

~~The disclosure shall be made in the form and manner prescribed by the commission and shall be made within three days after the editorial comment is made.~~

~~Sec. 8. Section 35, chapter 1, Laws of 1973 as last amended by section 8, chapter 112, Laws of 1975-76 2nd ex. sess. and RCW 42.17.350 are each amended to read as follows:~~

~~There is hereby established a 'public disclosure commission' which shall be composed of ((five)) three members who shall be appointed by the governor, with the consent of the senate. All appointees shall be persons of the highest integrity and qualifications. No more than ((three)) two members shall have an identification with the same political party. ((The original members shall be appointed within sixty days after January 1, 1973:)) The terms of members serving on the effective date of this 1977 amendatory act, shall expire on January 1, 1978, and thereafter the term of each member shall be ((five)) six years, except that the ((original five)) members appointed to begin new terms on January 1, 1978, shall serve initial terms of ((one;)) two, ((three;)) four, and ((five)) six years, respectively, as designated by the governor. No member of the commission, during his tenure, shall (1) hold or campaign for elective office; (2) be an officer of any political party or political committee; (3) permit his name to be used, or make contributions, in support of or in opposition to any candidate or proposition; (4) participate in any way in any election campaign; or (5) lobby or employ or assist a lobbyist. No member shall be eligible for appointment to more than one full term. A vacancy on the commission shall be filled within thirty days of the vacancy by the governor, with the consent of the senate, and the appointee shall serve for the remaining term of his predecessor. A vacancy shall not impair the powers of the remaining members to exercise all of the powers of the commission. ((Three)) Two members of the commission shall constitute a quorum. The commission shall elect its own chairman and adopt its own rules of procedure in the manner provided in chapter 34.04 RCW. Any member of the commission may be removed by the governor, but only upon grounds of neglect of duty or misconduct in office.~~

~~Each member shall receive ((seventy-five dollars for each day or portion thereof spent in performance of his duties as a member of the commission)) a salary fixed in accordance with RCW 43.03.040, and in addition shall be reimbursed for travel expenses incurred while engaged in the business of the commission as~~

provided in RCW 43.03.050 and 43.43.060 as now or hereafter amended. ((The compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state.))

Nothing in this section shall prohibit the commission, or any of its members or staff on the authority of the commission, from responding to communications from the legislature or any of its members or from any state agency or from appearing and testifying at an open public meeting (as defined by RCW 42.30.030) or a hearing to adopt rules held pursuant to RCW 34.04.025 on matters directly affecting the exercise of their duties and powers under this chapter.

NEW SECTION. Sec. 9. There is added to chapter 1, Laws of 1973 and to chapter 42.17 RCW a new section to read as follows:

Nothing contained in the 1977 amendment of RCW 42.17.350 shall impair any property of or appropriations made to the commission, nor shall any rules of the commission adopted prior to January 1, 1978, be affected or impaired by the reorganization of the commission by such amendment.

NEW SECTION. Sec. 10. Section 14, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17-.195 are each repealed.

NEW SECTION. Sec. 11. This 1977 amendatory act shall take effect on January 1, 1978."

On page 1, on line 1 of the title, after "state government;" delete the remainder of the title and insert "amending section 2, chapter 1, Laws of 1973 as amended by section 2, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.020; amending section 3, chapter 1, Laws of 1973 and RCW 42.17.030; amending section 6, chapter 1, Laws of 1973 as amended by section 4, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.060; amending section 16, chapter 1, Laws of 1973 as amended by section 9, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.160; amending section 17, chapter 1, Laws of 1973 as amended by section 10, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.170; amending section 19, chapter 1, Laws of 1973 as amended by section 12, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.190; amending section 35, chapter 1, Laws of 1973 as last amended by section 8, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.350; adding new sections to chapter 1, Laws of 1973 and to chapter 42.17 RCW; repealing section 14, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.195; and providing an effective date."

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

To Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 10, by Representative Fischer:

Revising law on public employees' collective bargaining.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mr. Berentson moved adoption of the following amendment:

On page 1, line 18 beginning with "When there is" strike all material down to and including "prevail." on line 22 and insert "When a collective bargaining agreement has been reached, all charter provisions, ordinances, resolutions, and regulations and authority of any civil service commission or personnel board over any matter affecting any employee covered by such collective bargaining agreement shall be null and void as to such employee."

Representatives Berentson and Pardini spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Berentson spoke again in favor of the amendmen , and Mr. Lux spoke against it.

POINT OF ORDER

Mr. Patterson: "Mr. Speaker, Chairman Lux is talking all around the issue of the amendment and I think he ought to talk about the amendment rather than talking about how his committee functions and how fine the people are who are on that committee. We really love you, Representative Lux, but we would like to have you talk about the amendment."

The Speaker: "They'd really love for you to get to the point, Representative Lux."

Mr. Lux continued his remarks in opposition to the amendment, and Mr. Fischer also spoke against it.

Mr. Pardini spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Berentson to House Bill No. 10, and the amendment was not adopted by the following vote: Yeas, 37; nays, 54; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

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

Not voting: Representatives Ehlers, Hansen, Hurley M., Knowles, Lee, Shinoda, Vrooman.

House Bill No. 10 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 429, by Representatives Kilbury, May, Clemente, Lux, Burns, Fischer, Becker, Martinis, Bender, Boldt and Grier:

Requiring the department of labor and industries to conduct railroad safety inspections relating to employees.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 21st Day ex. sess., March 31, 1977.)

The Speaker stated the question before the House to be the committee amendment by Committee on Labor to page 3, line 12.

On motion of Mr. Lux, the following amendment by Representatives Lux and Kilbury to the committee amendment was adopted:

On line 5 of the committee amendment strike "and administration"

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

On line 6 of the amendment to page 3, after "regulations" insert "and any such transfer shall be limited to utilities and transportation funds specifically recommended for railroad employee health and safety functions"

Mr. Patterson spoke in favor of the amendment to the committee amendment, and Mr. Kilbury spoke against it.

Mr. Patterson spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patterson to the committee amendment to House Bill No. 429, and the amendment was not adopted by the following vote: Yeas, 35; nays, 52; not voting, 11.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Leckenby, McCormick, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Schmitt, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

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

Not voting: Representatives Deccio, Ehlers, Hurley M., Knowles, Lee, Sanders, Shinoda, Sommers, Valle, Vrooman, Zimmerman.

House Bill No. 429 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, HOUSE BILL NO. 1120 was made a Special Order of Business immediately following recess today.

HOUSE BILL NO. 520, by Representatives Shipoch, Charnley and Sherman:

Providing statutory consumer protection in certain areas of automobile insurance.

The bill was read the second time.

On motion of Mr. Douthwaite, Substitute House Bill No. 520 was substituted for House Bill No. 520, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 520 was read the second time.

Mr. Shipoch moved adoption of the following amendments by Representatives Shipoch and Douthwaite:

On page 2, line 14 after "liability" insert "and/or collision"

On page 2, line 17 strike "collision,"

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

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Smith.

Mr. Smith: "Representative Shinpoch, if I understand we're voting on the first and second amendments, and if those amendments are adopted, is it your interpretation of the bill as amended, that if an individual is involved in an accident involving collision, the insurance company would be allowed to refuse to renew their liability coverage?"

Mr. Shinpoch: "Yes, they would be; however, they would not be allowed to refuse to renew your liability and collision if you caught a rock in your windshield and had it replaced and two months later you caught another rock and had it replaced. They could do away with your comprehensive, but they could not do away with your liability and your collision. That, of course, if what I'm trying to get to."

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

Mr. Bender demanded the previous question and the demand was sustained.

The amendments were adopted.

Mr. Shinpoch moved adoption of the following amendments by Representatives Shinpoch and Douthwaite:

On page 3, line 2 strike "inconsistent with" and insert "other than one or more of"

On page 3, line 8 strike "inconsistent with" and insert "other than one or more of"

Representatives Shinpoch, Douthwaite and Haley spoke in favor of the amendments.

MOTION

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

MOTION FOR RECONSIDERATION

Mr. King moved that the House now reconsider the vote by which House Bill No. 646 failed to pass the House.

ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the House failed to pass House Bill No. 646, and the motion was carried by the following vote: Yeas, 57; nays, 33; not voting, 8.

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

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Nelson G. A., Newhouse, North, Pardini, Patterson, Polk, Sanders, Schmitt, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Ehlers, Hurley M., Knowles, Lee, Oliver, Paris, Shinoda, Vrooman.

The Speaker stated the question before the House to be reconsideration of final passage of House Bill No. 646.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of House Bill No. 646, and the bill passed the House by the following vote: Yeas, 53; nays, 34; not voting, 11.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Enbody, Eng, Fischer, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Owen, Pearsall, Pruitt, Salatino, Shinpoch, Thompson, Valle, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Erickson, Fancher, Flanagan, Fortson, Fuller, Gilleland, Haley, Leckenby, Nelson G. A., Newhouse, North, Pardini, Patterson, Polk, Sanders, Schmitt, Sherman, Smith, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Ehlers, Erak, Hurley M., Keller, Knowles, Lee, Oliver, Paris, Shinoda, Sommers, Vrooman.

House Bill No. 646, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please change my vote from "Yea" to "Nay" on House Bill No. 646.

RON DUNLAP, 41st District.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Grimm, Hurley (Margaret), Knowles, Owen, Shinoda and Vrooman. Representatives Hurley (Margaret), Knowles, Shinoda and Vrooman were excused.

MOTION

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

SECOND READING

SPECIAL ORDER OF BUSINESS

The hour of 1:30 p.m. having arrived, the Speaker stated the question before the House to be the Special Order of Business, House Bill No. 1120 on second reading.

HOUSE BILL NO. 1120, by Representative Valle:

Enacting an alternative to Initiative 59.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 1120 was substituted for House Bill No. 1120, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1120 was read the second time.

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 Grimm, Hurley (Margaret), Knowles, Owen, Shinoda and Vrooman.

On motion of Mr. Bender, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker called on Mr. O'Brien to preside.

The House resumed consideration of Substitute House Bill No. 1120 on second reading.

Mr. Patterson moved adoption of the following amendment:

On page 1, line 21 after "basis" strike all material down to and including "uses" on line 25

Representatives Patterson, Clayton and Amen spoke in favor of the amendment, and Representatives Kreidler, Boldt and Charette spoke against it.

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

Mr. Pardini spoke in favor of the amendment, and Representatives Becker, Chandler and Valle spoke against it.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Barr.

Mr. Barr: "Where it says, '... benefits less costs to be derived...' what does that mean? We're talking about using the waters of the state of Washington and we're talking about less the costs to be derived. I just wonder what that means?"

Mr. Kreidler: "The benefits less costs would be implication that there would be a higher and better use, that when we took a look at the present utilization that there would be higher and better use. It simply means that."

Representatives Clayton, Kilbury, Haley and Patterson spoke in favor of the amendment, and Representatives Pruitt and Hughes spoke against it.

Representative Grimm appeared at the bar of the House.

Mr. Flanagan spoke in favor of the amendment.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patterson to Substitute House Bill No. 1120, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Clayton, Conner, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Kilbury, Leckenby, Lee, May, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinpoch, Struthers, Taller, Tilly, Whiteside, Zimmerman.

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

Not voting: Representatives Hurley M., Knowles, Owen, Shinoda, Vrooman.

On motion of Mr. Kreidler, the following amendments by Representatives Kreidler and Valle were adopted:

On page 5, line 24 after "deliveries" insert "(a) for the irrigation of publicly owned land or (b)"

On page 6, line 21 after "purchase the" strike "corporation, partnership, or other organization" and insert "land to which water rights are appurtenant under such family farm permit"

Mr. Amen moved adoption of the following amendment by Representatives Amen and Schmittin:

On page 11, beginning on line 18 strike subsection (2) and renumber the remaining subsections consecutively.

Representatives Amen, Schmittin, Boldt, Barr and Grier spoke in favor of the amendment, and it was adopted.

On motion of Mr. Kreidler, the following amendment by Representatives Kreidler and Valle was adopted:

On page 12, line 32 after "any person" insert a comma.

Mr. Charette moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section. 1. The purpose of sections 1 through 12 of this act is to integrate the policies of this chapter into the decision making processes of the department of ecology in the implementation of the permit system of chapters 90.03 and 90.44 RCW as they pertain to proposed significant withdrawals of public surface and ground waters. The legislature finds that proposals to irrigate large tracts of land for agricultural purposes with large amounts of water removed from public surface and ground waters of the state have great environmental, social, and economic implications. The legislature finds that these proposals should be ruled upon only after full and very careful consideration to insure that the general public interest and welfare is protected and promoted and that the maximum net benefits are secured for the people of the state.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section shall apply throughout sections 1 through 12 of this act.

- (1) 'Application' means an application for a permit provided for in RCW 90.03.250 and 90.44.050.
- (2) 'Department' means department of ecology.
- (3) 'Family farm unit' means a geographical area consisting of not more than two thousand acres of irrigated agricultural lands utilized for the benefit of a single family.
- (4) 'Permit' means a permit as provided for in RCW 90.03.290 and 90.44.060.
- (5) 'Person' means any individual, corporation, partnership, or other entity.
- (6) 'Public entity' means any governmental agency, public or municipal corporation, or county with authority to administer and operate an agricultural irrigation water supply system and the capability to serve a substantial number of family farm units.
- (7) 'Public waters' mean waters subject to the permit system of chapters 90.03 and 90.44 RCW.
- (8) 'Regional' means a geographical area, not limited to a specific areal extent, that, because of overall compatibility between numerous physical, social and economic characteristics including, but not limited to, soil types, irrigability, water availability, topography, and accessibility, appears to lend itself to a single comprehensive development.
- (9) 'Significant withdrawal' means any proposed withdrawal by any person of public surface or ground waters for agricultural irrigation uses:
 - (a) In the amount of forty cubic feet per second or greater; or
 - (b) On two thousand acres or greater.

A proposed withdrawal shall be considered a 'significant withdrawal' if it relates to a portion of a total project or operating unit which exceeds the amounts of subsection (9)(a) or (b) of this section.

NEW SECTION. Sec. 3. In order to secure maximum net benefits in the allocation of public waters for the people of the state and to otherwise carry out statutory policy and protect and promote the public interest and welfare, applications for permits issued pursuant to RCW 90.03.290 and 90.44.060, which authorize a significant withdrawal of public waters, shall be processed as provided in sections 4 through 7 of this act.

NEW SECTION. Sec. 4. (1) The following shall be favored generally in relation to significant withdrawals:

- (a) Development of water supply projects which provide water to members of the public generally in regional areas of the state;
 - (b) Development of multipurpose water projects;
 - (c) Operation by public entities of such comprehensive water supply and multipurpose water projects;
- and
- (d) Family farming.

(2) In the processing of an application for a significant withdrawal, the department shall first determine whether: (a) Public waters are available for appropriation for a beneficial use, and (b) the proposed withdrawal of public waters would not impair existing rights. The department shall deny the application if either of these two determinations are not in the affirmative.

(3) If the department finds public waters are available and no such impairment would take place, the department shall then determine whether the proposed use of water will be upon lands which may be served in better fashion, taking into account public interest considerations, through a regional water supply system or multipurpose water project. This finding shall be determined after the completion of feasibility studies, environmental impact statements, or other appropriate information gathering methods. The department shall further determine whether there is presently a public entity in existence with the interest and capability to construct and operate such a project, or whether it appears such an entity will be established within the reasonably foreseeable future.

(4) If the department determines that a regional water project appears both desirable and feasible for development and that a public entity is or will be in existence which has the interest and capability to construct and operate such a project within the reasonably foreseeable future, the department shall take appropriate actions designed to bring about the development of the regional project and the creation of water rights under chapters 90.03 and 90.44 RCW for the operating public entity. The department may, as one of such actions described above, reserve public waters as provided in RCW 90.54.050 to assure the availability of public waters for the project. These actions shall continue unless the department thereafter concludes that the objectives of the actions cannot be reached within a reasonable time.

(5) Permits issued under chapters 90.03 and 90.44 RCW to a public entity for a regional water project shall be conditioned to insure a substantial portion of the waters, normally more than fifty percent, authorized for withdrawal for irrigation use are used for family farm units and that no person owning or operating a family farm unit and receiving water from the substantial portion should be supplied further waters from such portion. The permit shall provide conditions taking into account state water allocation policy to insure equitable distribution of those waters available for lands other than those within family farm units. The permits shall be further conditioned to require all users of water for agricultural irrigation purposes to carry out a conservation and management program as described in section 7 of this act. Except as provided in section 9(3) of this act, the department shall not include a condition limiting the term of time of effectiveness of the permit to a specific period of years or to a specific termination date unless specifically requested by the applying public entity.

(6) If a permit is issued as provided in subsection (5) of this section, the department shall deny the application for a significant withdrawal, referred to in subsection (2) of this section, at the time of the issuance of a permit unless the application is included in the decision of the department as part of the permit granted to the public entity.

(7) If the public entity increases its service area in a manner that results in a substantial portion of water being required for other than family farms, any new applications shall be processed in the same manner as provided in section 5 of this act.

NEW SECTION. Sec. 5. (1) If the department determines a regional water project, as provided in section 4 of this act, is not desirable or feasible, or an entity is not available to construct and operate such a project, the department shall further process the application for a significant withdrawal referred to in section 4(2) of this act.

(2) The department shall then conduct hearings to obtain comments from the public pertaining to the application. The hearings, which shall be announced by notices in newspapers and by other means the department deems appropriate, shall be held in the county or counties where the proposed point or points of withdrawal of public waters are located. The hearings shall be conducted for the purpose of obtaining views not only as to whether the application should be approved but whether, if approved, the permit issued should contain the conditions provided for in section 6 of this act.

(3) The department shall include the conditions provided for in section 6 of this act only if it is determined that, under the particular facts, the policies pertaining to the achievements of maximum net benefits and other existing state policies of chapters 90.54, 90.03 and 90.44 RCW and otherwise, or pertinent water allocation policies as are in effect are clearly promoted by the inclusion thereof. A permit including the conditions provided for in section 6 of this act shall be characterized as 'a water right permit of regional or state-wide significance'.

NEW SECTION. Sec. 6. (1) A water right permit of regional or state-wide significance shall provide that the initial period of authorization for withdrawal shall be for fifty years and the permit holder shall be entitled to a first right of extension of the permit as provided in this section. A permit shall terminate, in whole or in part, at the end of its term if at any time prior to the end of the forty-fifth year of any fifty year term the department:

(a) Finds:

(i) All or a portion of the public waters of the state authorized for withdrawal by the permit are required for a higher beneficial use or purpose to satisfy state policy at the conclusion of any term; and

(ii) The termination does not appear to create conditions detrimental to the public interest and welfare which exceed the public benefits to be derived from the termination, and provided that the department in its termination shall give full and just consideration to allow the water right holder to retain a portion of the right with an allocation of water sufficient to satisfy the needs of a family farm, consistent with the manner in which family farming is being carried out in the area in question at that time; and

(b) Notifies the holder of the permit by written regulatory order of the above findings and the decision to terminate the permit. If the department does not provide this notice the authority to withdraw embodied in the permit shall, at the end of the forty-fifth year of its term, automatically be extended an additional fifty year period from its original term for a new term of fifty years.

(2) Any order issued pursuant to section 7(2) of this act shall be subject to full and complete review as provided in section 11 of this act.

NEW SECTION. Sec. 7. (1) A water right pertaining to a significant withdrawal shall normally include a condition relating to a conservation and management program designed to promote public interest values on the lands to which the public waters are to be applied as well as on adjacent lands. This program shall include, among others and when reasonably achievable, elements which promote natural resources values, protect against soil losses to public waters and air, and provide for adequate drainage and related facilities. The program shall be developed in consultation with appropriate federal, state, and local agencies having responsibilities for administration of natural resources protection and management programs. The program shall be designed to minimize the financial commitment of the permit holder and the commitment shall, whenever possible, be limited to a one-time expense. The program shall be designed, so far as practicable, to preclude a commitment of the permit holder to perform special farm practices of a nature not associated with standard farm conservation practices.

(2) Generally, this program, in precisely described form, shall be included as a condition of the permit at the time of the ruling upon the application. However, in some circumstances, it is contemplated that a precisely described program may not be included as a condition of the permit prior to its issuance. In such event a permit condition requiring a program to be developed in precisely described form by the permittee, after consultation with the public entities referred to in subsection (1) of this section, shall be included. The permit shall further require that the program must be submitted by the permittee to, as well as be approved by, the department within six months of the date of the issuance of the permit. Approval of a program, in the form approved by the department, shall be by written regulatory order. No public waters authorized for withdrawal by a permit shall be withdrawn prior to the approval being given to a program.

(3) Conservation and management programs, as related to fauna and flora, shall be designed primarily for nonfarmed areas and farmed areas which are not appropriate for intensive agricultural endeavors.

(4) Implementation by the permittee of a program embodied in a permit condition on a continuing basis shall be a requirement for continued withdrawal of public water and failure to so implement a program shall constitute grounds for the department to terminate the permit.

NEW SECTION. Sec. 8. The department shall carry out a monitoring program pertaining to the uses being made by permittee of public waters to insure against waste and other practices which may cause degradation of public resources and to otherwise prevent misuse of public waters and permits shall be conditioned to insure compliance herewith.

NEW SECTION. Sec. 9. (1) Nothing in sections 1 through 12 of this act shall:

- (a) Affect any existing rights to withdraw public waters;
- (b) Modify the regulation of existing rights based on the priority of the right;
- (c) Modify or otherwise affect any other provision of law pertaining to permits or certificates, including those pertaining to loss or forfeiture thereof;
- (d) Be construed as authorizing members of the public to enter private lands subject to the provisions of this chapter; or

(e) Relate to or modify any powers of eminent domain.

(2) The rights embodied in permits issued for significant withdrawals shall be subject to existing rights.

(3) The provisions of sections 1 through 12 of this act should be considered as nonexclusive water allocation policy factors, and should not be construed as restricting the department from consideration of other factors as they become relevant to rulings on applications for permits and conditions on permits for significant withdrawals.

NEW SECTION. Sec. 10. Detailed statements, as provided for in RCW 43.21C.030, shall be prepared when appropriate prior to ruling upon any application for a significant withdrawal or withdrawal for a regional water supply project as provided in sections 4 and 6 of this act.

NEW SECTION. Sec. 11. The department may promulgate such rules and make such orders as may be necessary to carry out the provisions of this chapter. Such rules shall include, but not be limited to, those requiring persons issued permits under this chapter or receiving water pursuant to such permits and persons leasing agricultural land irrigated with the water governed by such permits to submit such reports as are necessary to ensure that the provisions of this chapter are effectively enforced. Orders and regulations of the department shall be subject to review in accordance with chapter 43.21B RCW. The department shall conform to the provisions of the administrative procedure act, chapter 34.04 RCW, in carrying out the provisions of this chapter.

NEW SECTION. Sec. 12. Notwithstanding any provision of this chapter to the contrary, nothing contained in this chapter shall give, or be construed to give, any person in respect to land distributed water by a public water entity, any rights or benefits in excess of those rights or benefits which such person has pursuant to such person's legal relationship with the public water entity under any contract or under any other laws or under the rules, regulations, bylaws, or resolutions adopted by the public water entity.

NEW SECTION. Sec. 13. This chapter shall be liberally construed so as to carry out the purposes specified in section 1 of this act and so as to prevent any person from using any artifice or scheme inconsistent with such purposes and in circumvention of the requirements contained herein. The provisions of this chapter are cumulative and nonexclusive in respect to any other state law dealing with water rights.

NEW SECTION. Sec. 14. If any provision of this act, or its application to any person, organization, or circumstance is held invalid or unconstitutional, the remainder of the act, or the application of the provision to other persons, organizations, or circumstances is not affected.

NEW SECTION. Sec. 15. Sections 1 through 14 of this act shall be added to chapter 90.54 RCW.

NEW SECTION. Sec. 16. This 1977 act constitutes an alternative to Initiative 59. The secretary of state is directed to place this 1977 act on the ballot in conjunction with Initiative 59 at the next ensuing regular election as required by Article II, section 1 of the Constitution."

Representatives Charette and Boldt spoke in favor of the amendment, and Representatives Douthwaite, Barr and Hurley (George) spoke against it.

POINT OF ORDER

Mr. Charette: "Mr. Speaker, my point is that this amendment has been floating around here for three weeks and anybody on the floor of this House who can read could have read it. Now if Representative Hurley wants to talk—"

The Speaker (Mr. O'Brien presiding): "You're out of order. Representative Hurley, continue."

Mr. Hurley (George) continued his remarks in opposition to the amendment.

Representatives Valle and Amen spoke against the amendment.

MOTION

Mr. King moved that further consideration of Substitute House Bill No. 1120 be deferred until tomorrow.

Mr. King spoke in favor of the motion, and Mr. Pardini spoke against it.

ROLL CALL

The Clerk called the roll on the motion to defer further consideration of Substitute House Bill No. 1120, and the motion was carried by the following vote: Yeas, 51; nays, 42; not voting, 5.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fortson, Gaines, Gallagher, Grimm, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Kilbury, King, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fischer, Flanagan, Fuller, Gilleland, Greengo, Grier, Gruger, Haley, Heck, Keller, Knedlik, Kreidler, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Taller, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Hurley M., Knowles, Owen, Shinoda, Vrooman.

MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 1:30 p.m., Wednesday, April 6, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-SEVENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, April 6, 1977.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present, except Representatives Hanna, Hurley (Margaret), Knowles and North. Representatives Hurley (Margaret), Knowles and North were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Donna Lemley and Kelly Johnson. Prayer was offered by 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

April 5, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2251, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 5, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2251,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 5, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2416,
ENGROSSED SENATE BILL NO. 2441,
ENGROSSED SENATE BILL NO. 2460,
SENATE BILL NO. 2484,
ENGROSSED SENATE BILL NO. 2868,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2251.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2416, by Senators Walgren, Woody, Clarke and Henry:

Providing a forfeiture hearing before the seizing agency to a person whose property has been seized under the controlled substances act.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2441, by Senators Donohue, Keefe and Gaspard:

Providing for disbursement of certain funds to counties to upgrade certain horse race courses.

To Committee on Agriculture

ENGROSSED SENATE BILL NO. 2460, by Senators von Reichbauer, North and Sandison:

Authorizing hostels.

To Committee on Parks and Recreation

SENATE BILL NO. 2484, by Senators Henry and Wanamaker:

Modifying scope of the authority of the utilities and transportation commission to issue rules.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 2868, by Senators von Reichbauer, North, Sellar and Fleming:

Providing for new boards of commissioners for merged fire districts.

To Committee on Local Government

REPORTS OF STANDING COMMITTEES

April 5, 1977

HOUSE BILL NO. 43, Prime Sponsor: Representative Hurley (Margaret), planning urban area state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; King, Owen.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 382, Prime Sponsor: Representative Taller, exempting prescription drugs sold to the state or political subdivisions from sales tax. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Craswell, Eng, Erickson, Flanagan, Hurley (George), Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 508, Prime Sponsor: Representative O'Brien, regulating the sale of hypodermic needles. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Fortson, Gruger, Lux, May, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

April 5, 1977

HOUSE BILL NO. 674, Prime Sponsor: Representative Kilbury, revising laws relating to the sale or transfer of agricultural products. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Boldt, Fancher, Hansen.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 675, Prime Sponsor: Representative Fischer, abolishing pay toilets and requiring certain places of public accommodation to have free public toilet facilities. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Lux, May, Pearsall, Schmitten.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 694, Prime Sponsor: Representative Boldt, authorizing the state patrol to dispose of certain real property. Reported by Committee on Transportation.

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

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 708, Prime Sponsor: Representative Charnley, authorizing the traffic safety commission to engage in programs relating to bicycle use and safety. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 6 strike all of section 3 and insert the following:

NEW SECTION. Sec. 3. There is hereby appropriated to the traffic safety commission from the highway safety fund for the biennium ending June 30, 1979, the sum of forty thousand four hundred sixty-five dollars or so much thereof as may be necessary to carry out the provisions of this 1977 amendatory act.

Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clemente, Gaines, Gallagher, Martinis, Paris, Sherman.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 758, Prime Sponsor: Representative Conner, revising the law requiring vehicles to stop for school buses. Reported by Committee on Transportation.

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

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 820, Prime Sponsor: Representative Adams, enacting the victims of sexual assault act. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Lux, May, Pearsall, Pruitt, Schmitt.

MOTION

On motion of Mr. King, House Bill No. 820 was rereferred to Committee on Appropriations.

April 4, 1977

HOUSE BILL NO. 848, Prime Sponsor: Representative Hanna, modifying the financial responsibility provisions for residents of state residential schools. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 13 strike "director of the department of institutions" and insert "~~((director of the department of institutions))~~ secretary of the department of social and health services"

On page 5, line 27 strike "institutions" and insert "~~((institutions))~~ social and health services"

On page 6, line 11 strike "~~((department))~~ division of institutions" and insert "~~department of ((institutions))~~ social and health services"

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

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 878, Prime Sponsor: Representative Schmitt, establishing and defining five commissioner PUDs and three commissioner PUDs. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, beginning on line 3 strike the remainder of the bill and insert the following:

*Sec. 8, Section 4, chapter 1, Laws of 1931 as last amended by section 2, chapter 53, Laws of 1977 and RCW 54.12.010 are each amended to read as follows:

Within ten days after such election, the election board of the county shall canvass the returns, and if at such election a majority of the voters voting upon such proposition shall vote in favor of the formation of such district, the election board shall so declare in its canvass of the returns of such election, and such public utility district shall then be and become a municipal corporation of the state of Washington, and the name of such public utility district shall be Public Utility District No. of County. The powers of the public utility district shall be exercised through a commission consisting of three members in three commissioner districts ((of the second class)), and five members in five commissioner districts ((of the first class)). When the public utility district is coextensive with the limits of such county, then, at the first election of commissioners and until any change shall have been made in the boundaries of public utility district commissioner districts, one public utility district commissioner shall be chosen from each of the three county commissioner districts of the county in which the public utility district is located. When the public utility district comprises only a portion of the county, with boundaries established in accordance with chapter 54.08 RCW, three public utility district commissioner districts, numbered consecutively, having approximately equal population and boundaries, following ward and precinct lines, as far as practicable, shall be described in the petition for the formation of the public utility district, which shall be subject to appropriate change by the county commissioners if and when they change the boundaries of the proposed public utility district, and one commissioner shall be elected from each of said public utility district commissioner districts. In all five commissioner districts ((of the first class)) an additional commissioner at large shall be chosen from each of the two at large districts. No person shall be eligible to be elected to the office of public utility district commissioner for a particular district commissioner district unless he is a registered voter of the public utility district commissioner district or at large district from which he is elected.

Except as otherwise provided, the term of office of each public utility district commissioner other than the commissioners at large shall be six years, and the term of each commissioner at large shall be four years. Each term shall be computed from the first day of December following the commissioners' election. One commissioner at large and one commissioner from a commissioner district shall be elected at each general election held in an even-numbered year for the term of four years and six years respectively. All candidates shall be voted upon by the entire public utility district.

When a public utility district is formed, three public utility district commissioners shall be elected at the same election at which the proposition is submitted to the voters as to whether such public utility district shall be formed. The commissioner residing in commissioner district number one shall hold office for the term of six years; the commissioner residing in commissioner district number two shall hold office for the term of four years; and the commissioner residing in commissioner district number three shall hold office for the term of two years. The commissioners first to be elected as above provided shall hold office from the first day of the month following the commissioners' election. Each term shall be computed from the first day of December following the commissioners' election.

All public utility district commissioners shall hold office until their successors shall have been elected and have qualified. A filing for nomination for public utility district commissioner shall be accompanied by a petition signed by one hundred registered voters of the public utility district, which shall be certified by the county auditor to contain the required number of registered voters, and shall otherwise be filed in accord with the requirements of RCW 29.21.060. At the time of filing such nominating petition, the person so nominated shall execute and file a declaration of candidacy subject to the provisions of RCW 29.21.060, as now or hereafter amended. The petition and each page of the petition shall state whether the nomination is for a commissioner from a particular commissioner district or for a commissioner at large and shall state the districts; otherwise it shall be void. A vacancy in the office of public utility district commissioner shall occur by death, resignation, removal, conviction of a felony, nonattendance at meetings of the public utility district commission for a period of sixty days unless excused by the public utility district commission, by any statutory disqualification, or by any permanent disability preventing the proper discharge of his duty. In the event of a vacancy in said office, such vacancy shall be filled at the next general election held in an even-numbered year, the vacancy in the interim to be filled by appointment by the remaining commissioners. If more than one vacancy exists at the same time in a three commissioner district ((of the second class)), or more than two in a five commissioner district ((of the first class)), a special election shall be called by the county election board upon the request of the remainder, or, that failing, by the county election board, such election to be held not more than forty days after the occurring of such vacancies.

A majority of the persons holding the office of public utility district commissioner at any time shall constitute a quorum of the commission for the transaction of business, and the concurrence of a majority of the persons holding such office at the time shall be necessary and shall be sufficient for the passage of any resolution, but no business shall be transacted, except in usual and ordinary course, unless there are in office at least a majority of the full number of commissioners fixed by law.

The boundaries of the public utility district commissioners' district may be changed only by the public utility district commission, and shall be examined every ten years to determine substantial equality of population, but said boundaries shall not be changed oftener than once in four years, and only when all members of the commission are present. The proposed change of the boundaries of the public utility district commissioners' district must be made by resolution and after public hearing. Notice of the time of a public hearing thereon shall be published for two weeks prior thereto. Upon a referendum petition signed by ten percent of

the qualified voters of the public utility district being filed with the county auditor, the board of county commissioners shall submit such proposed change of boundaries to the voters of the public utility district for their approval or rejection. Such petition must be filed within ninety days after the adoption of resolution of the proposed action. The validity of said petition shall be governed by the provisions of chapter 54.08 RCW."

On line 10 of the title after "as last amended by" delete the remainder of the title and insert "section 2, chapter 53, Laws of 1977 and RCW 54.12.010."

Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Charnley, Kilbury, Leckenby, McCormick, Pearsall, Wilson.

To Committee on Rules for second reading.

April 5, 1977

HOUSE BILL NO. 1021, Prime Sponsor: Representative Ehlers, relating to state government. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on State Government.

April 1, 1977

HOUSE BILL NO. 1175, Prime Sponsor: Representative Valle, regulating dam safety. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Douthwaite, Grier, Gruger, Hughes, Hurley (George), Kroidler.

MINORITY recommendation: Without recommendation. Signed by Representatives Barr, Ranking Minority Member; Chandler, Leckenby.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 1194, Prime Sponsor: Representative Adams, assessing a penalty fee for late renewal of licenses for vendors of prophylactics. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kroidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Lux, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

April 5, 1977

SENATE BILL NO. 2341, Prime Sponsor: Senator Peterson, allowing the director of game to determine the time and place of the drawing in special hunting seasons. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Fuller, Gilleland, Greengo, Lysen, May, Schmitten, Smith.

To Committee on Rules for second reading.

April 5, 1977

ENGROSSED SENATE BILL NO. 2344, Prime Sponsor: Senator Peterson, prohibiting the application of the distribution percentage to fines and forfeitures transmitted to the director of game. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member, Clemente, Fuller, Gilleland, Greengo, Lysen, May, Schmitten, Smith.

To Committee on Rules for second reading.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Hanna, Hurley (Margaret), Knowles and North.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 257, by Committee on Judiciary (Originally sponsored by Representatives Thompson, Haley, Adams, Blair, Charnley, Becker, Hanna, Douthwaite, Williams, Lux, Chandler, King, Burns and Nelson, Dick):

Enacting the Marihuana Education and Control Act of 1977.

The House resumed consideration of the bill on reconsideration of final passage.

Mr. Hanna appeared at the bar of the House.

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

Representatives Thompson, Ehlers, Hurley (George) and Sanders spoke in favor of passage of the bill, and Representatives Oliver, Deccio, Bond, Struthers and Dunlap spoke against it.

The Speaker called on Mr. O'Brien to preside.

Mr. King demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 257, and the bill passed the House by the following vote: Yeas, 52; nays, 43; not voting, 3.

Voting yea: Representatives Adams, Amen, Becker, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Gaines, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Keller, King, Knedlik, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, McKibbin, Moreau, Nelson D., O'Brien, Pardini, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Warnke, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bauer, Bender, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grimm, Hansen, Hughes, Kilbury, Lee, May, McCormick, Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Schmitt, Struthers, Tilly, Vrooman, Walk, Wilson, Winsley, Zimmerman.

Not voting: Representatives Hurley M., Knowles, North.

Engrossed Substitute House Bill No. 257, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 588, by Representative Hawkins:

Modifying the filling of U.S. Senate vacancies.

The House resumed consideration of the bill on reconsideration of final passage.

Representatives Hawkins and Barnes spoke in favor of the bill, and Representatives Polk and Pardini spoke against it.

Mr. Hawkins spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed House Bill No. 588, and the bill passed the House by the following vote: Yeas, 55; nays, 40; not voting, 3.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Fuller, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Maxie, McKibbin, Moreau, Nelson D., O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman,

Shinpoeh, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barr, Berentson, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Eng, Erak, Fancher, Flanagan, Gallagher, Gilleland, Greengo, Haley, Leckenby, Lee, Martinis, May, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Hurley M., Knowles, North.

Engrossed House Bill No. 588, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, April 7, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 7, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Bond, Gaines, Greengo, Hurley (Margaret), Knowles, Martinis, McCormick, North, Oliver and Williams. Representatives Amen, Bond, Greengo, Hurley (Margaret), Knowles, Martinis, North and Williams were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Helene Stappa and Alan Edwards. Prayer was offered by 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.

MESSAGE FROM THE SENATE

April 6, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO 2301,
ENGROSSED SENATE BILL NO. 2668,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2301, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Increasing witness fees.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2668, by Senators Marsh, Francis and Buffington:

Enacting a Landlord-Tenant Act for mobile home lots.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

April 5, 1977

HOUSE BILL NO. 76, Prime Sponsor: Representative Williams, providing in state building code for fire stairs and fire elevators in historic structures. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Sommers.

To Committee on Rules for second reading.

April 6, 1977

HOUSE BILL NO. 737, Prime Sponsor: Representative Bauer, allowing school districts to pay for insurance for students in interdistrict activities. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman;

Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fortson, Fuller, McKibbin, Schmitten, Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

April 5, 1977

HOUSE BILL NO. 777, Prime Sponsor: Representative O'Brien, authorizing the construction of a cultural arts center in Federal Way. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill by Committee on Commerce be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Blair, Ranking Minority Member; Boldt, Chandler, Charette, Ehlers, Heck, Hughes, Keller, Maxie, Pardini, Polk, Valle, Warnke, Williams.

To Committee on Rules for second reading.

April 6, 1977

HOUSE BILL NO. 1203, Prime Sponsor: Representative McKibbin, relating to education. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Bender, Boldt, Ehlers, Fortson, Fuller, Lee, McKibbin, Valle, Warnke.

April 6, 1977

HOUSE BILL NO. 1277, Prime Sponsor: Representative McKibbin, providing for a Washington state commission on educational structure and management. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitten, Valle, Warnke, Whiteside.

MOTION

On motion of Mr. Bender, House Bill No. 1277 was rereferred to Committee on Appropriations.

April 6, 1977

HOUSE JOINT RESOLUTION NO. 55, Prime Sponsor: Representative Conner, permitting the legislature to establish reasonable rates, whether maximum or minimum for transportation. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass. Signed by Representatives Fortson, Chairwoman; Oliver, Ranking Minority Member; Patterson, Sommers.

To Committee on Rules for second reading.

April 6, 1977

HOUSE JOINT RESOLUTION NO. 56, Prime Sponsor: Representative Conner, removing the constitutional requirement prohibiting short-haul differential. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass. Signed by Representatives Fortson, Chairwoman; Oliver, Ranking Minority Member; Patterson, Sommers.

To Committee on Rules for second reading.

April 6, 1977

HOUSE JOINT RESOLUTION NO. 57, Prime Sponsor: Representative Conner, removing the constitutional prohibition against combinations by carriers. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass. Signed by Representatives Fortson, Chairwoman; Oliver, Ranking Minority Member; Patterson, Sommers.

To Committee on Rules for second reading.

April 4, 1977

SUBSTITUTE SENATE BILL NO. 2082, Prime Sponsor: Senator Wilson, establishing procedures for abolishing state agencies. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

'NEW SECTION. Section 1. This act may be known and cited as the 'Regulatory Reform Act of 1977'.

NEW SECTION. Sec. 2. The state legislature finds that state agencies may fail to deliver services as effectively and efficiently as is expected by the general public and as originally contemplated by the legislature. It further finds that state government actions have produced a substantial increase in numbers of agencies, growth of programs, and proliferation of rules and regulations, and that the entire process has evolved without sufficient legislative oversight, regulatory accountability, or a system of checks and balances. The legislature further finds that by establishing a system for the termination, continuation, or modification of state agencies, coupled with a system of scheduled review of such agencies, it will be in a better position to evaluate the need for the continued existence of existing and future state agencies.

NEW SECTION. Sec. 3. As used in this act the following words and phrases shall have the following meanings unless the context clearly requires otherwise.

(1) 'Committees of reference' means the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider termination, modification, or reestablishment of state agencies pursuant to this act.

(2) 'Person' includes every natural person, firm, partnership, corporation, association, or organization.

(3) 'Regulatory entity' means any board, commission, agency, division, or other unit or subunit of state government which licenses or regulates one or more professions, occupations, industries, businesses, or other endeavors in the state of Washington.

(4) 'State agency' includes every state office, officer, department, board, commission, regulatory entity and agency of the state, and where provided by law, programs and activities involving less than the full responsibility of a state agency.

NEW SECTION. Sec. 4. Any state agency scheduled for termination by the processes provided in this act may be reestablished by the legislature for a period of time specified by law, but not to exceed six years. At the end of such period of time the legislature shall again review such state agency in a manner consistent with the provisions of this act and reestablish, modify, or consolidate such state agency or allow it to be terminated.

NEW SECTION. Sec. 5. The legislative budget committee shall cause to be conducted a program and fiscal review of each state agency scheduled for termination by the processes provided in this act. Such program and fiscal review shall be completed and a report prepared on or before September 30 of the year prior to the date established for termination. Upon completion of its report, the legislative budget committee shall transmit copies of the report as well as related studies and documents to all members of the legislature, to the state agency concerned, to the governor, and to the state library.

NEW SECTION. Sec. 6. In conducting the review of a regulatory entity, the legislative budget committee shall consider, but not be limited to, the following factors where applicable:

(1) The extent to which the regulatory entity has permitted qualified applicants to serve the public;

(2) The extent to which the regulatory entity restricts or inhibits competition or otherwise adversely affects the state's economic climate;

(3) The extent to which the system of regulation has contributed directly or indirectly to increasing or decreasing the costs of any goods or services involved;

(4) The duties of the regulatory entity and the costs incurred in carrying out such duties;

(5) Whether the regulatory entity has operated in the public interest, including the extent to which the regulatory entity has:

(a) Sought and achieved public participation in making its rules and decisions including consideration of recommending appointment of one or more 'public' members to the entity;

(b) Processed to completion in a timely and equitable manner the formal complaints filed with it;

(c) Implemented an effective system of evaluating the impact on the public of its rules and decisions regarding economy, availability and improvement of the services rendered to the persons it regulates;

(d) Initiated administrative procedures or recommended statutory changes to the legislature that would benefit the public as opposed to the persons it regulates; and

(e) Identified the needs and problems of the recipients of goods and services provided by those regulated;

(6) The extent to which persons regulated by the regulatory entity have been encouraged to participate in assessing problems in their profession, occupation, or industry which affect the public;

(7) The impact and effectiveness of the regulatory entity with respect to the problems or needs the entity was intended to address;

(8) The consequences of eliminating or modifying the program of the regulatory entity;

(9) The extent to which the regulatory entity duplicates the activities of other regulatory entities; and

(10) The extent to which the absence or modification of regulation would adversely affect the public health, safety, or welfare.

NEW SECTION. Sec. 7. In conducting the review of a state agency other than a regulatory entity, the legislative budget committee shall consider, but not be limited to, the following factors where applicable:

(1) The extent to which the state agency has complied with legislative intent;

(2) The extent to which the state agency is operating in an efficient and economical manner which results in optimum performance;

(3) The extent to which the state agency is operating in the public interest by effectively providing a needed service that should be continued rather than modified, consolidated, or eliminated;

(4) The extent to which the state agency duplicates the activities of other state agencies; and

(5) The extent to which the termination or modification of the state agency would adversely affect the public health, safety, or welfare.

NEW SECTION, Sec. 8. (1) Following receipt of the report of the legislative budget committee, the appropriate committees of reference in the senate and the house of representatives shall jointly hold a public hearing to consider the legislative budget committee report and any related data. The committees shall also receive testimony from representatives of the state agency involved, which shall have the burden of demonstrating a public need for its continued existence; and from the governor or the governor's designee, and other interested parties, including the general public.

(2) When requested jointly by the presiding members of the appropriate senate and house committees of reference, a regulatory entity under review shall mail an announcement of the joint hearing to the persons it regulates who have requested notice of agency rule-making proceedings as provided in RCW 34.04.025(1)(a), as now existing or hereafter amended, or who have requested notice of hearings held pursuant to the provisions of this section. On request of either presiding member, such mailing shall include an explanatory statement not exceeding one page in length prepared and supplied by the member's committee.

(3) The presiding members of the senate committee on ways and means and the house committee on appropriations may designate one or more liaison members to each committee of reference in their respective chambers for purposes of participating in the joint hearing and in subsequent committee of reference discussions and to seek a coordinated approach between the committee of reference and the committee they represent in a liaison capacity.

(4) Following the joint hearing by the committees of reference, such committees may separately hold additional meetings or hearings to come to a final determination as to whether a state agency has demonstrated a public need for its continued existence or whether modifications in existing procedures are needed. In the event that a committee of reference concludes that a state agency shall be reestablished or modified or its functions transferred elsewhere, it shall make such determination as a bill. No more than one state agency shall be reestablished or modified in any one bill.

NEW SECTION, Sec. 9. If terminated, a state agency shall continue in existence until June 30th of the next succeeding year for the purpose of concluding its affairs: **PROVIDED,** That the powers and authority of the state agency shall not be reduced or otherwise limited during this period. Unless otherwise provided:

(1) All employees of terminated state agencies classified under chapter 41.06 RCW, the state civil service law, shall be transferred as appropriate or as otherwise provided in the procedures adopted by the personnel board pursuant to RCW 41.06.150;

(2) All documents and papers, equipment, or other tangible property in the possession of the terminated state agency shall be delivered to the custody of the agency assuming the responsibilities of the terminated agency or if such responsibilities have been eliminated, documents and papers shall be delivered to the state archivist and equipment or other tangible property to the department of general administration.

(3) All funds held by, or other moneys due to, the terminated state agency shall revert to the fund from which they were appropriated, or if that fund is abolished to the general fund;

(4) All rules made by a terminated state agency shall be repealed, without further action by the state agency, at the end of the period provided in this section, unless assumed and reaffirmed by the agency assuming the related legal responsibilities of the terminated state agency;

(5) All contractual rights and duties of a state agency shall be assigned or delegated to the agency assuming the responsibilities of the terminated state agency, or if there is none to such agency as the governor shall direct.

NEW SECTION, Sec. 10. This act shall not affect the right to institute or prosecute any cause of action by or against a state agency terminated pursuant to this act if the cause of action arose prior to the end of the period provided in section 9 of this act. Such causes of action may be instituted, prosecuted, or defended in the name of the state of Washington by the office of the attorney general. Any hearing or other proceeding pending before a state agency to be terminated and not completed before the end of the period provided in section 9 of this act, may be completed by the agency assuming the responsibilities of the terminated state agency.

NEW SECTION, Sec. 11. Any reference in this act to a committee of the legislature including the legislative budget committee shall also refer to the successor of that committee.

NEW SECTION, Sec. 12. (1) The speaker of the house of representatives and the president of the senate shall appoint a select joint committee consisting of ten members of the legislature within thirty days of the effective date of this act. The speaker shall appoint three members of the majority party and two members of the minority party. The president shall appoint three members of the majority party and two members of the minority party. The committee shall be responsible for the development of legislation which provides a schedule for the termination of state agencies in a manner consistent with the terms of this act. The termination of such state agencies shall occur over a period of six years, beginning on June 30, 1979. In the development of such legislation, the select joint committee shall:

(a) Identify state agencies which might appropriately be scheduled for termination;

(b) Arrange for automatic termination of state agencies with a reasonable number of state agencies to be terminated on June 30, 1979, a reasonable number of state agencies to be terminated on June 30, 1981, and a reasonable number of state agencies to be terminated on June 30, 1983;

(c) Seek to schedule state agencies with like goals, objectives, or functions for termination on the same date so as to better assure identification of duplicative activities and provide for appropriate modification or consolidation of state agencies to avoid future duplication; and

(d) Seek to schedule state agencies for termination in a manner which assures that as many committees of reference as possible have sufficient opportunity to develop experience in conducting reviews as provided pursuant to the terms of this act, and which assures that no such committee is given responsibility for review of an unreasonable number of state agencies during any legislative session.

(2) In identifying those state agencies to be scheduled for termination, the select joint committee shall consider, but not be limited to, the following factors where applicable:

(a) The extent to which the burden of compliance on the executive and legislative branches with the terms of the act is reasonable;

(b) The extent to which a state agency may serve the interests of a particular profession, occupation, or industry as opposed to the interests of the public;

(c) The extent to which a state agency may have outlived its original statutory purpose; and

(d) The potential for fiscal savings.

(3) The select joint committee shall also be responsible for assisting in the implementation of the terms and provisions of this act and shall establish proposed procedures which facilitate legislative review as required by this act for presentation to the legislature. Such committee shall recommend legislative rules which assure effective and appropriate consideration of all bills and reports regarding termination, modification, consolidation, or reauthorization of state agencies scheduled for termination.

(4) Proposed legislation, recommendations, and findings shall be submitted to the legislature as soon as is practicable, but no later than the first day the legislature is in session after January 1, 1978.

NEW SECTION. Sec. 13. Nothing in this act shall prevent the legislature from abolishing or modifying a state agency scheduled for termination prior to the agency's established termination date or from abolishing or modifying any other state agency.

NEW SECTION. Sec. 14. (1) The following programs shall be terminated on June 30, 1978:

(a) Debt adjusting (chapter 18.28 RCW);

(b) Midwifery (chapter 18.50 RCW);

(c) Proprietary schools (chapter 18.82 RCW);

(d) Grist mills (chapter 19.44 RCW); and

(e) Regulation of vessels (chapter 88.04 RCW).

(2) The following state agencies and programs shall be terminated on June 30, 1979:

(a) Driving instructors examining committee;

(b) Water well construction operators examining board;

(c) Forest fire advisory board;

(d) Escrow commission;

(e) Employment agency advisory board; and

(f) Charitable solicitations (chapter 19.09 RCW).

(3) The state agencies scheduled for termination in this section shall be subject to all of the processes provided in this act. The state agencies set forth in this section may also be included in the schedule of state agencies to be terminated which shall be developed by the select joint committee as provided in section 12 of this act. If any state agency set forth in this section is reestablished or modified, such agency shall remain subject to the provisions of section 12 of this act. If any state agency set forth in this section is not reestablished or modified according to the provisions of this section, then the inclusion of that state agency in the schedule provided in section 12 of this act shall be null.

NEW SECTION. Sec. 15. Except for sections 14, 16, and 17 of this act, this act shall expire on June 30, 1983, unless extended by law for an additional fixed period of time.

NEW SECTION. Sec. 16. The following acts or parts of acts are each repealed, effective June 30, 1979:

(1) Section 1, chapter 201, Laws of 1967, section 1, chapter 97, Laws of 1970 ex. sess. and RCW 18.28.010;

(2) Section 2, chapter 201, Laws of 1967 and RCW 18.28.020;

(3) Section 3, chapter 201, Laws of 1967, section 6, chapter 266, Laws of 1971 ex. sess., section 23, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.28.030;

(4) Section 4, chapter 201, Laws of 1967 and RCW 18.28.040;

(5) Section 5, chapter 201, Laws of 1967 and RCW 18.28.050;

(6) Section 6, chapter 201, Laws of 1967, section 1, chapter 141, Laws of 1967 ex. sess., section 20, chapter 292, Laws of 1971 ex. sess. and RCW 18.28.060;

(7) Section 7, chapter 201, Laws of 1967 and RCW 18.28.070;

(8) Section 8, chapter 201, Laws of 1967, section 2, chapter 141, Laws of 1967 ex. sess. and RCW 18.28.080;

(9) Section 9, chapter 201, Laws of 1967 and RCW 18.28.090;

(10) Section 10, chapter 201, Laws of 1967 and RCW 18.28.100;

(11) Section 11, chapter 201, Laws of 1967 and RCW 18.28.110;

(12) Section 12, chapter 201, Laws of 1967 and RCW 18.28.120;

(13) Section 13, chapter 201, Laws of 1967 and RCW 18.28.130;

(14) Section 14, chapter 201, Laws of 1967 and RCW 18.28.140;

(15) Section 15, chapter 201, Laws of 1967 and RCW 18.28.150;

- (16) Section 16, chapter 201, Laws of 1967 and RCW 18.28.160;
- (17) Section 17, chapter 201, Laws of 1967 and RCW 18.28.170;
- (18) Section 18, chapter 201, Laws of 1967 and RCW 18.28.180;
- (19) Section 19, chapter 201, Laws of 1967 and RCW 18.28.190;
- (20) Section 20, chapter 201, Laws of 1967 and RCW 18.28.200;
- (21) Section 21, chapter 201, Laws of 1967 and RCW 18.28.210;
- (22) Section 22, chapter 201, Laws of 1967 and RCW 18.28.220;
- (23) Section 23, chapter 201, Laws of 1967 and RCW 18.28.900;
- (24) Section 24, chapter 201, Laws of 1967 and RCW 18.28.910;
- (25) Section 8, chapter 160, Laws of 1917 and RCW 18.50.010;
- (26) Section 1, chapter 160, Laws of 1917 and RCW 18.50.020;
- (27) Section 12, chapter 160, Laws of 1917 and RCW 18.50.030;
- (28) Section 2, chapter 160, Laws of 1917 and RCW 18.50.040;
- (29) Section 3, chapter 160, Laws of 1917, section 51, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.50.050;
- (30) Section 4, chapter 160, Laws of 1917 and RCW 18.50.060;
- (31) Section 5, chapter 160, Laws of 1917 and RCW 18.50.070;
- (32) Section 6, chapter 160, Laws of 1917 and RCW 18.50.080;
- (33) Section 7, chapter 160, Laws of 1917 and RCW 18.50.100;
- (34) Section 9, chapter 160, Laws of 1917 and RCW 18.50.120;
- (35) Section 11, chapter 160, Laws of 1917 and RCW 18.50.130;
- (36) Section 10, chapter 160, Laws of 1917 and RCW 18.50.900;
- (37) Section 1, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.010;
- (38) Section 2, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.020;
- (39) Section 3, chapter 72, Laws of 1967 ex. sess., section 70, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.82.030;
- (40) Section 4, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.040;
- (41) Section 5, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.050;
- (42) Section 6, chapter 72, Laws of 1967 ex. sess., section 71, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.82.060;
- (43) Section 7, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.070;
- (44) Section 8, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.080;
- (45) Section 9, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.090;
- (46) Section 11, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.900;
- (47) Section 13, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.910;
- (48) Section 12, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.920;
- (49) Section 2533, Code of 1881 and RCW 19.44.010;
- (50) Section 2536, Code of 1881 and RCW 19.44.020;
- (51) Section 2534, Code of 1881 and RCW 19.44.030;
- (52) Section 2532, Code of 1881 and RCW 19.44.040;
- (53) Section 2535, Code of 1881 and RCW 19.44.050;
- (54) Section 1, chapter 200, Laws of 1907 and RCW 88.04.010;
- (55) Section 27, chapter 200, Laws of 1907, section 1, chapter 137, Laws of 1947, section 177, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 88.04.020;
- (56) Section 28, chapter 200, Laws of 1907 and RCW 88.04.030;
- (57) Section 2, chapter 200, Laws of 1907 and RCW 88.04.040;
- (58) Section 3, chapter 200, Laws of 1907 and RCW 88.04.050;
- (59) Section 4, chapter 200, Laws of 1907 and RCW 88.04.060;
- (60) Section 26, chapter 200, Laws of 1907 and RCW 88.04.070;
- (61) Section 14, chapter 200, Laws of 1907 and RCW 88.04.080;
- (62) Section 8, chapter 200, Laws of 1907 and RCW 88.04.090;
- (63) Section 9, chapter 200, Laws of 1907 and RCW 88.04.100;
- (64) Section 5, chapter 200, Laws of 1907 and RCW 88.04.110;
- (65) Section 6, chapter 200, Laws of 1907 and RCW 88.04.120;
- (66) Section 7, chapter 200, Laws of 1907 and RCW 88.04.130;
- (67) Section 10, chapter 200, Laws of 1907 and RCW 88.04.140;
- (68) Section 13, chapter 200, Laws of 1907 and RCW 88.04.150;
- (69) Section 19, chapter 200, Laws of 1907 and RCW 88.04.160;
- (70) Section 20, chapter 200, Laws of 1907 and RCW 88.04.170;
- (71) Section 15, chapter 200, Laws of 1907 and RCW 88.04.180;
- (72) Section 11, chapter 200, Laws of 1907 and RCW 88.04.190;
- (73) Section 17, chapter 200, Laws of 1907 and RCW 88.04.200;
- (74) Section 18, chapter 200, Laws of 1907 and RCW 88.04.210;
- (75) Section 12, chapter 200, Laws of 1907 and RCW 88.04.220;
- (76) Section 16, chapter 200, Laws of 1907 and RCW 88.04.230;
- (77) Section 21, chapter 200, Laws of 1907 and RCW 88.04.240;
- (78) Section 22, chapter 200, Laws of 1907 and RCW 88.04.250;
- (79) Section 23, chapter 200, Laws of 1907 and RCW 88.04.260;

(80) Section 24, chapter 200, Laws of 1907 and RCW 88.04.270; and

(81) Section 25, chapter 200, Laws of 1907 and RCW 88.04.280.

NEW SECTION. Sec. 17. The following acts or parts of acts are each repealed, effective June 30, 1980:

- (1) Section 1, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.010;
- (2) Section 2, chapter 13, Laws of 1973 1st ex. sess., section 1, chapter 106, Laws of 1974 ex. sess. and RCW 19.09.020;
- (3) Section 3, chapter 13, Laws of 1973 1st ex. sess., section 2, chapter 106, Laws of 1974 ex. sess. and RCW 19.09.030;
- (4) Section 4, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.040;
- (5) Section 5, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.050;
- (6) Section 6, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.060;
- (7) Section 7, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.070;
- (8) Section 8, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.080;
- (9) Section 9, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.090;
- (10) Section 10, chapter 13, Laws of 1973 1st ex. sess., section 3, chapter 106, Laws of 1974 ex. sess. and RCW 19.09.100;
- (11) Section 11, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.110;
- (12) Section 12, chapter 13, Laws of 1973 1st ex. sess., section 4, chapter 106, Laws of 1974 ex. sess. and RCW 19.09.120;
- (13) Section 13, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.130;
- (14) Section 14, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.140;
- (15) Section 15, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.150;
- (16) Section 16, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.160;
- (17) Section 17, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.170;
- (18) Section 18, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.180;
- (19) Section 19, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.190;
- (20) Section 20, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.200;
- (21) Section 21, chapter 13, Laws of 1973 1st ex. sess., section 1, chapter 219, Laws of 1975 1st ex. sess. and RCW 19.09.210;
- (22) Section 22, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.220;
- (23) Section 23, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.230;
- (24) Section 24, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.240;
- (25) Section 25, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.250;
- (26) Section 26, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.260;
- (27) Section 27, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.270;
- (28) Section 28, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.280;
- (29) Section 29, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.290;
- (30) Section 30, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.300;
- (31) Section 31, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.310;
- (32) Section 32, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.320;
- (33) Section 33, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.330;
- (34) Section 34, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.340;
- (35) Section 35, chapter 13, Laws of 1973 1st ex. sess., section 89, chapter 30, Laws of 1975 1st ex. sess. and RCW 19.09.350;
- (36) Section 36, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.360;
- (37) Section 1, chapter 66, Laws of 1973 1st ex. sess. and RCW 19.09.370;
- (38) Section 37, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.900; and
- (39) Section 38, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.910.

NEW SECTION. Sec. 18. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

NEW SECTION. Sec. 19. 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, on line 1 of the title, after "sections;" strike the remainder of the title and insert "repealing section 1, chapter 201, Laws of 1967, section 1, chapter 97, Laws of 1970 ex. sess. and RCW 18.28.010; repealing section 2, chapter 201, Laws of 1967 and RCW 18.28.020; repealing section 3, chapter 201, Laws of 1967, section 6, chapter 266, Laws of 1971 ex. sess., section 23, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.28.030; repealing section 4, chapter 201, Laws of 1967 and RCW 18.28.040; repealing section 5, chapter 201, Laws of 1967 and RCW 18.28.050; repealing section 6, chapter 201, Laws of 1967, section 1, chapter 141, Laws of 1967 ex. sess., section 20, chapter 292, Laws of 1971 ex. sess. and RCW 18.28.060; repealing section 7, chapter 201, Laws of 1967 and RCW 18.28.070; repealing section 8, chapter 201, Laws of 1967, section 2, chapter 141, Laws of 1967 ex. sess. and RCW 18.28.080; repealing section 9, chapter 201, Laws of 1967 and RCW 18.28.090; repealing section 10, chapter 201, Laws of 1967 and RCW 18.28.100; repealing section 11, chapter 201, Laws of 1967 and RCW 18.28.110; repealing section 12, chapter

RCW 19.09.230; repealing section 24, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.240; repealing section 25, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.250; repealing section 26, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.260; repealing section 27, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.270; repealing section 28, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.280; repealing section 29, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.290; repealing section 30, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.300; repealing section 31, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.310; repealing section 32, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.320; repealing section 33, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.330; repealing section 34, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.340; repealing section 35, chapter 13, Laws of 1973 1st ex. sess., section 89, chapter 30, Laws of 1975 1st ex. sess. and RCW 19.09.350; repealing section 36, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.360; repealing section 1, chapter 66, Laws of 1973 1st ex. sess. and RCW 19.09.370; repealing section 37, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.900; repealing section 38, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.910; declaring an emergency; providing effective dates; and providing an expiration date."

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Salatino, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

MOTION

On motion of Mr. Bender, House Bill No. 1203 was rereferred to Committee on Appropriations.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Amen, Bond, Gaines, Greengo, Hurley (Margaret), Knowles, Martinis, McCormick, North, Oliver and Williams.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

SECOND READING

MOTIONS

Mr. King moved that the House immediately consider Substitute House Bill No. 520 on second reading.

Mr. Pardini moved that SUBSTITUTE HOUSE BILL NO. 1120 be made a Special Order of Business at 10:30 a.m. today.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Pardini, your motion is considered the same rank as the motion to consider Substitute House Bill No. 520 and the remaining bills on the calendar. After this motion is placed we will then recognize your motion."

The motion by Representative King was carried.

MOTION

Mr. Pardini moved that Substitute House Bill No. 1120 be made a Special Order of Business for 10:30 a.m. today.

Representatives Pardini and King spoke in favor of the motion and it was carried.

SUBSTITUTE HOUSE BILL NO. 520, by Representatives Shinpoch, Charnley and Sherman:

Providing statutory consumer protection in certain areas of automobile insurance.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 26th Day ex. sess., April 5, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the following amendments by Representatives Shinpoch and Douthwaite:

On page 3, line 2 strike "inconsistent with" and insert "other than one or more of"
 On page 3, line 8 strike "inconsistent with" and insert "other than one or more of"

Representatives Shinpoch and Barnes spoke in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Shinpoch and Douthwaite to Substitute House Bill No. 520, and the amendments were adopted by the following vote: Yeas, 61; nays, 26; not voting, 11.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Owen, Patterson, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Berentson, Craswell, Deccio, Dunlap, Erak, Flanagan, Gilleland, Grier, Grimm, Haley, Keller, Pardini, Paris, Pearsall, Polk, Sanders, Schmittens, Shinoda, Struthers, Tilly, Walk, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Amen, Bond, Gaines, Greengo, Hurley M., Knowles, Martinis, McCormick, North, Oliver, Williams.

The Clerk read the following amendment by Representative Barnes:
On page 1, strike section 1

POINT OF ORDER

Mr. Shinpoch: "Mr. Speaker, we have gone past that section and it would appear to me to be out of order to now go back to that section to consider an amendment."

SPECIAL ORDER OF BUSINESS

The hour of 10:30 a.m. having arrived, the Speaker (Mr. O'Brien presiding) stated the question before the House to be the Special Order of Business, Substitute House Bill No. 1120 on second reading.

MOTION

Mr. King moved that further action on Substitute House Bill No. 1120 be deferred until consideration of Substitute House Bill No. 520 was completed.

Mr. Pardini spoke in favor of the motion, and it was carried.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Shinpoch, in connection with your point of order raised on the Barnes' amendment, it has been an established custom and precedent that when you read the last line of a bill on second reading, you have the right to go back to any part of the bill and offer amendments. So on the basis of a precedent established in the House of Representatives, I am going to rule the amendment is in order."

Mr. Shinpoch: "Mr. Speaker, would you quote the rule to me that you made that ruling on?"

The Speaker (Mr. O'Brien presiding): "The rule we are referring to is House Rule 26, which states in part, 'Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full.' Then it goes on to state, 'The bill shall be subject to amendment section by section.' It has been our position that when the last line is read, that if you pass a section you can still offer amendments. Also Reed's Rule 130 states, 'When the main question is in paragraphs or sections, the second reading is by paragraphs or sections for amendment, and each paragraph is amended in its turn...' In this instance the bill is still on second reading and whether we've been adhering to the amendments section by section, it hasn't been the custom of the House."

Mr. Shinpoch: "Mr. Speaker, it seems to me that the two things you just quoted out of Reed's Rules and out of Rule 26, that the bill should be considered section by section, then you quoted Reed's Rules, which said those paragraphs shall be taken in turn, would preclude the ruling that you just made that we can go back now after we have passed section 1 and strike it or make an amendment to it. Those two things that you just quoted to me would say that you cannot do that."

The Speaker (Mr. O'Brien presiding): "Well, I read section by section to mean that sections shall be read section by section and if the sections were read section by section and

amendments were then offered section by section, then I would say your point was well taken, but we do not read the bill section by section."

Mr. Barnes moved adoption of his amendment, and spoke in favor of it.

Representatives Douthwaite, Shinpoch, Haley and Clayton spoke against adoption of the amendment.

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

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

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 3, line 15 strike "the effective date of this 1977 amendatory act" and insert "January 1, 1978"

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

The amendment was not adopted.

Substitute House Bill No. 520 was ordered engrossed and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 1120, by Representative Valle:

Enacting an alternative to Initiative 59.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 26th Day ex. sess., April 5, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Charette striking everything after the enacting clause and inserting new material.

Representatives Pardini, Becker, Boldt, Flanagan, Zimmerman and Tilly spoke in favor of the amendment, and Representatives Kilbury, Valle, Kreidler, Barr, Charnley, Hughes and Pruitt spoke against it.

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

Mr. Charette spoke in favor of the amendment, and Mr. Barr spoke again in opposition to it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Charette, having served on the Committee on Ecology that considered these various bills, one of the areas that I consider to be a potential problem is what happens when some of these farms that are larger than 2,000 acres are left to surviving relatives in Initiative 59, in House Bill No. 1120 and in your amendment? It seems to me that in Initiative 59 there was any number of parcels of 2,000 acres or less and there was some confusion from there on. I wonder if you could clarify that?"

Mr. Charette: "Representative Leckenby, first of all, in Initiative 59, it is my understanding in reading it, that with the formation of a family farm unit, which would be less than 2,000 acres—and that's the only thing that Initiative 59 addresses itself to—there would be a procedure for setting up family farms. I believe there is either five or ten years to establish the fact. There is, I believe, the intent on behalf of the drafters of Initiative 59 to protect the continuation of the family farm by referring to trusts, but one of the questions I have when they use the word trust in Initiative 59 is that they are not talking necessarily about testamentary trust. It's very possible that these units could be placed into trust in a number of units, for instance, ten 2,000 acre units placed in trust with a large company would be 20,000 acres.

Now to get to House Bill No. 1120, I would rather address myself, and I think that basically the reason I introduced this amendment, it maintains the 2,000 acre or less established farm unit and then it talks about substantial withdrawal. Now I believe that it is the intent as far as I'm concerned to allow in certain cases corporate farming—substantial withdrawal. I don't believe you would have any problem as far as passing that along because it would be, if it were a large corporation, obviously the stockholders in death would leave their stock to somebody or sell it as they grow. The reason I believe this is a legitimate alternative is that it has

the first half of Initiative 59. The first half of this amendment is Initiative 59 essentially, and the second half would then allow for substantial withdrawal with certain regulations for fifty years. I think the fifty-year period is important because we are talking about a substantial investment. Many of the large companies, two (without naming them) last year opposed the Department of Ecology WAC regulations, saying they couldn't live with them. Then when the initiative came out, I believe they changed their minds and they now say they can live with them. I hope I've answered your question."

Mr. Leckenby: "Is there a vehicle in House Bill 1120 that would facilitate the passing on of a farm to be divided up among two or more heirs where the parcels would be 2,000 acres or less, and is there a legal problem there as far as arrangement and so forth? If that's a problem, does your amendment straighten it out?"

Mr. Charette: "I don't believe that it is a problem so long as you're dealing with 2,000 acres or less. There are some regulations that must be complied with and I think in that respect, on 2,000 acres or less, House Bill 1120 and the amendment I present at present are essentially the same as far as testamentary succession is concerned."

Mr. Knedlik spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charette to Substitute House Bill No. 1120, and the amendment was adopted by the following vote: Yeas, 51; nays, 38; not voting, 9.

Voting yea: Representatives Adams, Barnes, Becker, Berentson, Boldt, Charette, Clayton, Conner, Craswell, Deccio, Dunlap, Erak, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Haley, Hansen, Keller, Kilbury, Knedlik, Leckenby, Lee, Martinis, Maxie, May, Moreau, Nelson G. A., Newhouse, O'Brien, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Smith, Sommers, Struthers, Tally, Tilly, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Bauer, Bender, Blair, Burns, Chandler, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., King, Kreidler, Lux, Lysen, McKibbin, Nelson D., Oliver, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Thompson, Valle, Walk.

Not voting: Representatives Amen, Bond, Gaines, Greengo, Hurley M., Knowles, McCormick, North, Williams.

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

In line 1 of the title after "to" strike everything through and including "penalties" in line 4 and insert "water rights; and adding new sections to chapter 90.54 RCW"

House Bill No. 1120 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, Substitute Senate Bill No. 2245 was placed on the calendar for immediate consideration.

SUBSTITUTE SENATE BILL NO. 2245, by Committee on Education (Originally sponsored by Senators McDermott, Walgren, Ridder, Buffington and Herr):

Implementing law relating to contract rights of employees in the common schools.

The bill was read the second time.

MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Amen, Hurley (Margaret), Knowles, North, Oliver, Shinoda and Williams, who were excused.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Amen, Hurley (Margaret), Knowles, North, Oliver, Shinoda and Williams.

MOTION

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. King, the House dispensed with further business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTIONS

On motion of Mr. King, HOUSE BILL NO. 960 was placed at the top of today's second reading calendar.

On motion of Mr. King, further consideration of today's second reading calendar was deferred, and the bills were ordered placed on the second reading calendar for tomorrow.

On motion of Mr. King, the House adjourned until 11:00 a.m., Friday, April 8, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 8, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Amen, Hurley (Margaret), Knowles and North, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jenny McGee and Rob Roache. Prayer was offered by 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.

MESSAGE FROM THE SENATE

April 7, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2241,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2241, by Senators Day, von Reichbauer and Herr:

Permitting use of Laetrile.

To Committee on Social and Health Services

REPORTS OF STANDING COMMITTEES

April 6, 1977

HOUSE BILL NO. 149, Prime Sponsor: Representative Charnley, authorizing cooperative efforts by the state and cities to encourage rail and bus passenger service. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clemente, Gaines, Gallagher, Lysen, Sherman.

MINORITY recommendation: That the substitute bill do not pass. Signed by Representatives Dunlap, Grier, Martinis, Wilson.

To Committee on Rules for second reading.

April 5, 1977

HOUSE BILL NO. 226, Prime Sponsor: Representative Fortson, implementing mandatory common school testing program. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Bauer, Becker, Boldt, Chandler, Hawkins, Heck, Hughes, Polk, Taller, Valle, Vrooman, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Ehlers, Keller, Lee, Pardini, Thompson, Zimmerman.

To Committee on Rules for second reading.

April 5, 1977

ENGROSSED HOUSE BILL NO. 271, Prime Sponsor: Representative Adams, adopting procedures for the establishment of transfer and clinical training programs at the University of Washington school of medicine for Washington residents attending foreign medical schools. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, following line 5 add a new section as follows:

"NEW SECTION. Sec. 8. There is hereby appropriated from the state general fund to the university of Washington the sum of eight hundred twenty thousand dollars, or so much thereof as may be necessary, to carry out the provisions of this act."

Renumber the remaining sections consecutively.

On page 1, line 7 of the title after "RCW;" insert "making an appropriation;"

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Amen, Becker, Boldt, Ehlers, Hawkins, Heck, Hughes, Keller, Maxie, Polk, Taller, Valle, Williams.

To Committee on Rules for second reading.

April 5, 1977

HOUSE BILL NO. 627, Prime Sponsor: Representative Schmitt, authorizing irrigation districts to merge existing sewer districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 strike "~~board or boards of county commissioners~~" and insert "((board or boards of county commissioners)) legislative authority of the county or counties within which the irrigation district lies"

On page 1, line 23 strike "~~board or boards of county commissioners~~" and insert "((board or boards of county commissioners)) legislative authority of the county or counties within which the irrigation district lies"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Keller, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 5, 1977

HOUSE BILL NO. 710, Prime Sponsor: Representative Hansen, increasing the limit above which a PUD must contract for equipment or supplies. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Fancher, Keller, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 6, 1977

HOUSE BILL NO. 798, Prime Sponsor: Representative O'Brien, expanding the right to be free from discrimination. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Owen, Paris, Struthers, Walk.

To Committee on Rules for second reading.

April 5, 1977

HOUSE BILL NO. 825, Prime Sponsor: Representative Hansen, revising county road administration procedures relating to certificates of good practice. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Keller, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 4, 1977

HOUSE BILL NO. 854, Prime Sponsor: Representative Hanna, modifying the law on residential school placement review. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Becker, Deccio, Fischer, Greengo, Salatino.

To Committee on Rules for second reading.

April 5, 1977

HOUSE BILL NO. 1213, Prime Sponsor: Representative Bender, authorizing housing authorities to purchase mortgage loans. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Keller, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 6, 1977

HOUSE BILL NO. 1232, Prime Sponsor: Representative Gaines, permitting catalytic converters to be removed from emergency vehicles. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8 after "vehicle" strike all of the material down through "vehicle" on line 10

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Berentson, Clayton, Gaines, Gallagher, Grier, Martinis, McCormick, Patterson, Wilson.

To Committee on Rules for second reading.

April 6, 1977

HOUSE BILL NO. 1234, Prime Sponsor: Representative Thompson, making governing body of associated students at institutions of higher education subject to open public meetings act. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Grimm, Haley, Oliver, Patterson, Thompson.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 1343, Prime Sponsor: Representative North, adding two lay members to the state veterinary board of governors. Reported by Committee on State Government.

MAJORITY recommendation: The substitute be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

April 6, 1977

HOUSE JOINT RESOLUTION NO. 27, Prime Sponsor: Representative Sommers, amending the Constitution to authorize the governor to organize and reorganize the executive branch of state government. Reported by Committee on Constitution.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

April 6, 1977

HOUSE JOINT RESOLUTION NO. 42, Prime Sponsor: Representative Thompson, amending the Constitution to authorize approval of special levies by majority vote and permitting a single election in each twelve month period. Reported by Committee on Constitution.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

SENATE AMENDMENT TO HOUSE BILL

April 5, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 23 with the following amendment:

On page 14, line 17 strike all of section 38, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mrs. Valle moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 23.

Representatives Valle and Newhouse spoke in favor of the motion, and Mr. Ehlers spoke against it.

MOTION

On motion of Mr. King, further consideration of the Senate amendment to Engrossed Substitute House Bill No. 23 was deferred until Monday, April 11th.

SECOND READING

HOUSE BILL NO. 960, by Representative Clemente:

Relating to education.

The bill was read the second time.

On motion of Mr. Clemente, Substitute House Bill No. 960 was substituted for House Bill No. 960, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 960 was read the second time.

Mr. Lysen moved adoption of the following amendment:

On page 2, following line 11 insert a new subsection to read as follows:

"(1) Establish that the primary responsibility for children and their education rests with the family, while the state educational system is intended to provide necessary resources to the student and family, to meet the objectives and needs of the child, the family and society, and to reexamine the educational system periodically as determined by the citizens to meet collectively those needs and objectives;"

Renumber the following subsections consecutively.

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

Mr. Lysen spoke again in favor of the amendment.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lysen to Substitute House Bill No. 960, and the amendment was adopted by the following vote: Yeas, 47; nays, 43; not voting, 8.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Hughes, Hurley G. S., Keller, Leckenby, Lee, Lysen, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Struthers, Tally, Tilly, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Enbody, Erickson, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Kilbury, King, Knedlik, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Owen, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, and Mr. Speaker.

Not voting: Representatives Amen, Eng, Erak, Fischer, Hurley M., Knowles, North, O'Brien.

Mr. Barnes moved adoption of the following amendment:

On page 3, line 19 after "of" strike "four" and insert "three"

Representatives Barnes and Taller spoke in favor of the amendment, and Mr. Heck spoke against it.

The amendment was not adopted.

On motion of Mr. Clemente, the following amendment by Representatives Clemente and Shinpoch was adopted:

On page 3, line 25 after "in" strike "classes or"

Mr. Struthers moved adoption of the following amendment:

On page 4, line 5 after "arts," insert "junior R.O.T.C.,"

Mr. Struthers spoke in favor of the amendment, and Mr. Clemente spoke against it.

POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Polk.

Mr. Polk: "Representative Clemente, I believe I understand your comment about laundry lists and the thing that confuses me about it is, are you suggesting that the various subjects that are identified, such as art and music, career education, agricultural education, and so on, might be broad enough to cover a subject like junior R.O.T.C.?"

Mr. Clemente: "Yes, Representative Polk, that's my belief. I think that anything that is presently going on now is included someplace in those broad subheadings carried in the bill."

Mr. Polk: "Career education, distributive education, trade or technical, health, home and family, business occupations—I really don't see anything there—industrial arts, health and physical education. Is there something there that you could identify on this particular one that would, in your belief, cover R.O.T.C.?"

Mr. Clemente: "I wouldn't try to pinpoint one right now, but my statement originally was that if it's going on out there now, and is presumed to be legal, nothing is done in this legislation so far that has precluded that from continuing to happen."

Mr. Polk: "And being properly funded then under this section?"

Mr. Clemente: "Under this section we are not funding the special activities that are given individual students. We're funding the institutions, the entire education."

Mr. Polk spoke in favor of the amendment, and Mr. Blair spoke against it.

Mr. Clemente spoke again in opposition to the amendment.

On motion of Mr. Pardini, the following remarks by Representative Clemente were ordered inserted in the Journal:

Mr. Clemente: "Representative Polk went down a peculiar road to arrive at his conclusion. R.O.T.C., I'm assuming, is reserve officer training. We have a vocational education section in this bill and military is a vocation. I think it fits."

The amendment was not adopted.

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

On page 4, line 12 after "instruction" insert "per year"

On page 4, line 13 after "instruction" insert "per year"

The Speaker called on Mr. Bender to preside.

Mr. Chandler moved adoption of the following amendment by Representatives Chandler, Lee and Dunlap:

On page 4, line 18 after "28A.13 RCW" insert "and special education pursuant to chapter 28A.16"

Representatives Chandler, Lee and Dunlap spoke in favor of the amendment, and Representatives Shinpoch and Bauer spoke against it.

Mr. Chandler spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Knedlik.

Mr. Knedlik: "If we pass your amendment is it your intention on page 7, line 10 to delete categorical inclusion of the operation of programs for gifted students?"

Mr. Chandler: "No."

Mr. Knedlik: "Then are we going to be setting out gifted students in a way that is somewhat different by virtue of being duplicative of what we do elsewhere?"

Mr. Chandler: "It is my understanding, Representative Knedlik, that we would be treating them just as do the handicapped, establishing the intent section with as great an emphasis for them as we are the handicapped."

Representatives Shinpoch and Ehlers spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Chandler, Lee and Dunlap to Substitute House Bill No. 960, and the amendment was not adopted by the following vote: Yeas, 36; nays, 54; not voting, 8.

Voting yea: Representatives Barnes, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Knedlik, Lee, Maxie, Nelson D., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Schmitten, Struthers, Taller, Tilly, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Barr, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Whiteside, Winsley, and Mr. Speaker.

Not voting: Representatives Amen, Hurley M., Knowles, Leckenby, Nelson G. A., North, Sanders, Shinoda.

Mr. Douthwaite moved adoption of the following amendment:

On page 4, line 18 after "RCW" insert "and the URRD educational programs pursuant to RCW 28A.41.250 through 28A.41.290."

Representatives Douthwaite and Greengo spoke in favor of the amendment, and Representatives Shinpoch and Clemente spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Douthwaite to Substitute House Bill No. 960, and the amendment was not adopted by the following vote: Yeas, 25; nays, 59; not voting, 14.

Voting yea: Representatives Barnes, Berentson, Bond, Burns, Douthwaite, Dunlap, Eng, Gilleland, Greengo, Hurley G. S., Lee, Lux, Maxie, Nelson D., O'Brien, Oliver, Pardini, Pearsall, Polk, Pruitt, Salatino, Struthers, Taller, Tilly, Williams.

Voting nay: Representatives Adams, Barr, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson G. A., Owen, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, and Mr. Speaker.

Not voting: Representatives Amen, Blair, Chandler, Deccio, Erak, Haley, Hurley M., Knowles, Newhouse, North, Paris, Patterson, Wilson, Zimmerman.

Mr. Nelson (Gary) moved adoption of the following amendment by Representatives Nelson (Gary) and Bauer:

On page 6, line 1 after "pupils" insert "PROVIDED FURTHER, That these rules and regulations shall provide that any district that has a ratio of no greater than 25 pupils per classroom in grades kindergarten through three shall be in conformance with this section"

Representatives Nelson (Gary) and Bauer spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Bauer, are you saying that this language would modify your original act?"

Mr. Bauer: "Yes."

Mr. Thompson: "But it in no way supersedes or repeals it?"

Mr. Bauer: "No, the other alternative was to repeal it and I felt it was a responsible position to set a floor to avoid that problem that those districts have and the possibility of repeal."

The amendment was adopted.

Mr. Clemente moved adoption of the following amendment by Representatives Clemente and Shinpoch:

On page 6, line 11 after "shall" strike "annually"

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

On motion of Mr. Clemente, the following amendment by Representatives Clemente and Shinpoch was adopted:

On page 6, after line 18 insert the following:

"Such compensation shall be sufficient to provide personnel for 180 school days per year and for a minimum seven hours per day.

For purposes of determining funding entitlement under this 1977 amendatory act, a full time equivalent pupil shall mean each individual student between five and twenty-one years of age, who is enrolled in grades one through twelve as of the second Monday of September and as of the first school day of any subsequent month, for five classroom contact hours per day for 180 school days per year. Individual students in attendance for less than five classroom contact hours per day shall count as a portion of one full time student by the same ratio as the actual hours of attendance to five hours. Individual students in attendance for more than five classroom contact hours per day shall count as one full time equivalent pupil. Each pupil enrolled in kindergarten programs shall count as one-half of one full time equivalent pupil."

Mr. Taller moved adoption of the following amendment by Representatives Taller and Fancher:

On page 6, after line 18 add a new paragraph as follows:

"Notwithstanding any other provisions of this section, in ascertaining the full time equivalent pupil enrollment under this section for any school district declining in such enrollment from the immediately preceding school year, the legislature shall increase such enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from such previous year.

Notwithstanding any other provision of this section, in ascertaining the full time equivalent pupil enrollment under this section for any school district increasing in such enrollment from the immediately preceding school year, the legislature shall increase such enrollment as otherwise herein computed by twenty percent of the full time equivalent pupil enrollment increase of the current year over the year preceding."

Representatives Taller and Fancher spoke in favor of the amendment, and Mr. Clemente spoke against it.

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

Mr. Shinpoch spoke against adoption of the amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mrs. Fancher.

Mrs. Fancher: "I realize that you are answering the declining situation, but is this going to answer the sudden increase?"

Mr. Shinpoch: "I'm certainly glad you asked that because I forgot to deal with that. Let's understand that what we are dealing with here is maintenance and operation money. We are not dealing with capital money. We had arguments in our caucus that we have to build school buildings and we don't have room and these kinds of things when we have rapid growth in enrollment. None of this money goes to build school buildings, that's out of different kinds of things. These moneys go to buy teachers and when you get (and I can't say this year, but next year) approximately twenty FTE's, full times, that are there, you're going to get another faculty. That gives you a faculty entitlement and you're going to get it. That is very simply what this plan does and it will take care of that enrollment that is going up."

Mrs. Fancher: "But what if the problem doesn't show up until after the faculty has already been hired for the year?"

Mr. Shinpoch: "In the bill we define a full time equivalent student as a student that is there on the second day of September or the first day of each succeeding month thereafter, so if they come in some time in September, as of October 1st, if you get twenty students, you're going to have entitlement for another staff."

Mr. Taller spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Heck.

Mr. Heck: "The presumption in the second paragraph is obviously that if you have an enrollment growth, there are disproportionate costs associated with educating that student. It has been made very clear by Representative Shinpoch that the dollars follow the kids, so that in fact on a month to month basis the school districts would receive additional money according to growth. Could you please identify for us what the disproportionate costs are associated with enrollment growth and how you arrived at the twenty percent figure, and what need that relates to?"

Mr. Taller: "I think what we are talking about here is the situation where you've made a plan and there are additional changes from the half enrollment. You are talking about a shifting which you've made commitments to the previous year as far as your teachers. That's one of the problems that has been identified and what we're asking for here is an additional factor for that adjustment. The twenty percent in all honesty is an arbitrary figure. I think, Representative Heck, you've probably heard more testimony on the twenty percent than I have because it's a fact that it has been around—been, in my understanding, in various bills that have been presented."

Representatives Heck and Ehlers spoke in opposition to the amendment, and Representatives Hurley (George) and Fuller spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Taller and Fancher to Substitute House Bill No. 960, and the amendment was not adopted by the following vote: Yeas, 40; nays, 48; not voting, 10.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Hughes, Hurley G. S., Lee, Lux, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Schmitt, Struthers, Taller, Tilly, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Keller, Kilbury, King, Knedlik, Kreidler, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Owen, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Williams, and Mr. Speaker.

Not voting: Representatives Amen, Bond, Ehlers, Hurley M., Knowles, Leckenby, North, Shinoda, Vrooman, Wilson.

MOTIONS

On motion of Mr. King, further consideration of Substitute House Bill No. 960 was deferred, and the bill was ordered held for Monday's second reading calendar.

On motion of Mr. King, the House adjourned until 10:00 a.m., Monday, April 11, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 11, 1977.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jody Tiffany and Brian Hicks. Prayer was offered by Reverend Paul Beeman 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.

MESSAGE FROM THE SENATE

April 8, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2042,
ENGROSSED SENATE BILL NO. 2111,
ENGROSSED SENATE BILL NO. 2160,
SUBSTITUTE SENATE BILL NO. 2489,
SENATE BILL NO. 2747,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2042, by Senators Talley, Beck, Peterson, Murray, Sellar and Bottiger:

Changing the requirements for a pilot's license.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 2111, by Senators Talley, Henry, Lewis and Sellar:

Doubling the amount of reimbursement allowed from counties to the Washington state association of county officials.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2160, by Senators McDermott, Gould, Francis and Hayner (by Superintendent of Public Instruction request):

Authorizing certain contracts for school districts and educational service districts.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 2489, by Committee on Local Government (Originally sponsored by Senators Washington and Sellar):

Revising the procedures by which a PUD may contract for certain purchases.

To Committee on Local Government

SENATE BILL NO. 2747, by Senators Rasmussen, Donohue and Buffington:

Providing for disposal of surplus property.

To Committee on State Government

REPORTS OF STANDING COMMITTEES

April 8, 1977

HOUSE BILL NO. 21, Prime Sponsor: Representative Greengo, increasing allowable investment by banks and trust companies in stock of small business investment companies. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 436, Prime Sponsor: Representative Fortson, creating Cascade County. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Keller, Shinoda, Vrooman.

MINORITY recommendation: Do not pass. Signed by Representatives Fancher, Gilleland, Whiteside.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 842, Prime Sponsor: Representative Thompson, removing county auditor filing requirements for business corporations. Reported by Committee on Local Government.

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

To Committee on Rules for second reading.

April 8, 1977

HOUSE BILL NO. 1191, Prime Sponsor: Representative Charnley, providing for the creation and management of a scenic river system. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, at the beginning of line 29 strike "purchase" and insert "acquisition"

On page 6, line 19 after "1971" insert ", and with the responsibilities and obligations of the department of natural resources for the management of state trust lands"

Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Chandler, Gruger, Hughes, Hurley (George), Leckenby.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 1203, Prime Sponsor: Representative McKibbin, relating to education. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill by the Education Committee be substituted therefor and that the substitute bill do pass. Signed by Representatives McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Becker, Boldt, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Maxie, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 1252, Prime Sponsor: Representative Shinpoch, authorizing bonds for certain detention and correction facilities. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 16 after "1977" insert "created by section 4 of this act"

On page 2, line 25 after "used" insert "exclusively"

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Becker, Boldt, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Maxie, Pardini, Thompson, Valle, Vrooman, Warnke, Zimmerman.

Reported by Committee on Rules for second reading.

April 8, 1977

HOUSE BILL NO. 1267, Prime Sponsor: Representative Eng, authorizing the investment of bank and trust company reserve funds. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Kreidler, Lux, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

April 7, 1977

HOUSE JOINT MEMORIAL NO. 10, Prime Sponsor: Representative Lux, requesting passage of the Kennedy-Corman Health Security Act. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Fortson, Gruger, Lux, May, Pearsall, Pruitt.

To Committee on Rules for second reading.

April 6, 1977

SUBSTITUTE SENATE BILL NO. 2435, Prime Sponsor: Senator Donohue, providing for disposition of operating fees charged at institutions of higher education. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

Beginning on page 1, line 29 after "in the" strike the remainder of the section through page 2, line 15 and insert "state general fund."

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Boldt, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Polk, Taller, Thompson, Vrooman, Warnke, Zimmerman.

To Committee on Rules for second reading.

April 7, 1977

SUBSTITUTE SENATE BILL NO. 3047, Prime Sponsor: Senator Washington, extending the application date to April 30 for current use classification of agricultural land for taxation beginning in the subsequent year. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, add new sections following section 2 as follows:

*Sec. 3. Section 10, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.065 are each amended to read as follows:

The true and fair value of farm and agricultural land shall be determined by consideration of the earning or productive capacity of comparable lands from crops grown most typically in the area averaged over not less than ((five)) four years, capitalized at indicative rates. The earning or productive capacity of farm and agricultural lands shall be the 'net cash rental', capitalized at a 'rate of interest' charged on long term loans secured by a mortgage on farm or agricultural land plus a component for property taxes.

For the purposes of the above computation:

(1) The term 'net cash rental' shall mean the average rental paid on an annual basis, in cash or its equivalent, for the land being appraised and other farm and agricultural land of similar quality and similarly situated that is available for lease ((for a period of at least three years)) to any reliable person without unreasonable restrictions on its use for production of agricultural crops. There shall be allowed as a deduction from the rental received or computed any costs of crop production charged against the landlord if the costs are such as are customarily paid by a landlord. There shall be added to the rental received or computed an amount to represent federal agricultural subsidies if appropriate and not otherwise included. If 'net cash rental' data is not available, the earning or productive capacity of farm and agricultural lands shall be determined by the cash value of typical or usual crops grown on land of similar quality and similarly situated averaged over not less than ((five)) four years. Standard costs of production shall be allowed as a deduction from the cash value of the crops.

With respect to farm and agricultural land classified or under application for classification pursuant to chapter 84.34 RCW which is being leased or is available for lease, lease payment amounts shall be disclosed to the county assessor or department of revenue upon request.

The current 'net cash rental' or 'earning capacity' shall be determined by the assessor with the advice of the advisory committee as provided in RCW 84.34.145, and through a continuing study within his office, assisted by studies of the department of revenue. This net cash rental figure as it applies to any farm and agricultural land may be challenged before the same boards or authorities as would be the case with regard to assessed values on general property.

(2) The term 'rate of interest' shall mean the weighted average rate of interest charged by the farm credit administration and other large financial institutions regularly making loans secured by farm and agricultural lands through mortgages or similar legal instruments, (a) averaged over the immediate past ((five)) four years and (b) weighted by the estimated dollar volume of such loans made in each year.

~~((The 'rate of interest' shall be determined annually by the revenue department of the state of Washington, and such determination shall be published not later than January 1 of each year for use in that assessment year. The determination of the revenue department may be appealed to the state board of tax appeals by any owner of farm or agricultural land or the assessor of any county containing farm and agricultural land.))~~

(3) The 'component for property taxes' shall be a percentage equal to the estimated ~~((millage rate times the legal assessment ratio))~~ levy rate multiplied by the ratio of current-use value in the county to equalized true and fair value of those properties classified under this chapter.

(4) The rate of interest and component for property taxes shall be determined by the department of revenue of the state of Washington. Such determinations shall be published not later than January 1st of each year for use in that assessment year. The determination of the department of revenue may be appealed to the state board of tax appeals by any owner of land affected by the determination or by the assessor of any county.

NEW SECTION, Sec. 4. There is added to chapter 84.34 RCW a new section to read as follows:

A five member committee consisting of two representatives designated by the assessors association, one representative designated by the association of counties, and one representative designated by the United States department of agriculture cooperative extension service, and chaired by a representative designated by the department of revenue shall serve in a review capacity in the implementing of open space current use assessment guidelines.

The committee shall:

(1) Review, as deemed necessary by the committee, the procedures and methodology of current use assessment of open space land as defined in RCW 84.34.020.

(2) Advise the legislature concerning the administration of the laws governing current use assessment of open space land; and proposed changes to said law; and

(3) Make recommendations to the assessors of those counties in which the department of revenue determines that the department's estimate of current use value differs from assessed current use value by more than ten percentage points.'

Renumber the remaining section consecutively.

On page 1, line 5 of the title, after "84.34.035;" add "amending section 10, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.065; adding a new section to chapter 84.34 RCW;"

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Bond, Craswell, Erickson, Flanagan, Kilbury, Tilly, Winsley.

To Committee on Rules for second reading.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SENATE AMENDMENT TO HOUSE BILL

The Speaker stated the question before the House to be the motion by Representative Valle that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 23. (For Senate Message see Journal, 29th Day ex. sess., April 8, 1977)

Representatives Valle, Adams, Sanders and Kreidler spoke in favor of the motion, and Representatives Walk, Ehlers and Taller spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 23, and the motion was carried by the following vote: Yeas, 53; nays, 41; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Bender, Berentson, Bond, Chandler, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Erickson, Fischer, Flanagan, Fortson, Gallagher, Gilleland, Gruger, Haley, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Smith, Tilly, Valle, Zimmerman.

Voting nay: Representatives Barr, Bauer, Becker, Blair, Boldt, Burns, Charette, Charnley, Ehlers, Enbody, Eng, Erak, Fancher, Fuller, Gaines, Greeno, Grier, Grimm, Heck, Hughes, Keller, Lee, Lysen, McKibbin, Moreau, Nelson D., Nelson G. A., Oliver, Owen, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Vrooman, Walk, Warnke, Winsley, and Mr. Speaker.

Not voting: Representatives Polk, Whiteside, Williams, Wilson.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 23 as amended by the Senate.

ROLL CALL

The Clerk called the roll on final passage of Engrossed Substitute House Bill No. 23 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 8; not voting, 6.

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

Voting nay: Representatives Charette, Charnley, Ehlers, Hawkins, Oliver, Owen, Sherman, Walk.

Not voting: Representatives Burns, Heck, Polk, Schmitt, Williams, Wilson.

Engrossed Substitute 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.

STATEMENT FOR THE JOURNAL

Please note that on Engrossed Substitute House Bill No. 23 as amended by the Senate, I wish to be recorded as voting "Yea."

CLAUDE OLIVER, 8th District.

Representatives Polk and Wilson appeared at the bar of the House.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 960, by Committee on Education (Originally sponsored by Representative Clemente):

Enacting "The Education Act of 1977."

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 29th Day ex. sess., April 8, 1977.)

On motion of Mr. Shipoch, the following amendment by Representatives Clemente and Shipoch was adopted:

On page 7, strike the paragraph beginning on line 5 down to and including line 6.

The Clerk read the following amendment by Representative Burns:

On page 7, following subsection (12) add a new subsection (13) as follows:

"(13) The operation of programs with extraordinary costs, when such costs are a result of a combination of (a) population density and/or fluctuation thereof and (b) needs which are unique to a minority and/or bilingual students"

POINT OF ORDER

Mr. Pardini: "Mr. Speaker, the subject matter of Mr. Burns amendment was decided on Friday. I raise the appropriateness of raising the question again."

The Speaker (Mr. O'Brien presiding): "Representative Pardini, the two amendments you are referring to are in different sections and the language is somewhat different than the amendment offered by Representative Burns."

Mr. Burns moved adoption of the amendment, and spoke in favor of it.

POINT OF ORDER

Mr. Shipoch: "Mr. Speaker, in your ruling that we had not dealt with this subject, I don't believe you looked at the Taller amendment. It deals with the Taller amendment that was voted down, which dealt with density and fluctuation of students. It appears to me that we are dealing with the same subject in the same section again."

POINT OF ORDER

Mr. Warnke: "Speaking to the point of order, Mr. Speaker, I believe that the Taller amendment spoke only to the fluctuation of student population, but as I read this amendment, this is a fluctuation of either minority or bilingual students only."

The Speaker (Mr. O'Brien presiding): "The Speaker is going to rule the amendment is in order."

Mr. Taller moved adoption of the following amendment to the Burns amendment:
On line 2 strike "population" and insert "enrollment"

Mr. Taller spoke in favor of the amendment to the amendment, and Mr. Heck spoke against it.

The amendment to the amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Burns to page 7.

Mr. Burns spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Burns yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Burns, I know what you are trying to do on population density, but we're dealing with a bill that applies statewide. My question to you is: Can you tell me where I can obtain the population density of Tukwila or Castle Rock?"

Mr. Burns: "I don't know about population density necessarily, Representative Pardini, you can certainly obtain the population figures from one of the areas of state government here."

Mr. Pardini: "Your amendment talks about population density. Does that mean only the three urban areas, Seattle, Tacoma and Spokane?"

Mr. Burns: "Not necessarily, it could mean Yakima. Let me refer you to Representative Hawkins on that particular question."

Mr. Hawkins: "Representative Pardini, that information can be obtained from OPP&FM, Mr. John Walker. He computes the population information for every community in the state and with the census you have population density information if you care for it precisely. Also each county or city planning agency has the capability to compute that."

Mr. Pardini: "You're making reference to population density, not just population only?"

Mr. Hawkins: "Yes."

Representatives Douthwaite, Lux, Nelson (Dick) and Pruitt spoke in favor of the amendment, and Representatives Leckenby, Clemente, McKibbin, Shinpoch and Deccio spoke against it.

POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Berentson.

Mr. Berentson: "Could you venture an estimate of what percentage of these funds would apply to the City of Seattle?"

Mr. Clemente: "I couldn't venture a guess."

POINT OF INQUIRY

Mr. Berentson asked Representative Bauer to yield to question, and he refused to yield.

Mr. Berentson spoke against adoption of the amendment.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Williams who was excused.

The House resumed consideration of the Burns amendment to Substitute House Bill No. 960.

Representatives Hurley (George) and Nelson (Dick) spoke in favor of the amendment, and Mr. Deccio spoke against it.

Mr. Patterson demanded the previous question and the demand was sustained.

The amendment was not adopted.

The Clerk read the following amendment by Representative Dunlap:

On page 7, line 8 after "district." add a new paragraph as follows:

"Any school district which is unable to maintain its base year, 1976-77, cost per full time equivalent pupil in the 1977-78 school year shall be authorized an excess levy in an amount which would allow such district to maintain such base year cost per full time equivalent pupil."

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

The Speaker called on Mr. O'Brien to preside.

Representative Craswell moved adoption of the following amendment by Representatives Craswell and Schmitt:

On page 17, line 10 after "the" strike all material down to and including "district" on line 12 and insert "superintendent of public instruction and, upon request, to the legislature and the residents of the school district"

Representative Craswell spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Craswell and Schmitt to Substitute House Bill No. 960, and the amendment was adopted by the following vote: Yeas, 71; nays, 20; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., King, Knedlik, Leckenby, Lee, Martinis, Maxie, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Tallor, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Charette, Clemente, Fortson, Gaines, Gruger, Heck, Hughes, Keller, Kilbury, Knowles, Kreidler, Lux, Lysen, Nelson D., Pruitt, Shinpoch, Vrooman, Warnke, and Mr. Speaker.

Not voting: Representatives Conner, Erak, Haley, Moreau, Thompson, Valle, Williams.

STATEMENT FOR THE JOURNAL

On the Craswell/Schmitt amendment to Substitute House Bill No. 960, change my vote from "Nay" to "Aye."

PAUL PRUITT, 34th District.

Mr. Douthwaite moved adoption of the following amendment:

On page 17, line 16 strike everything after "amendatory act" through line 18 and insert ": PROVIDED, That such taxes approved after the effective date of this 1977 act shall be limited to an amount not to exceed ten percent of the school district maintenance and operation budget for that school year, and shall be only for special purposes as defined by the school district."

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

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

The amendment was not adopted.

Mr. Clemente moved adoption of the following amendment by Representatives Clemente and Shinpoch:

On page 17, line 13 strike all of section 22 and insert a new section to read as follows:

"NEW SECTION, Sec. 22. After the effective date of this 1977 amendatory act, no property taxes collected by a school district pursuant to voter authorization under RCW 84.52.052 shall be used to increase the average compensation levels for certificated and classified employees in the district.

If any school district expends such property taxes to increase the average compensation levels for certificated or classified employees in the district, the amount of funds to which such district would otherwise be entitled from state general funds appropriated for compensation increases shall be withheld by the superintendent of public instruction in an amount equal to such expenditure."

MOTION

Mr. Pardini moved that Substitute House Bill No. 960 be rereferred to Committee on Agriculture.

Mr. Pardini spoke in favor of the motion, and Mr. Kilbury spoke against it.

The motion was lost.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Dunlap to the Clemente/Shinpoch amendment:

Beginning on line 8 of the amendment to page 17, line 13, after "district," strike all material down to and including "expenditure" on line 12 and insert "such increase in compensation shall not be considered in computing the average compensation level for purposes of determining the school district's entitlement from the state general fund"

Representatives Polk and Sanders spoke in favor of the amendment to the amendment, and Representatives Shinpoch, McKibbin and Clemente spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Polk and Dunlap to the Shinpoch/Clemente amendment to Substitute House Bill No. 960, and the amendment to the amendment was not adopted by the following vote: Yeas, 16; nays, 80; not voting, 2.

Voting yea: Representatives Barnes, Berentson, Bond, Douthwaite, Dunlap, Eng, Fancher, Gilleland, Greengo, Haley, Hughes, Pardini, Polk, Sanders, Struthers, Taller.

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

Not voting: Representatives Leckenby, Williams.

Mr. Dunlap moved adoption of the following amendment to the Clemente/Shinpoch amendment:

On line 6 of the amendment after "district" insert ": PROVIDED, That any school district which otherwise would be unable to maintain its 1976-77 cost per full time equivalent pupil in the 1977-78 school year, may collect taxes pursuant to RCW 84.52.052 and may expend such property taxes for any purpose necessary to maintain such 1976-77 FTE cost"

Representatives Dunlap and Shinpoch spoke in favor of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Dunlap to the Clemente/Shinpoch amendment to Substitute House Bill No. 960, and the amendment to the amendment was adopted by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap,

Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Charette.

Not voting: Representatives Flanagan, Keller, Leckenby, Newhouse, Tilly, Williams, Zimmerman.

On motion of Mr. Dunlap, the following amendment to the Clemente/Shinpoch amendment was adopted:

On line 13 of the amendment after "expenditure." insert "The legislature declares that by fiscal year 1980, no taxes approved by the electors of a school district pursuant to RCW 84.52.052 shall be used to fund basic programs of education as defined in section 3 of this 1977 amendatory act."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Clemente and Shinpoch as amended.

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

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Ehlers.

Mr. Ehlers: "If a local school district seeks a merit change type of program as an additional increment, would this amendment prohibit that kind of program?"

Mr. Shinpoch: "We deal with compensation in this bill as the average for school districts. We do not deal with how you arrive at that compensation, nor do we deal with any individuals within the districts nor make a distinction between administration for classroom or classified. We deal with classified separately than we do certified, but only for purposes of average salary. We deal with no individuals or no manner in which you approach compensation."

Mr. Ehlers: "In a number of school districts the employees and the school districts have negotiated a two-year contract, the provisions of which include an increase of six percent, sometimes seven percent, in the second year for the next two years, excluding increments. If, in fact, that is true and there are such contracts, if the state comes with a four percent average across-the-board increase, if I understand this amendment, this means that the local school districts cannot get it out of property tax, must take it out of the rest of the program if they are going to pay it and that will also be deducted from what comes from the state. Is that correct?"

Mr. Shinpoch: "I think under the Dunlap amendment that's only correct after 1980. The previous amendment says that you may use special levy money to increase the compensation above a certain level. The next paragraph of the original two paragraphs says, in effect, that we recognize that there are some two-year contracts out there; it says for purposes of entitlement for funding then you can only count state use. If you go over and above that then the entitlement will be reduced by that amount."

Representatives Ehlers and Shinpoch spoke in favor of the amendment, and Representatives Douthwaite and Pardini spoke against it.

Ms. Becker demanded an electric roll call and the demand was sustained.

Mr. McKibbin spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Shinpoch, in the language in the Clemente/Shinpoch amendment it speaks to average compensation levels. The thing I would like to know is when you are computing currently the levels, for example, of the Seattle school district, which is about 18,000 on the average, did you use in the computations the fringe benefits that have been accrued as part of the compensation level? In other words, the actual salary take-home versus any adds you would have for fringe benefits, medical benefits, health benefits, dental benefits?"

Mr. Shinpoch: "Representative Patterson, the run that we did was just on salaries; however, we know what the compensation package is for each school district and we know what that costs the school districts. There is huge differences in them, you know, as much as 300-400% differences in the benefits level other than salaries, so we did mean this to mean just

compensation. In other words, you could not drive up from almost no medical plan to full medical, full life, full dental plan or anything you wanted with your special levy money which then we must pick up in the following year. It was deliberately written compensation so that couldn't happen."

Mr. Patterson: "Then the computations that we have distributed do not, at the present time, include those fringe benefits into those average compensations?"

Mr. Shinpoch: "That was my statement the first statement I made, the run that we made was against salaries only."

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Berentson.

Mr. Berentson: "Just a point of clarification. Is my understanding correct that what you're doing in the second paragraph of the amended amendment, is you're suggesting that we, the legislature, will place in the general apportionment formula a proviso which indicates what money may be expended by that school district for salaries and with a penalty proviso? Is that what we're doing here?"

Mr. Shinpoch: "Representative Berentson, what we're doing here is putting in substantive law—not in the budget bill—we're putting in substantive law the manner in which special levy money may be handled as it relates to compensation. The budget bill will be built on this basis."

Mr. Berentson: "Assuming then that this language is inserted within the budget bill, am I correct in what I read into this, that you're going to spell out those moneys that can be appropriated or spent by a given district for salaries and if they overspend they are going to be subject to the penalties under the office of the Superintendent of Public Instruction and along with this there is absolutely no way that they can go to special levies for salary increases?"

Mr. Shinpoch: "It was not my intent that I was going to lay out each school district and the percentage for each school district for classified and certificated personnel. That was not my intent. That is a fairly thick document. It was not my intent to do that in the budget bill. It was my intent to transmit this to the Superintendent of Public Instruction and tell him this is the kind of money we are driving and this is the entitlement to the districts, and that this is the manner in which we will determine the entitlement in the following year."

Mr. Berentson spoke against adoption of the amendment, and Mr. Shinpoch spoke again in favor of it.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Ehlers.

Mr. Ehlers: "In your amendment, when you're talking about average compensation levels, are we talking about statewide average? Are we talking about the average of that same school district as is in affect at that time?"

Mr. Shinpoch: "The manner in which the whole plan is based is on the average salaries per certificated and classified for each school district—not a statewide basis, but for each school district."

Mr. Ehlers: "Would that compensation include increments, dental plans, health insurance, and everything in that average compensation?"

Mr. Shinpoch: "Yes, I think increments would normally be considered a portion of salary and the other would be considered a portion of fringe benefits. All of these go to make up compensation."

POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Fuller.

Mr. Fuller: "As we have worked our way through this bill, the only time I've heard a ratio mentioned is in the K through three programs. Does this amendment which is proposed here now preclude school districts reducing the ratio of pupils to teachers if they wish to do so?"

Mr. Clemente: "By hiring an individual teacher in a specific classroom, I believe that would be possible under an enrichment type program without affecting the district wide average."

Mr. Fuller: "It would not violate the intent of the amendment here?"

Mr. Clemente: "I don't think so."

Mr. Warnke spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Clemente and Shinpoch as amended to Substitute House Bill No. 960, and the amended amendment was adopted by the following vote: Yeas, 72; nays, 25; not voting, 1.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pruitt, Schmitt, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Bond, Burns, Douthwaite, Dunlap, Ehlers, Gilleland, Grimm, Hughes, Keller, Martinis, McCormick, Nelson G. A., Oliver, Pardini, Pearsall, Polk, Salatin, Sanders, Sherman, Vrooman, Walk, Warnke, Whiteside.

Not voting: Representative Williams.

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

On page 17 at line 23 insert a new section:

"NEW SECTION. Sec. 24. This act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accord with the provisions of section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

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

The amendment was not adopted.

Mr. Polk moved adoption of the following amendment:

On page 2, line 36 after "nation." strike all the material down to and including "concepts." on page 3, line 7 and insert "To become a productive citizen one must have the opportunity to:

- (a) Obtain the basic skills necessary to support self and family;
- (b) Acquire the skills for life-long development of his or her individual talents or propensities;
- (c) Develop a working knowledge of our nation's democratic and educational processes and values; and
- (d) Be introduced to an appreciation of cultural concepts."

POINT OF ORDER

Mr. Charette: "Mr. Speaker, do I have an amendment there changing the spelling of democratic from a small d to a capital D?"

Mr. Polk: "I thought I could clarify that. Actually Representative Charette gave me the amendment and I didn't see fit to put it up on the desk so it didn't get there."

The Speaker (Mr. O'Brien presiding): "There isn't an amendment on the desk relative to changing the d."

Mr. Polk spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to Substitute House Bill No. 960, and the amendment was adopted by the following vote: Yeas, 58; nays, 34; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Greengo, Grimm, Haley, Hansen, Hurley G. S., Hurley M., Knedlik, Leckenby, Lee, Lysen, Maxie, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Salatin, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Clemente, Conner, Enbody, Erak, Fortson, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knowles, Kreidler, Lux, Martinis, May, McCormick, McKibbin, North, O'Brien, Owen, Pearsall, Shinpoch, and Mr. Speaker.

Not voting: Representatives Bond, Moreau, Thompson, Valle, Vrooman, Williams.

Mr. Shinpoch moved adoption of the following amendment:

On page 6, line 24 strike "nonhigh" and insert "small-high"

Mr. Shinpoch spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Ehlers.

Mr. Ehlers: "There are school districts that are nonhigh school districts. What would be the affect of your amendment on those?"

Mr. Shinpoch: "My understanding is that they are covered in the definition of the remote and necessary and it is not intended that there will be any impact on the remote and necessary nonhigh, or small-high school districts."

Mr. Berentson spoke in favor of the amendment, and it was adopted.

Mr. Whiteside moved adoption of the following amendment by Representatives Whiteside, Dunlap, Craswell, Pardini, Lee, Barnes, Greengo, Schmitt, Fuller and Toller: Strike everything after the enacting clause and insert the following:

'NEW SECTION. Section 1. This 1977 amendatory act shall be known and may be cited as 'The Basic Program of Education Equalization Act of 1977'.

NEW SECTION. Sec. 2. It is the intent of this 1977 amendatory act to:

- (1) Assure the citizens of this state that adequate and equalized financial aid for education will result without the reliance on high property taxes resulting from annual special elections for excess levies for operating and maintaining the state's common schools;
- (2) Assure the citizens and school districts of the state that the support for the basic education of students, as herein defined, will be ample as required by Article IX, section 1 of the state Constitution; and
- (3) Define, in terms of goals, objectives, programs, and financial obligations, what the term 'basic education' means to the citizens of this state.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW a new section to read as follows:

The state basic program of education must include the primary goals of the school system, the best programs or methods by which those goals may be approached or met, and the deployment of state resources fully sufficient to fund those methods or programs.

Accordingly, the Washington state basic program of education shall be deemed to mean the total of the following:

(1) In terms of goals and objectives the purpose of basic education is to provide children the opportunity to acquire knowledge and skills that will assist them in the course of becoming productive citizens of the state and nation. A productive citizen is one who:

- (a) Obtains the basic skills necessary to support self and family;
- (b) Acquires the tools with which to continue life-long development of his or her individual talents or propensities;
- (c) Develops a working knowledge of our nation's democratic and educational processes and values; and
- (d) Is introduced to an appreciation of cultural concepts.

(2) In order to approach or meet those goals and objectives noted in subsection (1) of this section, the state board of education, pursuant to its authority in RCW 28A.41.130 to establish instructional, equipment and facility, and staffing standards, shall require that each school district offer courses in the following subjects, at the minimum specified hours of instruction, and at such grades as are conducted by a school district, as follows:

ELEMENTARY (GRADES 1-6)

Reading/Language Arts	An average per school year of
Mathematics	three hours per day inclusive of
Social Studies	intermissions for class changes
Physical Education	

SECONDARY (GRADES 7-12)

Language Arts	An average per school year
Mathematics	of four hours per day
Social Studies	inclusive of intermissions
Sciences, Natural and Physical	for class changes
Physical Education	

A regular school day for the purposes of Title 28A RCW shall be defined as a calendar day upon which pupils are provided the opportunity to be in classes or educational activities, at a minimum of five hours per day for grades one through three, five hours per day for grades four through six, and five hours per day for grades seven through twelve, inclusive of intermissions for class changes and exclusive of intermission for meals.

The local school district may offer courses in the following subjects for the remainder of the regular school day:

ELEMENTARY (GRADES 1-6)

Art, music, career education, science, health, extra curricular physical education, foreign language, and industrial arts.

SECONDARY (GRADES 7-12)

Art, music, career education, agricultural education, distributive education, trade and technical occupations education, health occupations education, home and family life education, driver education, business occupations, foreign languages, vocational education, industrial arts, health, extra curricular physical education, and junior ROTC programs.

A basic program of education shall include compliance by each school district with applicable laws and the provision by each school district of an educational program accessible to all pupils between the ages of five and twenty-one years of age in the state consisting of one hundred eighty regular school days of instruction, grades one through twelve, and one hundred eighty half-days of instruction, or equivalent, in kindergarten, terminating with a pupil's graduation from the twelfth grade. One half-day of instruction, or equivalent, in kindergarten shall be a minimum of two and one-half hours per day.

Those programs and courses necessary to comply with the handicapped education act, pursuant to chapter 28A.13 RCW, as well as those programs and courses necessary to provide adequate instruction to children requiring special programs, such as gifted programs, vocational education, and programs for educationally disadvantaged, shall be deemed to be within this definition of a basic program of education.

(3) Those funds made available by the legislature and annually distributed by the superintendent of public instruction, pursuant to sections 4 through 6 of this 1977 amendatory act, shall be fully sufficient to pay for those programs and services identified in subsections (1) and (2) of this section.

Sec. 4, Section 2, chapter 46, Laws of 1973 as last amended by section 1, chapter 211, Laws of 1975 1st ex. sess. and RCW 28A.41.130 are each amended to read as follows:

From those funds made available by the legislature for the current use of the common schools, the superintendent of public instruction shall distribute annually as provided in RCW 28A.48.010 as now or hereafter amended to each school district of the state operating a program ((approved)) in conformance with law and with minimum standards established by the state board of education an amount which, when combined with the following revenues, will constitute ~~((an equal guarantee in dollars for each weighted pupil enrolled, based upon one full school year of one hundred eighty days, except that for kindergartens one full school year may be ninety days as provided by RCW 28A.58.180))~~ financial equalization for the common schools of the state based upon one full school year of one hundred and eighty regular school days:

(1) The receipts from the one percent tax on real estate transactions which may be imposed pursuant to chapter 28A.45 RCW: PROVIDED, That the funds otherwise distributable under this section to any school district in any county which does not impose a tax in the full amount authorized by chapter 28A.45 RCW shall be reduced by five percent; and

(2) One hundred percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(3) One hundred percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(4) One hundred percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Operation of a program ((approved)) in conformance with law and with minimum standards established by the state board of education, for the purposes of this section, shall include a finding that the ratio of pupils per classroom teachers in grades kindergarten through three is not greater than the ratio of pupils per classroom teacher in grades four and above for such district: PROVIDED, That for the purposes of this section, 'classroom teacher' shall be defined as a certificated employee whose primary duty is the daily educational instruction of pupils: PROVIDED FURTHER, That the state board of education shall adopt rules and regulations to insure compliance with the pupil/teacher ratio provisions of this section, and such rules and regulations shall allow for exemptions for those special programs and/or school districts which may be deemed unable to practicably meet the pupil/teacher ratio requirements of this section by virtue of a small number of pupils.

((Notwithstanding any other provision of this chapter, the state shall guarantee to school districts an amount of money from state and local funds, not less than ninety five percent of the average amount per enrolled student, excluding special levies, which any such district realized from state and local funds during the preceding three school years:))

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

(1) To determine the allocation of moneys for financial equalization under section 4 of this 1977 amendatory act respecting certificated employees, the superintendent of public instruction's staff education and experience table shall be used. The table shall be renewed or revised biennially and shall be subject to approval, rejection or amendment by the legislature. The table shall be used as part of the superintendent's biennial state budget request. In the event the legislature should reject the table presented without adopting a new table, that table established for the previous biennium shall remain in effect.

The legislature shall determine for each school year the base level of salary support per certificated staff unit, at not less than the base level of salary support per certificated staff unit for 1976-77. The base level of salary support per certificated staff unit for 1976-77 shall be calculated by dividing the state-wide average salary of certificated staff units by the state-wide average pay differential factor as determined by the superintendent's staff education and experience table. The base level of salary support per certificated staff

unit, multiplied by the superintendent's pay differential factor, shall determine the dollars of salary support for each certificated staff unit.

The numerical allocation of certificated staff shall be computed from the following relationships: For each average annual twenty full time equivalent kindergarten, elementary and secondary pupils enrolled in the regular program (not including vocational or handicapped programs), one certificated staff unit; and for each 16.67 full time equivalent pupils enrolled in approved vocational classes, an additional allocation of one certificated staff unit: PROVIDED, That because of increased costs for operating such plants for remote and necessary elementary districts with enrollments of less than one hundred full time equivalent pupils, and for remote and necessary schools within a district, with less than one hundred full time equivalent pupils enrolled in the remote school, all as approved by the state board of education, there shall be the numerical allocation of certificated staff hereunder as follows: For grades kindergarten through six, for enrollments up to sixty full time equivalent pupils, three certificated staff units; for enrollments above sixty full time equivalent pupils, an additional certificated staff unit based upon a ratio of one certificated staff unit per twenty pupils; for grades seven through eight, for enrollments up to twenty full time equivalent pupils, one certificated staff unit; for enrollments above twenty full time equivalent pupils, an additional certificated staff unit based upon a ratio of one certificated staff unit per twenty pupils: PROVIDED FURTHER, That because of increased costs for operating such plants for high schools with enrollment of less than three hundred full time equivalent pupils, nine and one-half certificated staff units for the first sixty full time equivalent pupils; and an additional certificated staff unit for each forty-three and six-tenths additional full time equivalent pupils: AND PROVIDED FURTHER, That because of increased costs for operating such plants, for urban area schools, all as approved as such by the superintendent of public instruction, there shall be such additional certificated staff units to the number of full time equivalent enrolled pupils as determined by the superintendent of public instruction and approved by the legislature: AND, PROVIDED FURTHER, For those school districts (a) with programs necessitating additional costs through interdistrict cooperation under RCW 28A.58.075, or as otherwise provided by law, or (b) with costs resulting from students who reside in any home or institution devoted to providing a home for dependent or otherwise referred or entrusted children exempt from taxation under the laws of the state, or (c) having over three percent of its students living on property owned by the state, any of its political subdivisions or any municipal corporation, there shall be such additional certificated staff units to the number of full time equivalent enrolled pupils as determined by the superintendent of public instruction and approved by the legislature.

Notwithstanding any other provision of this section, the superintendent of public instruction, in ascertaining the full time equivalent pupil enrollment under this section for any school district declining in such enrollment from the immediately preceding school year, shall increase such enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from such previous year.

Notwithstanding any other provision of this section, the superintendent of public instruction, in ascertaining the full time equivalent pupil enrollment under this section for any school district which has an enrollment in the current year larger than its enrollment in any of the immediately preceding five years and which has increased its enrollment by four percent, or more, over the immediately preceding year, shall increase such enrollment as otherwise herein computed by twenty percent of the full time equivalent pupil enrollment increase of the current year over the year immediately preceding.

Using the dollar amount determination as provided for in this subsection above multiplied by the numerical allocation determined as aforesaid, the financial equalization sum as related to certificated employees shall be thus established for each district, except as otherwise in this section provided.

In addition to the dollar support hereinabove in this subsection provided, each school district shall receive for certificated employee benefits, an amount sufficient to reimburse such district for their payments to the old-age and survivors insurance system embodied in the social security act, industrial insurance, or any other employee benefit program mandated by the legislature for their certificated staff units other than for employee retirement.

(2) To determine the allocation of moneys for financial equalization under section 4 of this 1977 amendatory act respecting classified employees, the legislature shall determine for each school year the base level of salary support per classified staff unit, at not less than the state-wide average salary of classified staff unit for 1976-77. The numerical allocation of classified staff shall be computed on a ratio of one classified staff member for each sixty full time equivalent kindergarten, elementary and secondary pupils enrolled in the school district regular program including therein the additional factor for students enrolled in vocational programs.

Using the dollar amount determination as provided for in this subsection above multiplied by the numerical allocation determined as aforesaid, the financial equalization sum as related to classified employees shall be thus established for each district, except as otherwise in this section provided.

In addition to the dollar support hereinabove in this subsection provided, each school district shall receive for classified employee benefits, an amount sufficient to reimburse such district for their payments to the old-age and survivors insurance system embodied in the social security act, for employee retirement, industrial insurance, or any other benefit program mandated by the legislature for their classified staff units.

(3) To determine the allocation of additional moneys for nonemployee related costs for each school year, the legislature shall utilize the number of certificated units as hereinabove in subsection (1) provided, multiplied by the dollar allocation for nonemployee related support for each school year as determined by the legislature.

The enrollment of any district for the purposes of determining full time equivalent pupils for the purposes of this section shall be based on the average number of full time equivalent pupils and part time pupils

as provided for in section 7 of this 1977 amendatory act enrolled on the first school day of each month. Certificated employee for the purposes of this section shall include the superintendent of the school district.

NEW SECTION, Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

In addition to those state funds provided for school districts as otherwise in this chapter provided, the superintendent of public instruction shall include as a part of the superintendent's state budget request, funds to be distributed to school districts for programs, including but not limited to, programs for the handicapped as authorized by chapter 28A.13 RCW, as now or hereafter amended, compensatory programs, programs for gifted students, programs for urban, rural, and racial disadvantaged students, pupil transportation including equipment acquisition, and other special programs as deemed appropriate by the superintendent of public instruction and authorized by the legislature, the allocation of funds therefor subject to rules and regulations of the superintendent of public instruction.

(1) Additional support for gifted programs shall be provided based upon a certificated staff allotment, a classified staff allotment, and a nonemployee cost allotment determined by applying the regular program ratios for these three items to 0.1 of the total full time equivalent enrollment of gifted children. Gifted children are those children who score within the upper three percent of the student population throughout the state as identified by standardized means. Prior to disbursement of funds to any district for gifted programs, the superintendent of public instruction must certify that:

(a) The district's program is designed to meet the needs of gifted children; and

(b) Funds previously disbursed for gifted children programs have not been spent for purposes other than gifted programs.

(2) For those districts with educationally disadvantaged children, meaning children who come to school lacking skills, attitudes and behaviors normally acquired outside of school and which are necessary to benefit from the regular school program, additional funding for certificated staff, classified staff, and nonemployee costs shall be provided. The allotment of staff and the funding of nonemployee costs shall be determined in the same manner as for regular programs (not including vocational or handicapped programs). Districts shall be entitled to additional funding in accordance with this subsection for the following:

(a) 0.1 of the total full time equivalent pupils enrolled who are eligible for free or reduced-price lunch;

(b) 0.4 of the total full time equivalent pupils enrolled who meet the criteria in (a) above and who reside in a school district with a thirty percent or greater concentration of pupils eligible for free or reduced-price lunch; and

(c) 0.2 of the total full time equivalent pupils enrolled who meet federal eligibility standards for bilingual instruction or who rank in the lower ten percent state-wide on the total reading score on state achievement tests.

Prior to disbursement of funds to any district for educationally disadvantaged programs, the superintendent of public instruction must certify that:

(i) The district's program is designed to meet the needs of educationally disadvantaged children; and

(ii) Funds previously disbursed for educationally disadvantaged programs have not been spent for purposes other than educationally disadvantaged programs.

(3) In determining the allocation of moneys for financial equalization under section 4 of this 1977 amendatory act, each district will be compensated for extragovernmental costs in excess of three percent of standard administrative costs upon approval by the superintendent of public instruction under rules and regulations promulgated by the superintendent in accordance with chapter 34.04 RCW: PROVIDED, That to qualify for such costs under this paragraph, a school district shall:

(a) Describe the extraordinary administrative demands;

(b) Describe the administrative functions necessary to meet such demands; and

(c) Estimate the staff hours required to perform such administrative functions. Extraordinary administrative demands, as defined in rules and regulations of the superintendent, may include, but not necessarily be limited to, the following:

(i) Racial and/or socio-economic integration;

(ii) Equal employment opportunity;

(iii) Extraordinary management required by, but not funded by, grants from whatsoever source; and

(iv) Extraordinary management required by, but not funded by, any federal, state or local law.

Sec. 7. Section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145 are each amended to read as follows:

(1) For purposes of this section, the following definitions shall apply:

(a) 'private school student' shall mean any student enrolled full time in a private or private sectarian school;

(b) 'school' shall mean any primary, secondary or vocational school;

(c) 'school funding authority' shall mean any nonfederal governmental authority which provides moneys to common schools;

(d) 'part time student' shall mean and include any student enrolled in a course of instruction in a private or private sectarian school and taking courses at and/or receiving ancillary services offered by any public school not available in such private or private sectarian school district and any student involved in any work training program and taking courses in any public school, which work training program is approved by the school board of the district in which such school is located.

(2) The board of directors of any school district is authorized and, in the same manner as for other public school students, shall permit the enrollment of and provide ancillary services for part time students,

including (a) the part time enrollment of students involved in any work training program and desirous of taking courses within the district upon the school board's approval of any such work training program and (b) the part time enrollment of any private school student in any school within the district for the purpose of attending a class or classes or a course of instruction if the class, classes, or course of instruction for which the private school student requests enrollment, are unavailable to the student in the private school in which the student is regularly enrolled: PROVIDED, That this section shall only apply to part time students who would be otherwise eligible for full time enrollment in the school district.

(3) The superintendent of public instruction shall recognize the costs to each school district occasioned by enrollment of and/or ancillary services provided for part time students authorized by subsection (2) and shall include such costs in the ~~((weighting schedule established pursuant to RCW 28A.41.140))~~ distribution of funds to school districts under section 4 of this 1977 amendatory act. Each school district shall be reimbursed for the costs or a portion thereof, occasioned by attendance of and/or ancillary services provided for part time students on a part time basis, by the superintendent of public instruction, according to law.

(4) Each school funding authority shall recognize the costs occasioned to each school district by enrollment of and ancillary services provided for part time students authorized by subsection (2), and shall include said costs in funding the activities of said school districts.

~~((5) The superintendent of public instruction is authorized to adopt rules and regulations to carry out the purposes of RCW 28A.41.140 and 28A.41.145:))~~

Sec. 8. Section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 80, Laws of 1977 and RCW 28A.41.160 are each amended to read as follows:

~~((Reimbursement for transportation costs shall be in addition to state assistance based upon weighted enrollment:))~~ Transportation costs shall be reimbursed as follows:

(1) Operational reimbursement shall be ~~((limited to ninety))~~ one hundred percent of the service costs on routes recommended by the educational service district ~~((superintendent or his or her designee))~~ transportation commission, and as approved by the state superintendent, or shall be limited to one hundred percent of the average state cost per vehicle mile for the class of vehicle approved for operation as determined by the state superintendent, whichever is the smaller; and

(2) Costs of acquisition of approved transportation equipment shall be limited to ~~((ninety))~~ one hundred percent to be reimbursed over the anticipated life of the vehicle, as determined by the state superintendent: PROVIDED, That reimbursements for the acquisition of approved transportation equipment received by school districts shall be held within the general fund exclusively for the future purpose of approved transportation equipment and major transportation equipment repairs consistent with rules and regulations authorized and promulgated under RCW 28A.41.170 and chapter 28A.65 RCW.

Sec. 9. Section 28A.44.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.040 are each amended to read as follows:

The ~~((weighted student))~~ average annual full time equivalent pupil enrollment as computed under ~~((RCW 28A.41.140 accredited to))~~ section 5 of this 1977 amendatory act for each school district or part thereof within a county shall be the basis upon which distribution of the real estate sales tax proceeds as provided for in chapter 28A.45 RCW and apportionments from the county current school fund shall be made.

Sec. 10. Section 28A.45.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.040 are each amended to read as follows:

It shall be the duty of the board of county commissioners of each county to pay to each school district a sum equal to seventeen cents per day for each ~~((weighted student enrolled))~~ average annual full time equivalent pupil enrolled as computed under section 5 of this 1977 amendatory act, based upon a full school year of one hundred eighty days. The year during which the payments herein required are to be made shall be from the first day of May to the last day of April, inclusive: PROVIDED, That in the event a county levies a tax of not less than one percent on the sales of real estate in the county as permitted and provided for in this chapter and assigns the entire proceeds of one percent or so much as necessary to make the above payment to the county school fund for distribution to the various school districts, there shall be no further liability upon the county for this purpose.

Sec. 11. Section 2, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 56, Laws of 1974 ex. sess. and RCW 28A.47.801 are each amended to read as follows:

Funds appropriated to the state board of education from the common school construction fund shall be allotted by the state board of education in accordance with student enrollment as computed for the purposes of ~~((RCW 28A.41.140))~~ section 5 of this 1977 amendatory act and the provisions of RCW 28A.47.800 through 28A.47.811: PROVIDED, That no allotment shall be made to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the authorization of bonds or through the authorization of excess tax levies or both in an amount equivalent to two and one-half percent of the value of its taxable property, as defined in RCW 39.36.015, or such lesser amount as may be required by the state board of education. The state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

Sec. 12. Section 3, chapter 244, Laws of 1969 ex. sess. as amended by section 2, chapter 56, Laws of 1974 ex. sess. and RCW 28A.47.802 are each amended to read as follows:

In allotting the state funds provided by RCW 28A.47.800 through 28A.47.811, and in accordance with student enrollment as computed for the purposes of ~~((RCW 28A.41.140))~~ section 5 of this 1977 amendatory act, the state board of education shall:

(1) Prescribe rules and regulations not inconsistent with RCW 28A.47.800 through 28A.47.811 governing the administration, control, terms, conditions, and disbursement of allotments to school districts to assist them in providing school plant facilities;

(2) Approve, whenever the board deems such action advisable, allotments to districts that apply for state assistance;

(3) Authorize the payment of approved allotments by warrant of the state treasurer; and

(4) In the event that the amount of state assistance applied for pursuant to the provisions hereof exceeds the funds available for such assistance during any biennium, make allotments on the basis of the urgency of need for school facilities in the districts that apply for assistance or prorate allotments among such districts in conformity with procedures and regulations applicable thereto which shall be established by the board.

Sec. 13. Section 2, chapter 92, Laws of 1974 ex. sess. as amended by section 71, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.02.201 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. Minimum requirements shall be as follows:

(1) The length of the minimum school year shall be the same as that required of public schools in ~~(RCW 28A.01.025 as now or hereafter amended)~~ section 3 of this 1977 amendatory act.

(2) ~~((The length of the school day shall be the same as that required of public schools in RCW 28A.01.010 as now or hereafter amended:~~

(3)) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

~~((4))~~ (3) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

~~((5))~~ (4) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements.

~~((6))~~ (5) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

~~((7))~~ (6) In compliance with provisions of RCW 28A.31.010 as now or hereafter amended and rules or regulations of the state board of education, each private school teacher shall file with the educational service district in which the school is located a valid health certificate issued by the state department of social and health services.

~~((8))~~ (7) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection ~~((6))~~ (5) above provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

Sec. 14. Section 11, chapter 66, Laws of 1971 ex. sess. and RCW 28A.41.053 are each amended to read as follows:

The superintendent of public instruction shall submit to each regular session of the legislature a programmed budget request for handicapped programs. Programs operated by local school districts shall be funded on an excess cost basis from appropriations provided by the legislature for handicapped programs and shall take account of state funds accruing through RCW 28A.41.130, ~~((28A.41.140;))~~ and other state and local funds, excluding special excess levies.

Sec. 15. Section 28A.44.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 118, Laws of 1975-76 2nd ex. sess. and RCW 28A.44.080 are each amended to read as follows:

The superintendent of every high school district shall certify under oath, as a part of an annual report to the educational service district board to be made on or before the fifteenth day of October as required by law, the following facts as nearly as the same can be ascertained:

(1) Name, post office address, county, and resident school district of each nonresident high school pupil who is not a resident of another high school district and is enrolled in the high school, or high schools, of the district during the school year, with the enrollment date and departure date of each such nonresident pupil.

(2) The cost per ((weighted)) full time equivalent pupil of educating high school pupils for the school year in his district. For ascertaining such cost the following items of high school expenditure shall be used: Salaries of all high school teachers, supervisors, principals, special instructors, superintendent and assistants, janitors, clerks, and secretaries, stenographers, and all other employees; fuel, light, water, power, telephones, textbooks, office expenses, janitors' supplies, freight, express, drayage, rents for high school purposes, upkeep of grounds, upkeep of shops and laboratories, all materials used in instruction, insurance, current ordinary repairs of every nature, inspection, promotion of health, and such other current expenditures as may be necessary to efficient operation of the high school, or high schools. Expenditures for real estate, construction of buildings, and for other permanent improvements and fixtures shall not be included in estimating high school expenditures for the purposes of this section. When any item, as a necessary result of organization, covers both grade and high school work, it shall be prorated, as nearly as practicable, by the high school district superintendent.

Sec. 16. Section 2, chapter 124, Laws of 1972 ex. sess. as last amended by section 25, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.44.085 are each amended to read as follows:

The educational service district board, after verifying such reports as provided in RCW 28A.44.080 as now or hereafter amended, shall certify, on or before the fifteenth day of November each year to the appropriate county commissioners, the amount of claims which any high school district in its educational service district may have under the provisions of RCW 28A.44.045 through 28A.44.100 as now or hereafter amended against any nonhigh district for the cost of educating nonresident high school pupils of such district. In fixing the amount of any such claim by a high school district for educating nonresident high school pupils from such nonhigh districts the educational service district board shall determine the net difference between the cost of educating high school pupils in the given high school district per ((weighted)) full time equivalent pupil enrolled for the preceding year as determined pursuant to RCW 28A.44.080(2) and the total state guarantee, including the equal guarantee provided for in RCW 28A.41.130, per ((weighted)) full time equivalent pupil enrolled in such high school district for the preceding year, less any funds received by the high school district pursuant to Title 20, sections 236 through 244, United States Code, for any nonresident high school pupils educated in the high school district for such preceding year. Such amount, when certified as provided in this section, shall constitute a valid claim against the appropriate nonhigh district.

Sec. 17. Section 28A.45.050, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 135, Laws of 1975 1st ex. sess. and RCW 28A.45.050 are each amended to read as follows:

The county commissioners of any county are authorized by ordinance to levy an excise tax upon sales of real estate not exceeding one percent of the selling price. The rate of the levy shall be determined annually by the commissioners. The proceeds of the tax provided for in this chapter shall be placed in the county school fund and shall be used exclusively for the support of the common schools: PROVIDED, That one percent of the proceeds of the tax provided for herein may be placed in the current expense fund of the county: PROVIDED, That each educational service district superintendent shall certify each month the distribution of the real estate excise tax from the county school fund, for each county whose seat of government is within the educational service district, to the general fund of each school district in the county: PROVIDED FURTHER, That when a local school district board of directors, by properly executed resolution, instructs that the distribution in whole or part be credited to the building fund and/or bond interest and redemption fund of the local school district, the educational service district superintendent shall certify the distribution in accordance with such resolution: AND PROVIDED FURTHER, That such certification of distribution to each school district in the county shall be in proportion (using the most recent data) to the number of ((weighted)) full time equivalent students enrolled in each district to the number of ((weighted)) full time equivalent students in the county.

Sec. 18. Section 28A.58.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190 are each amended to read as follows:

Except as otherwise provided by law, common schools shall be open to the admission of all persons between the ages of ((six)) five and twenty-one years residing in that school district.

Sec. 19. Section 36.33.110, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1967 and RCW 36.33.110 are each amended to read as follows:

The state treasurer shall turn over to the treasurers of the counties within United States forest reserves, the amount of money belonging to them, received from the federal government from such reserves, in accordance with Title 16, section 500, United States Code. Where the reserve is situated in more than one county the money shall be distributed in proportion to the area of the counties interested, and to that end the state treasurer is authorized and required to obtain the necessary information to enable him to make the distribution on such basis.

County commissioners of the respective counties to which the money is distributed are authorized and directed annually to distribute not less than fifty percent of said money to each school district within each such county according to the proportional number of ((weighted)) full time equivalent students enrolled in each such school district during the immediate preceding school year as certified by the county school superintendent of schools or the intermediate district superintendent of schools as the case may be: PROVIDED, That if any such school district would suffer a decrease in its total revenue as the result of receipt of said money, such district may refuse its proportional share and the county commissioners shall thereupon

redistribute such proportional share to the remaining districts in the county. The county commissioners shall expend the balance of said money for the benefit of the public roads of such county, and not otherwise.

NEW SECTION. Sec. 20. The following acts or parts thereof are hereby repealed:

(1) Section 28A.01.010, chapter 223, Laws of 1969 ex. sess., section 1, chapter 161, Laws of 1971 ex. sess. and RCW 28A.01.010; and

(2) Section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140.

NEW SECTION. Sec. 21. The financial equalization formula as set forth in sections 4 and 5 of this 1977 amendatory act shall be for distribution purposes only and shall not be construed as mandating specific operational functions of local school districts within the state.

NEW SECTION. Sec. 22. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Each school district board of directors shall annually adopt a 'state of the schools' message to be compiled in report form. Such a report shall include a statement of the general condition of the public schools of the district, with full statistical tables and explanations showing: The number of schools and student attendance; the state, federal and district funds apportioned; the budget expenditures by specific category and in simplified language; the funds received from special taxes or other sources; staff evaluative criteria and procedures, within the requirements of written staff evaluations pursuant to RCW 28A.67.065; program objectives and evaluations pursuant to RCW 28A.58.090; student assessment results pursuant to RCW 28A.03.360; and the physical condition of the buildings and facilities including health and safety standards pursuant to chapter 28A.58 RCW. Such report shall also include a narrative description of what had been accomplished within the district during the previous year and what plans are made for the coming year regarding the management and operation of a quality school system.

This report shall be made available annually to the legislature, the office of the superintendent of public instruction, and the residents of the school district.

NEW SECTION. Sec. 23. This 1977 amendatory act shall take effect September 1, 1977: **PROVIDED,** That apportionment of funds as in sections 4 through 6 of this 1977 amendatory act provided shall occur under RCW 28A.48.010 not later than the last business day of September, 1977. Funding as provided in sections 5 and 6 of this 1977 amendatory act shall be for the school year 1977-78, at eighty percent of the moneys provided therein; for the school year 1978-79, at ninety percent of the moneys provided therein; and for the school year 1979-80 and thereafter, at one hundred percent of the moneys provided therein.

Sec. 24. Section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1977 and RCW 84.52.052 are each amended to read as follows:

(1) The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by any taxing district in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts.

(2) Any county, school district, metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city or town may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52.056 and RCW 84.52.043, or RCW 84.55.010 through 84.55.050, when authorized so to do by the electors of such county, school district, metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city or town in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended, at a special or general election to be held in the year in which the levy is made or, in the case of a proposition authorizing levies for support of a school district for a two year period, at a special or general election to be held in the year in which the first annual levy is made: **PROVIDED,** That once additional tax levies have been authorized for the support of a school district for a two year period, no further additional tax levies for the support of the district for that period may be authorized except for expenditures attributable to an unanticipated increase in student enrollment and for the acquisition of motor vehicles for student transportation.

(3) (a) For the levy to be made in the year 1977 for collection in the year 1978, the aggregate tax levy amount of any school district for any special maintenance and operations purposes that may be levied by a vote of the people under the authority of this subsection for any one year shall not exceed an amount equal to thirty percent of the budgeted expenditures for maintenance and operations purposes for the previous school year as determined pursuant to rules and regulations of the superintendent of public instruction.

(b) For the levy to be made in the year 1978 for collection in the year 1979, the aggregate tax levy amount of any school district for any special maintenance and operations purposes that may be levied by a vote of the people under authority of this subsection for any one year shall not exceed an amount equal to twenty percent of the budgeted expenditures for maintenance and operations purposes for the previous school year as determined pursuant to rules and regulations of the superintendent of public instruction.

(c) Beginning with the levy to be made in the year 1979 for collection in the year 1980, the aggregate tax levy amount of any school district for any special maintenance and operations purposes that may be levied by a vote of the people under the authority of this subsection for any one year shall not exceed an amount equal to fifteen percent of any districts allowable state apportionment funds for the ten current year: **PROVIDED,** That any such levy proposition shall be restricted to such special purpose(s) which shall be precisely outlined in such proposition and which shall not include at any time salary increases for certificated or classified employees since the same is provided for in section 5 of this 1977 amendatory act: **PROVIDED,**

FURTHER, That in addition to any such excess levy as authorized in this subsection, any such district which is unable to maintain its base year, 1976-77, cost per full time equivalent pupil shall be authorized an additional excess levy in an amount which would allow such district to maintain such base year cost per full time equivalent pupil, presented to the voters as a separate ballot proposition.

(d) Any two year levy as provided for in subsection (2) of this section shall be consistent with the limitations contained in subparagraphs (a) through (c) of this subsection.

(4) A special election may be called and the time therefor fixed by the board of county commissioners or other county legislative authority, board of school directors, or council, board of commissioners, or other governing body of any metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city or town, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote 'yes' and those opposed thereto to vote 'no'.

NEW SECTION. Sec. 25. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Representatives Whiteside and Lee spoke in favor of the amendment, and Mr. Clemente spoke against it.

Mr. Bender demanded the previous question and a division was called.

ROLL CALL

The Clerk called the roll on the demand for the previous question in the debate on the amendment by Representative Whiteside and others to Substitute House Bill No. 960, and the demand was not sustained by the following vote: Yeas, 62; nays, 33; not voting, 3.

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

Voting nay: Representatives Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Ehlers, Fancher, Fuller, Gilleland, Greengo, Haley, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Tally, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Amen, Shinoda, Williams.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 947 and HOUSE BILL NO. 1230 were rereferred from Committee on Local Government to Committee on Agriculture.

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

REPORTS OF STANDING COMMITTEES

April 8, 1977

HOUSE BILL NO. 307, Prime Sponsor: Representative Hanna, providing funds for local criminal justice programs. Reported by Committee on Institutions.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Salatino.

MOTION

On motion of Mr. King, House Bill No. 307 was rereferred to Committee on Appropriations.

April 8, 1977

SUBSTITUTE HOUSE BILL NO. 371, Prime Sponsor: Representative Becker, revising the juvenile justice and care system. Reported by Committee on Institutions.

MAJORITY recommendation: The third substitute bill be substituted therefor and that the third substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Salatino.

MOTION

On motion of Mr. King, Substitute House Bill No. 371 was rereferred to Committee on Appropriations.

April 6, 1977

HOUSE BILL NO. 602, Prime Sponsor: Representative Polk, providing for salary surveys and incentive pay for public employees. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Blair, Ranking Minority Member; Boldt, Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Polk, Taller, Thompson, Valle, Warnke, Zimmerman.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 766, Prime Sponsor: Representative Becker, providing relief from certain benefit assessments on farm land. Reported by Committee on Revenue.

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

To Committee on Rules for second reading.

April 8, 1977

HOUSE BILL NO. 874, Prime Sponsor: Representative Salatino, modifying the conditions for receiving state funds for probation services. Reported by Committee on Institutions.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Salatino.

MOTION

On motion of Mr. King, House Bill No. 874 was rereferred to Committee on Appropriations.

April 8, 1977

HOUSE JOINT RESOLUTION NO. 30, Prime Sponsor: Representative O'Brien, amending the Constitution to permit the property taxes from increased property values attributable to development or redevelopment projects to be used to support such projects. Reported by Committee on Constitution.

MAJORITY recommendation: The substitute bill by Committee on Revenue be substituted therefor and that the substitute bill do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Tuesday, April 12, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 12, 1977.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jessica Elicker and Rudy Pangelinan. Prayer was offered by Representative Paul Pruitt.

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

MESSAGE FROM THE SENATE

April 10, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2217,
ENGROSSED SENATE BILL NO. 2323,
ENGROSSED SENATE BILL NO. 3019,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 23.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3019, by Senators Odegaard, Donohue, Jones, Fleming, McDermott, Walgren and Ridder:

Making an appropriation to the superintendent of public instruction for disbursement to certain school districts.

To Committee on Education

SENATE BILL NO. 2217, by Senators Day, Sellar and Washington:

Authorizing travel and living expenses for candidates for administrative positions in public hospital districts.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2323, by Senators Bluechel, Francis and Talley:

Authorizing courts to grant grandparents visitation rights.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

April 7, 1977

HOUSE BILL NO. 27, Prime Sponsor: Representative Paris, creating the small business committee and empowering it to review related matters relating to small business enterprises. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 447, Prime Sponsor: Representative Warnke, extending the grounds for suspension or revocation of real estate sales licenses, and exempting brokers from the vehicle dealers' and salesmen's license requirements in certain cases. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 515, Prime Sponsor: Representative Hansen, broadening the definition of negligent driving. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 664, Prime Sponsor: Representative Keller, permitting municipal courts to be established or terminated at anytime. Reported by Committee on Judiciary.

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

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 686, Prime Sponsor: Representative Warnke, increasing the penalty for issuing bad checks which total more than \$250. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 21 strike "sixty" and insert "thirty"

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

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 877, Prime Sponsor: Representative Keller, requiring notice to certain property owners before city land is rezoned. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 7 after "mailed" insert "by certified mail at least fourteen days prior to such hearing"

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, Gilleland, Keller, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 1021, Prime Sponsor: Representative Ehlers, relating to state government. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), O'Brien, Salatino, Sommers, Struthers.

To Committee on Rules for second reading.

April 11, 1977

SENATE BILL NO. 2029, Prime Sponsor: Senator Beck, abolishing the American revolution bicentennial commission of the state of Washington. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. The American revolution bicentennial commission of the state of Washington having achieved the purposes and requirements of chapter 43.125 RCW is hereby abolished.

NEW SECTION. Sec. 2. The Washington state historical society shall be the successor agency to the American revolution bicentennial commission for the following purposes:

(1) To oversee and carry forward any unfinished projects as directed by the commission prior to abolition;

(2) To make any and all reports on operations and expenditures of the commission as required by federal and state agencies; and

(3) To take permanent custody of all records, equipment, publications, funds, and other property of the commission.

NEW SECTION. Sec. 3. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 76, Laws of 1972 ex. sess., section 132, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.125.010;

(2) Section 2, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.020;

(3) Section 3, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.030;

(4) Section 4, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.040;

(5) Section 5, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.050; and

(6) Section 7, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.900.

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 3 of the title, after "sections;" insert "repealing section 1, chapter 76, Laws of 1972 ex. sess., section 132, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.125.010; repealing section 2, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.020; repealing section 3, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.030; repealing section 4, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.040; repealing section 5, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.050; repealing section 7, chapter 76, Laws of 1972 ex. sess. and RCW 43.125.900;"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), O'Brien, Salatino, Sommers, Struthers.

To Committee on Rules for second reading.

April 11, 1977

SENATE BILL NO. 2097, Prime Sponsor: Senator Bausch, deleting an obsolete restriction on employment of aliens. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), O'Brien, Salatino, Sommers, Struthers.

To Committee on Rules for second reading.

April 8, 1977

ENGROSSED SENATE BILL NO. 2184, Prime Sponsor: Senator Marsh, making certain changes in the laws relating to the registration of contractors. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

April 11, 1977

ENGROSSED SENATE BILL NO. 2325, Prime Sponsor: Senator Wilson, requiring the preparation of fiscal notes on proposed legislation relating to cities, towns, counties, and other units of local government. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 2 after "legislator." insert "In the event a fiscal note has not been completed within seventy-two hours of a request, a daily report shall be prepared for the requesting legislator by the director of the office of program planning and fiscal management which report summarizes the progress in preparing

the fiscal note. If the request is referred to the director of the planning and community affairs agency, the daily report shall also include the date and time such referral was made."

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, Gilleland, Keller, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 11, 1977

SUBSTITUTE SENATE BILL NO. 2431, Prime Sponsor: Senator Marsh, providing for the erection of a statue in statuary hall in the national capitol. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), O'Brien, Salatino, Sommers, Struthers.

To Committee on Rules for second reading.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 960, by Committee on Education (Originally sponsored by Representative Clemente):

Enacting "The Education Act of 1977."

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 29th Day, ex. sess., April 8, 1977 and 32nd Day ex. sess., April 11, 1977.)

The Speaker stated the question before the House to be the amendment by Representatives Whiteside, Dunlap, Craswell, Pardini, Lee, Barnes, Greengo, Schmitt, Fuller and Taller, striking everything after the enacting clause and inserting new language.

Representatives Pardini, Taller, Berentson and Barnes spoke in favor of the amendment, and Representatives Clemente and McKibbin spoke against it.

Mr. Pardini spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Lux.

Mr. Lux: "Representative Pardini, there are a lot of things in this amendment of yours that are very attractive to me and some of the representatives in Seattle. I wonder what the cost impact would be over and above Substitute House Bill No. 960? Is there any? Have you given that any thought?"

Mr. Pardini: "Representative Lux, first of all, don't give me credit for the amendment. There are about nine or ten people who collaborated on the amendment and they did most of the work and it's a joint effort. On the cost impact, it is my understanding that the proposed amendment has been costed by the Superintendent of Public Instruction on those formulas, and the cost impact of this proposed amendment for funding basic education during the 1977-79 biennium is \$1.5 billion. Those are the figures I was trying to present earlier in arguments, but so many people are afraid of that \$1.5 billion so I asked the House Ways and Means staff, the Appropriations staff, to find out how much we had paid in the 1975-77 biennium. The total state allocation of general fund money was \$1.3 million plus an additional almost \$500 million in special levies, making it a total of about \$1.8 billion."

Mr. Lux: "Representative Pardini, what I'm trying to determine is how much more we are talking about in the proposed amendment than in House Bill No. 960?"

Mr. Pardini: "I believe, Representative Lux, there is no way to tell, because we don't know what Substitute House Bill No. 960 is going to cost or what that budget bill is going to contain or how much money is going to be appropriated. That is my objection to 960, we really don't know what it is going to cost, in my opinion."

Mr. Polk spoke in favor of the amendment.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Whiteside and others to Substitute House Bill No. 960, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hurley M., Leckenby, Lee, Lux, Maxie, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Martinis, May, McCormick, McKibbin, Moreau, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, and Mr. Speaker.

Not voting: Representative Keller.

Substitute House Bill No. 960 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Bender, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 395, by Committee on Appropriations (Originally sponsored by Representatives Shipoch, Charette, Polk, Blair and Knedlik):

Revising the procedures for processing claims against the state.

The bill was read the third time and placed on final passage.

Mr. Charette spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 395, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Keller.

Substitute House Bill No. 395, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 691, by Representatives Fischer, Pardini and Kreidler (by State Treasurer and Chairman of Public Deposit Protection Commission request):

Revising the liability of a public depository.

The bill was read the third time and placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 691, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Gruger, Keller.

Engrossed House Bill No. 691, having received the 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 HOUSE BILL NO. 353, by Committee on Judiciary (Originally sponsored by Representatives Tilly, Wilson and Leckenby):

Revising the provisions of the law of compensating victims of crime.

The bill was read the third time and placed on final passage.

Mr. Tilly 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. 353, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

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

Voting nay: Representative Newhouse.

Not voting: Representatives Erak, Keller, Valle.

Engrossed Substitute House Bill No. 353, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2378, by Senators Lewis, Keefe, Guess and Day (by Department of Highways request):

Extending state route 290 in Spokane.

The bill was read the third time and placed on final passage.

Representatives Hurley (Margaret), Hansen and Charette spoke in favor of the bill, and Representative Charnley spoke against it.

Mr. Hansen spoke again in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2378 and the bill passed the House by the following vote: Yeas, 77; nays, 20; not voting, 1.

Voting yea: Representatives Adams, Amen, Barr, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Dunlap, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, Moreau, Nelson G. A., O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Charnley, Deccio, Douthwaite, Ehlers, Eng, Gaines, Hawkins, Lysen, McKibbin, Nelson D., Newhouse, North, Paris, Salatino, Sherman, Smith, Valle, Williams.

Not voting: Representative Keller.

Senate Bill No. 2378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 2245, by Committee on Education (Originally sponsored by Senators McDermott, Walgren, Ridder, Buffington and Herr):

Implementing law relating to contract rights of employees in the common schools.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 28th Day ex. sess., April 7, 1977.)

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Bauer:

On page 4, after section 1 insert new sections as follows:

"Sec. 2. Section 28A.58.450, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 114, Laws of 1975-76 2nd ex. sess. and RCW 28A.58.450 are each amended to read as follows:

In the event it is determined that there is probable cause or causes for a teacher, principal, supervisor, superintendent, or other certificated employee, holding a position as such with the school district, hereinafter referred to as "employee", to be discharged or otherwise adversely affected in his or her contract status, such employee shall be notified in writing of that decision, which notification shall specify the probable cause or causes for such action. Such determinations of probable cause for certificated employees, other than the superintendent, shall be made by the superintendent or board of directors. Such notices shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. Every such employee so notified, at his or her request made in writing and filed with the president, chairman of the board or secretary of the board of directors of the district within ten days after receiving such notice, shall be granted opportunity for a hearing pursuant to RCW 28A.58.455 to determine whether or not there is sufficient cause or causes for his or her discharge or other adverse action against his contract status.

In the event any such notice or opportunity for hearing is not timely given, or in the event cause for discharge or other adverse action is not established by a preponderance of the evidence at the hearing, such employee shall not be discharged or otherwise adversely affected in his contract status for the causes stated in the original notice for the duration of his or her contract.

If such employee does not request a hearing as provided herein, such employee may be discharged or otherwise adversely affected as provided in the notice served upon the employee.

Transfer to a subordinate certificated position as that procedure is set forth in RCW 28A.67.073 shall not be construed as a discharge or other adverse action against contract status for the purposes of this section.

Sec. 3. Section 16, chapter 15, Laws of 1970 ex. sess., as last amended by section 4, chapter 114, Laws of 1975-76 2nd ex. sess. and RCW 28A.67.070 are each amended to read as follows:

No teacher, principal, supervisor, superintendent, or other certificated employee, holding a position as such with a school district, hereinafter referred to as "employee", shall be employed except by written order of a majority of the directors of the district at a regular or special meeting thereof, nor unless he is the holder of an effective teacher's certificate or other certificate required by law or the state board of education for the position for which the employee is employed.

The board shall make with each employee employed by it a written contract, which shall be in conformity with the laws of this state, and except as otherwise provided by law, limited to a term of not more than one year. Every such contract shall be made in triplicate, one copy to be retained by the school district superintendent or secretary, one copy to be retained, after having been approved and registered, by the educational service district superintendent, and one copy to be delivered to the employee thereafter. No contract shall be offered by any board nor approved and registered by the educational service district superintendent for the employment of any employee who has previously signed an employment contract for that same term in another school district of the state of Washington unless such employee shall have been released from his or her obligations under such previous contract by the board of directors of the school district to which he or she was obligated. Any contract signed in violation of this provision shall be void.

In the event it is determined that there is probable cause or causes that the employment contract of an employee should not be renewed by the district for the next ensuing term such employee shall be notified in writing on or before May 15th preceding the commencement of such term of that determination, which notification shall specify the cause or causes for nonrenewal of contract. Such determination of probable cause for certificated employees, other than the superintendent, shall be made by the superintendent or board of directors. Such notice shall be served upon the employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. Every such employee so notified, at his or her request made in writing and filed with the president, chairman or secretary of the board of directors of the district within ten days after receiving such notice, shall be granted opportunity for hearing pursuant to RCW 28A.58.455 to determine whether there is sufficient cause or causes for nonrenewal of contract. If any such notification or opportunity for hearing is not timely given, the employee entitled thereto shall be conclusively presumed to have been reemployed by the district for the next ensuing term upon contractual terms identical with those which would have prevailed if his or her employment had actually been renewed by the board of directors for such ensuing term.

This section shall not be applicable to "provisional employees" as so designated in RCW 28A.67.072; transfer to a subordinate certificated position as that procedure is set forth in RCW 28A.67.073 shall not be construed as a nonrenewal of contract for the purposes of this section."

Remember the remaining section consecutively.

Representatives Barnes and Bauer spoke in favor of the amendment.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Erak, Keller, Leckenby, Lee, O'Brien, Sanders and Winsley. Representatives Bond, Keller, Leckenby, O'Brien and Sanders were excused.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bond, Erak, Keller, Leckenby, Lee, O'Brien, Sanders and Winsley.

MOTION

Mr. King moved that the absent members be excused and the House proceed with business under the Call of the House, and a division was called.

Representatives Bond, Erak, Keller, Lee and Winsley appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the motion to excuse the absent members and proceed with business under the Call of the House, and the motion was carried by the following vote: Yeas, 70; nays, 20; not voting, 8.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G.S., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G.A., Newhouse, North, O'Brien, Paris, Patterson, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Clayton, Craswell, Deccio, Dunlap, Gilleland, Greeno, Hawkins, Hurley M., Oliver, Pardini, Pearsall, Polk, Schmittin, Shinoda, Struthers, Taller, Tilly, Whiteside.

Not voting: Representatives Bond, Erak, Keller, Leckenby, Lee, Owen, Sanders, Winsley.

The House resumed consideration of Substitute Senate Bill No. 2245 on second reading.

The Speaker stated the question before the House to be the amendment by Representatives Barnes and Bauer.

Mr. Charette spoke against adoption of the amendment.

Ms. Becker demanded an electric roll call and the demand was sustained.

Representatives Bauer, McKibbin, Dunlap and Barnes spoke in favor of the amendment, and Representatives Charette, Kreidler and King spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Barnes and Bauer to Substitute Senate Bill No. 2245, and the amendment was not adopted by the following vote: Yeas, 25; nays, 70; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Bond, Charnley, Clayton, Clemente, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greeno, Haley, Hansen, Hurley M., McKibbin, Newhouse, Oliver, Polk, Schmittin, Shipoch, Struthers.

Voting nay: Representatives Adams, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King,

Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Leckenby, Owen, Sanders.

Mr. Clemente moved adoption of the following amendment:

On page 4, following section 1 add a new section as follows:

"Sec. 2. Section 1, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.072 are each amended to read as follows:

Notwithstanding the provisions of RCW 28A.67.070 as now or hereafter amended, every person employed ((by a school district)) in a teaching or other nonsupervisory certificated position shall be subject to nonrenewal of employment contract as provided in this section during the first year of employment as a certificated employee by ((such)) a school district; PROVIDED, That employees new to a school district who have previously been employed one year or more as a certificated employee or in an equivalent position shall not be subject to the provisions of this section. Employees ((as defined in)) subject to this section shall hereinafter be referred to as "provisional employees".

In the event the superintendent of the school district determines that the employment contract of any provisional employee should not be renewed by the district for the next ensuing term such provisional employee shall be notified thereof in writing on or before May 15th preceding the commencement of such school term, which notification shall state the reason or reasons for such determination. Such notice shall be served upon the provisional employee personally, or by certified or registered mail, or by leaving a copy of the notice at the place of his or her usual abode with some person of suitable age and discretion then resident therein. The determination of the superintendent shall be subject to the evaluation requirements of RCW 28A.67.065, as now or hereafter amended.

Every such provisional employee so notified, at his or her request made in writing and filed with the superintendent of the district within ten days after receiving such notice, shall be given the opportunity to meet informally with the superintendent for the purpose of requesting the superintendent to reconsider his or her decision. Such meeting shall be held no later than ten days following the receipt of such request, and the provisional employee shall be given written notice of the date, time and place of meeting at least three days prior thereto. At such meeting the provisional employee shall be given the opportunity to refute any facts upon which the superintendent's determination was based and to make any argument in support of his or her request for reconsideration.

Within ten days following the meeting with the provisional employee, the superintendent shall either reinstate the provisional employee or shall submit to the school district board of directors for consideration at its next regular meeting a written report recommending that the employment contract of the provisional employee be nonrenewed and stating the reason or reasons therefor. A copy of such report shall be delivered to the provisional employee at least three days prior to the scheduled meeting of the board of directors. In taking action upon the recommendation of the superintendent, the board of directors shall consider any written communication which the provisional employee may file with the secretary of the board at any time prior to that meeting.

The board of directors shall notify the provisional employee in writing of its final decision within ten days following the meeting at which the superintendent's recommendation was considered. The decision of the board of directors to nonrenew the contract of a provisional employee shall be final and not subject to appeal.

This section applies to any person employed by a school district in a teaching or other nonsupervisory certificated position after June 25, 1976. This section provides the exclusive means for nonrenewing the employment contract of a provisional employee and no other provision of law shall be applicable thereto, including, without limitation, RCW 28A.67.070, and chapter 28A.88 RCW, as now or hereafter amended."

Renumber the remaining section consecutively.

Representatives Clemente, Douthwaite and McKibbin spoke in favor of the amendment, and Mr. Charette spoke against it.

Ms. Becker demanded an electric roll call and the demand was sustained.

Representatives Whiteside, Greengo, King and Barnes spoke against the amendment, and Mr. Clemente again spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clemente to Substitute Senate Bill No. 2245, and the amendment was not adopted by the following vote: Yeas, 15; nays, 80; not voting, 3.

Voting yea: Representatives Bauer, Bender, Bond, Charnley, Clayton, Clemente, Douthwaite, Gaines, Hurley M., Lysen, McKibbin, Newhouse, Shinpoch, Valle, Warnke.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee,

Lux, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Leckenby, Owen, Sanders.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2245 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2245, and the bill passed the House by the following vote: Yeas, 84; nays, 11; not voting, 3.

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

Voting nay: Representatives Barnes, Bond, Clayton, Craswell, Dunlap, Fancher, Gilleland, Haley, Hurley M., Newhouse, Shipoch.

Not voting: Representatives Leckenby, Owen, Sanders.

Substitute Senate Bill No. 2245, having received the 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. 927, by Representatives Flanagan, Hansen and Oliver:

Exempting community college district employees working outside states' boundaries from higher education personnel law.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 880, by Representatives Bauer, Heck, Whiteside, Fortson and Clemente:

Implementing law relating to school principals and their powers and duties and allowing school district management teams.

On motion of Mr. Clemente, Substitute House Bill No. 880 was substituted for House Bill No. 880, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 880 was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 1, line 13 strike "shall" and insert "may, at the discretion of the school district superintendent."

Representatives Polk and Ehlers spoke in favor of the amendment, and Representatives Bauer, Heck and Fortson spoke against it.

Mr. Polk spoke again in favor of the amendment.

The amendment was not adopted.

Substitute House Bill No. 880 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 351, by Representatives Gaines, Gallagher, Fischer, Boldt, Warnke and Charnley:

Giving insured persons the right to have damaged vehicles repaired in shop of own choice.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 351 was substituted for House Bill No. 351, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 351 was read the second time.

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

On page 1, line 14 strike "two inches high" and insert "42-point press type in size"

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

On page 1, line 19 after "choice.", insert "These signs shall be provided by the department without charge."

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

On page 1, after line 19 add a new section:

"NEW SECTION. Sec. 2. In the event the vehicle is declared a total loss, and the salvage bid is contested by the owner of the damaged vehicle, such owner will have the right to secure an additional salvage bid from a salvage operator of owner's choice.

Both salvage bids will be taken into account when salvage value is finally determined."

Substitute House Bill No. 351 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 449, by Representatives Erickson, Salatino, Sherman, Maxie, Pruitt, Nelson (Dick), Williams, Gruger, Lee, Knedlik, Lux and Valle (by Executive request of Governor Ray):

Establishing a state women's commission.

The bill was read the second time.

On motion of Mr. Ehlers, Second Substitute House Bill No. 449 was substituted for House Bill No. 449 and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 449 was read the second time.

Mr. Taller moved adoption of the following amendment:

On page 4, line 3 strike "two hundred eleven thousand four hundred twenty dollars" and insert "one hundred five thousand fifty-five dollars"

Mr. Taller spoke in favor of the amendment.

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

Representatives Ehlers and Hurley (George) spoke against the amendment.

MOTIONS

On motion of Mr. King, further consideration of Second Substitute House Bill No. 449 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

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

On motion of Mr. Bender, HOUSE BILL NO. 735 was rereferred from Committee on Labor to Committee on Appropriations.

On motion of Mr. Bender, HOUSE BILL NO. 1191 was rereferred from Committee on Rules to Committee on Appropriations.

On motion of Mr. Bender, SENATE BILL NO. 2435 was rereferred from Committee on Rules to Committee on Higher Education.

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 9:00 a.m., Wednesday, April 13, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 13, 1977.

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 Thompson and Vrooman. Representative Thompson was excused.

Mr. Warnke 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 Thompson and Vrooman.

MOTION

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jo Wray and Tim Wachter. Prayer was offered by Reverend Paul Beeman of the First United Methodist Church of Olympia.

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

REPORTS OF STANDING COMMITTEES

April 11, 1977

HOUSE BILL NO. 24, Prime Sponsor: Representative Gaines, authorizing a deduction for value of products added by minor final assembly from the business and occupation tax. Reported by Committee on Revenue.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik Vice Chairman; Nelson (Gary), Ranking Minority Member; Bond, Craswell, Eng, Erickson, Hurley (George), Nelson (Dick), Tilly, Winsley.

To Committee on Rules for second reading.

April 12, 1977

HOUSE BILL NO. 37, Prime Sponsor: Representative Hurley (Margaret), establishing a campsite reservation system in state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 24 after "system" insert " : PROVIDED, That any system established by the commission shall include a toll free telephone information service for Washington residents which shall provide information on the availability of campsites in those parks that accept reservations"

On page 2, line 27 strike "forty" and insert "fifteen"

On page 2, line 31 strike "forty" and insert "fifteen"

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

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 63, Prime Sponsor: Representative Ehlers, establishing a program of training and career development for state civil service employees. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Boldt, Ehlers, Hawkins, Keller, Maxie, Pardini, Taller, Thompson, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 316, Prime Sponsor: Representative Fortson, revising licensing requirements for nursing home administrators. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 19 after "learning" strike all material down through "learning" on line 22

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Haley, Lux, Newhouse, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 320, Prime Sponsor: Representative Fortson, licensing adult day care centers. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 448, Prime Sponsor: Representative Warnke, authorizing the director of motor vehicles to issue cease and desist orders to real estate salesmen and making the order violation a ground for license suspension or revocation. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 514, Prime Sponsor: Representative Hansen, transferring jurisdiction of habitual traffic offenders to the department of motor vehicles. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Clayton, Dunlap, Gallagher, McCormick, Patterson, Sherman, Walk, Wilson.

MOTION

On motion of Mr. King, House Bill No. 514 was rereferred to Committee on Judiciary.

April 11, 1977

HOUSE BILL NO. 536, Prime Sponsor: Representative Fortson, revising the state supplement to federal supplemental security income payments. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Fortson, Gruger, Hanna, Lux, Pearsall, Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Whiteside, Ranking Minority Member; Barr, Haley, Newhouse.

MOTION

On motion of Mr. King, House Bill No. 536 was rereferred to Committee on Appropriations.

April 7, 1977

HOUSE BILL NO. 550, Prime Sponsor: Representative Salatino, regulating automotive repair. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Walk.

To Committee on Rules for second reading.

April 12, 1977

HOUSE BILL NO. 582, Prime Sponsor: Representative Whiteside, creating the Yakima river conservation area. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Owen, Paris.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 649, Prime Sponsor: Representative McCormick, implementing law relating to cosmetology. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 667, Prime Sponsor: Representative May, fixing state reimbursement rate for nursing care. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Hanna, Lux, Pearsall, Pruitt, Schmitten.

April 11, 1977

HOUSE BILL NO. 687, Prime Sponsor: Representative Pruitt, specifying that public assistance standards be no less than the poverty level. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Fortson, Gruger, Hanna, Lux, Pearsall, Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Whiteside, Ranking Minority Member; Barr, Haley, Newhouse, Schmitten.

MOTION

On motion of Mr. King, House Bill No. 687 was rereferred to Committee on Appropriations.

April 11, 1977

HOUSE BILL NO. 918, Prime Sponsor: Representative Hurley (George), limiting gifts made by lobbyists. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 922, Prime Sponsor: Representative Hansen, eliminating the requirement for cities and counties to prepare long range arterial construction plans. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 25 after "shall" insert "at least once annually"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 12, 1977

HOUSE BILL NO. 1072, Prime Sponsor: Representative Erickson, relating to services and activities fees charged at institutions of higher education. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Higher Education.

April 12, 1977

HOUSE BILL NO. 1123, Prime Sponsor: Representative Valle, relating to water rights. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Chandler, Douthwaite, Gruger, Hughes, Hurley (George), Kreidler.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 1264, Prime Sponsor: Representative Shinpoch, making changes in the laws relating to the refunding of bonds. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Boldt, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Maxie, Taller, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 1277, Prime Sponsor: Representative McKibbin, providing for a Washington state commission on educational structure and management. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Bauer, Boldt, Charette, Ehlers, Hawkins, Heck, Keller, Maxie, Valle, Vrooman, Warnke, Zimmerman.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 1304, Prime Sponsor: Representative Hawkins, making the candidates' and voters' pamphlets more informative. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

April 8, 1977

HOUSE BILL NO. 1351, Prime Sponsor: Representative Valle, establishing strict liability for oil spills and requiring evidence of financial responsibility by oil terminal facilities. Reported by Committee on Ecology.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Chandler, Douthwaite, Grier, Gruger, Hughes, Hurley (George), Kreidler, Leckenby, Oliver, Tilly.

To Committee on Rules for second reading.

April 11, 1977

HOUSE CONCURRENT RESOLUTION NO. 18, Prime Sponsor: Representative Flanagan, requesting that the next state ferry be named "Kittitas". Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 after "Kittitas" insert ": PROVIDED, That should House Concurrent Resolution No. 4 also pass the legislature, it is hereby directed that the second ferry commissioned be named the 'Kittitas'"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Gaines, Gallagher, Grier, McCormick, Paris, Patterson, Sherman, Walk.

To Committee on Rules for second reading.

ENGROSSED SENATE BILL NO. 2387, Prime Sponsor: Senator Grant, regulating mobile homes. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 960, by Committee on Education (Originally sponsored by Representative Clemente):

Enacting "The Education Act of 1977."

The bill was read the third time and placed on final passage.

Representatives Clemente, Shinpoch, McKibbin, Bauer and Charnley spoke in favor of passage of the bill, and Representatives Polk, Dunlap, Lee, Berentson, Schmitt and Barnes spoke against it.

Mr. Polk spoke again in opposition to passage of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 960, and the bill failed to pass the House by the following vote: Yeas, 41; nays, 55; not voting, 2.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Erickson, Flanagan, Fortson, Gaines, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Kilbury, King, Knowles, Kreidler, Lysen, May, McCormick, McKibbin, Newhouse, North, O'Brien, Owen, Sherman, Shinpoch, Smith, Sommers, Valle, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Fancher, Fischer, Fuller, Gallagher, Gilleland, Greengo, Grimm, Hughes, Hurley G. S., Hurley M., Keller, Knedlik, Leckenby, Lee, Lux, Martinis, Maxie, Moreau, Nelson D., Nelson G. A., Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Shinoda, Struthers, Tally, Tilly, Walk, Warnke, Whiteside, Williams, Wilson.

Not voting: Representatives Thompson, Vrooman.

Engrossed Substitute House Bill No. 960, having failed to receive the constitutional majority, was declared lost.

MOTION FOR RECONSIDERATION

Mr. Warnke, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Engrossed Substitute House Bill No. 960 failed to pass the House.

The motion was carried.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representative Vrooman appeared at the bar of the House.

The Speaker declared the question before the House to be reconsideration of final passage of Engrossed Substitute House Bill No. 960.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 960, and the bill passed the House by the following vote: Yeas, 64; nays, 33; not voting, 1.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Blair, Boldt, Bond, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Oliver, Owen, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Tilly, Valle, Vrooman, Walk, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Berentson, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fancher, Fuller, Gilleland, Greengo, Hurley M., Keller, Knedlik, Leckenby, Lee, Maxie, Nelson D., Nelson G. A., Pardini, Paris, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Warnke, Whiteside.

Not voting: Representative Thompson.

Engrossed Substitute House Bill No. 960, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. King, Engrossed Substitute House Bill No. 960 was ordered transmitted immediately to the Senate.

On motion of Mr. King, the House dispensed with further business under the Call of the House.

SUBSTITUTE HOUSE BILL NO. 662, by Committee on Higher Education (Originally sponsored by Representatives Erickson, Grimm, Chandler, Knowles, Oliver, Owen, Grier, Salatino, Bender, Gilleland, Haley, Fuller, Taller, Bond, Hawkins, Bauer, Charette, Enbody, Tilly, Sanders, Clayton, Winsley, Paris and Monohon):

Regulating the granting of remunerated professional leaves.

The bill was read the third time and placed on final passage.

Representatives Erickson and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 662, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

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

Voting nay: Representatives Berentson, Charnley, Douthwaite, Moreau, Vrooman.

Not voting: Representatives Thompson, Tilly.

Substitute House Bill No. 662, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED HOUSE BILL NO. 933, by Representatives Charnley and Conner:

Permitting roadside area information panels.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 933, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

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

Voting nay: Representatives Boldt, Hansen.

Not voting: Representatives Becker, Deccio, Thompson.

Engrossed House Bill No. 933, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 429, by Representatives Kilbury, May, Clemente, Lux, Burns, Fischer, Becker, Martinis, Bender, Boldt and Grier:

Requiring the department of labor and industries to conduct railroad safety inspections relating to employees.

The bill was read the third time and placed on final passage.

Representatives Kilbury, Lux and King spoke in favor of passage of the bill, and Representative Patterson spoke against it.

Mr. Kilbury spoke again in favor of the bill, and Mr. Patterson spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 429, and the bill passed the House by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McKibbin, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Gilleland, Greengo, Haley, Leckenby, Lee, McCormick, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside.

Not voting: Representatives Paris, Thompson, Valle.

Engrossed House Bill No. 429, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 880, by Committee on Education (Originally sponsored by Representatives Bauer, Heck, Whiteside, Fortson and Clemente):

Implementing law relating to school principals and their powers and duties and allowing school district management teams.

The bill was read the third time and placed on final passage.

Representatives Bauer and Whiteside spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Owen.

Mr. Owen: "Representative Bauer, by not so stipulating in the bill that a principal can teach, does this prevent a principal from teaching in a school?"

Mr. Bauer: "No, it does not."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 880, and the bill passed the House by the following vote: Yeas, 89; nays, 5, not voting, 4.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody,

Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Ehlers, Grimm, Salatino, Walk.

Not voting: Representatives Boldt, Bond, Thompson, Winsley.

Substitute House Bill No. 880, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please record me a "Yes" vote on Substitute House Bill No. 880.

Shirley Winsley, 28th District.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 520, by Committee on Insurance (Originally sponsored by Representatives Shipoch, Charnley and Sherman):

Providing statutory consumer protection in certain areas of automobile insurance.

The bill was read the third time and placed on final passage.

Representatives Shipoch and Douthwaite spoke in favor of the bill, and Mr. Barnes spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 520, and the bill passed the House by the following vote: Yeas, 70; nays, 26; not voting, 2.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson.

Voting nay: Representatives Barnes, Berentson, Bond, Clayton, Craswell, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gilleland, Greengo, Grier, Leckenby, Newhouse, Pardini, Patterson, Polk, Sanders, Schmitt, Taller, Tilly, Walk, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Grimm, Thompson.

Engrossed Substitute House Bill No. 520, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 584, by Representatives Thompson, Grimm and Charnley:

Permitting college and university professors to request trustee or regent approval to continue teaching beyond age seventy.

The bill was read the third time.

MOTION

On motion of Mr. King, the rules were suspended, and Engrossed House Bill No. 584 was returned to second reading for the purpose of amendment.

Mr. Blair moved adoption of the following amendment:

Beginning on line 8 strike the remainder of the bill and insert the following:

(1) Except as provided otherwise in subsection (2) of this section, faculty members or other employees designated by the boards of regents of the state universities, the boards of trustees of the state colleges, or the state board for community college education pursuant to RCW 28B.10.400 through 28B.10.420 shall be retired from their employment with their institutions of higher education not later than the end of the academic year next following their seventieth birthday.

(2) As provided in this subsection, the board of regents of a state university, the board of trustees of a state college, or the state board for community college education may reemploy any person who is 'retired' pursuant to subsection (1) of this section, who applies for reemployment and who has reached seventy years of age on or after July 1, 1970. The following provisions shall govern such reemployment:

(a) Prior to the reemployment, the board of regents, board of trustees or state board shall have found that the person is possessed of a special skill in the performance of particular duties and this special skill warrants the reemployment of such person.

(b) The period of reemployment shall not be counted as service under, or result in any eligibility for benefits or increased benefits under, any state authorized or supported annuity or retirement income plan. Reemployment shall not result in the reemployed person or employer making any contributions to any such plan.

(c) No person may be reemployed on a full time basis if such person is receiving benefits under any state authorized or supported annuity or retirement income plan. The reemployment of any person on a full time basis shall be immediately terminated upon the person's obtaining of any such benefits.

(d) A person may be reemployed on a part time basis and receive or continue to receive any benefits for which such person is eligible under any state authorized or supported annuity or retirement income plan. Such part time work, however, shall not exceed forty percent of full time employment during any year.

(e) A person reemployed pursuant to this section shall comply with all conditions of reemployment and all rules providing for the administration of this subsection which are prescribed or adopted by the board of regents, or board of trustees, or by the state board for community college education."

Mr. Blair spoke in favor of the amendment.

MOTION

On motion of Mr. King, further consideration of Engrossed House Bill No. 584 was deferred, and the bill was made a Special Order of Business for 1:30 p.m. today.

ENGROSSED SENATE BILL NO. 2175, by Senator Rasmussen:

Allowing beer and wine to be served in containers other than glasses or bottles.

The bill was read the third time and placed on final passage.

Representatives Warnke and Struthers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2175, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Paris, Thompson, Tilly, Zimmerman.

Engrossed Senate Bill No. 2175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 449, by Committee on Appropriations (Originally sponsored by Representatives Erickson, Salatino, Sherman, Maxie, Pruitt, Nelson [Dick], Williams, Gruger, Lee, Knedlik, Lux and Valle - by Executive request of Governor Ray):

Establishing a state women's commission.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Taller to page 4, line 3.

Representatives Taller and Haley spoke in favor of the amendment, and Representatives Hurley (George), Erickson, Pardini and Salatino spoke against it.

Mr. Taller spoke again in favor of the amendment and Mr. Hurley (George) spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taller to Second Substitute House Bill No. 449, and the amendment was not adopted by the following vote: Yeas, 31; nays, 62; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Gallagher, Gilleland, Greengo, Haley, Heck, Hurley M., May, McKibbin, Nelson G. A., Oliver, Owen, Paris, Polk, Schmitten, Shinoda, Struthers, Taller, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fortson, Fuller, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McCormick, Moreau, Nelson D., North, O'Brien, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Berentson, Fischer, Newhouse, Thompson, Tilly.

Mr. Taller moved adoption of the following amendment:

On page 4, line 6 strike "1983" and insert "1981"

Mr. Taller spoke in favor of the amendment, and Ms. Erickson spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taller to page 4, line 6 of Second Substitute House Bill No. 449, and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; not voting, 3.

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

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

Not voting: Representatives Gilleland, Thompson, Tilly.

Mr. Bond moved adoption of the following amendment by Representatives Bond and Oliver:

On page 3, line 17 after "services." insert "Providing nothing contained in this act shall authorize the expenditure of state funds for lobbying and the commission shall be subject to the rules and reporting procedures of RCW 42.17.190."

Representatives Bond and Oliver spoke in favor of the amendment, and Representatives Ehlers, Hawkins and Erickson spoke against it.

Mr. Bond spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bond and Oliver to Second Substitute House Bill No. 449, and the amendment was not adopted by the following vote: Yeas, 29; nays, 63; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Clayton, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gallagher, Greengo, Haley, Hurley M., McKibbin, Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Polk, Schmitten, Shinoda, Struthers, Taller, Tilly, Wilson, Zimmerman.

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

Not voting: Representatives Barr, Chandler, Gilleland, Kreidler, Sanders, Thompson.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

 AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Thompson, who was excused.

MESSAGE FROM THE SENATE

April 13, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2245,
SENATE BILL NO. 2378,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SPECIAL ORDER OF BUSINESS

The Speaker stated the business before the House to be the Special Order of Business, Engrossed House Bill No. 584 on second reading.

The Speaker stated the question before the House to be the amendment by Representative Blair.

The amendment was adopted.

Engrossed House Bill No. 584 was ordered reengrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Reengrossed House Bill No. 584 was placed on final passage.

Representatives Burns, Tilly and Charnley spoke in favor of passage of the bill, and Mr. Haley spoke against it.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Polk.

Mr. Polk: "Representative Charnley, I've been trying to read the bill and understand it as it is now amended. Would a professor from another state who is not now employed by one of our state colleges or universities be able to fit within this bill and thereby be able to be employed—for instance, by the University of Washington, after their seventieth birthday, or is this only speaking to present employees?"

Mr. Charnley: "Representative Polk, I believe that subsections (1) and (2) in the Blair amendment speak to that. The first subsection states that they shall be retired from employment from within the institution, and that indicates that person has been retired from that institution and (2) says that the college may reemploy any such person who has retired pursuant to subsection (1). I think that limits the application of this bill to employees and former professors at that institution alone."

Mr. Leckenby spoke in favor of the bill, and Representatives Zimmerman and Owen spoke against it.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Charnley, in trying to decide whether I should vote for this bill I would like to ask your interpretation of the wording in the amendment, subsection (a) of subsection (2), referring to a person possessed of special skills, and the performance of particular duties, and this special skill warrants the reemployment of such person. Can I interpret

that to mean that this is a skill not otherwise available to the institution? Is that what is special about the skill?"

Mr. Charnley: "Representative Greengo, I think in a very broad sense you are correct. I don't think we can specify down to a specific motor skill or specific narrow language area, or something like that, but I do feel that what you are saying is true, that we may have an individual whose overall experience gives the background and particularly in the education field that we are speaking to here and a strength in an area that no one else would have and it would be to the benefit of society that that particular college still have that person there."

Representatives Burns, Nelson (Dick) and Leckenby spoke again in favor of the bill, and Representative Blair spoke against it.

Mr. Bender demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on final passage of Reengrossed House Bill No. 584, and the bill passed the House by the following vote: Yeas, 63; nays, 32; not voting, 3.

Voting yea: Representatives Adams, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., North, O'Brien, Oliver, Pardini, Pearsall, Salatino, Sanders, Schmitten, Sherman, Smith, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Bond, Clayton, Dunlap, Enbody, Gaines, Gilleland, Greengo, Grier, Haley, McKibbin, Nelson G. A., Newhouse, Owen, Patterson, Polk, Pruitt, Shinoda, Shinpoch, Sommers, Struthers, Taller, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Conner, Paris, Thompson.

Reengrossed House Bill No. 584, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE HOUSE BILL NO. 449:

The House resumed consideration of the bill on second reading.

Mr. Taller moved adoption of the following amendment:

On page 4, line 11 strike "1981" and insert "1983"

Mr. Taller spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taller to page 4, line 11 of Second Substitute House Bill No. 449, and the amendment was adopted by the following vote: Yeas, 73; nays, 14; not voting, 11.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fuller, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, Moreau, Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Valle, Vrooman, Walk, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Flanagan, Fortson, Gaines, Hansen, Knedlik, Leckenby, Lysen, McKibbin, Nelson D., Newhouse, Sanders, Warnke, Williams.

Not voting: Representatives Blair, Charnley, Conner, Greengo, Keller, King, Paris, Shinpoch, Thompson, Tilly, Whiteside.

Second Substitute House Bill No. 449 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 873, by Representatives Vrooman, Martinis, Moreau, Schmitten and Hanna:

Regulating the harvesting of specialized forest products.

The bill was read the second time.

On motion of Mr. Martinis, Substitute House Bill No. 873 was substituted for House Bill No. 873, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 873 was read the second time.

On motion of Mr. Martinis, the following amendment by Representatives Vrooman, Moreau and Martinis was adopted:

On page 9, line 6 after "any" strike "person" and insert "cedar processor"

Substitute House Bill No. 873 was ordered engrossed, and passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 399, by Representatives Knedlik, Knowles and Monohon (by Judicial Council request):

Allowing joinder or cross-filing by additional parties in action to review administrative decision.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 438, by Representatives Sommers and Flanagan:

Changing notice requirements for property appraisals made between December 1 and February 15.

The bill was read the second time.

MOTION

On motion of Mr. Bender, further consideration of House Bill No. 438 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE JOINT RESOLUTION NO. 32, by Representatives Sommers, Pardini, Hawkins, Fortson, Gruger, Lysen, Heck, Nelson (Dick), Erickson, Lux and Charnley:

Amending the Constitution to provide for a redistricting commission.

On motion of Mrs. Fortson, Substitute House Joint Resolution No. 32 was substituted for House Joint Resolution No. 32, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 32 was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 593, by Committee on Elections and Governmental Ethics (Originally sponsored by Representatives Sommers, Pardini, Hawkins, Patterson, Fortson, Gruger, Heck, Nelson [Dick], Erickson, Gaines, Lux, Charnley, Berentson and Polk):

Establishing a redistricting commission.

The bill was read the second time.

On motion of Ms. Sommers, the following amendment by Representatives Sommers and Patterson was adopted:

On page 2, line 10 add a new section:

NEW SECTION. Sec. 6. Members of the commission shall be entitled to receive payment for subsistence and travel as provided in RCW 43.03.050 and RCW 43.03.060.

Renumber the remaining sections consecutively.

.In the renumbered section 7 strike "5" and insert "6"

Substitute House Bill No. 593 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 424, by Representatives Douthwaite, Burns, Lux, Boldt, Leckenby, Pruitt, Nelson (Dick), Valle, Charnley, Hughes, Fischer, Knowles, Chandler, Grier and Bender:

Establishing the Washington state commission for the blind.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 13th Day ex. sess., March 23, 1977.)

On motion of Mr. Adams, the committee amendment to page 4, line 5 was adopted.

MOTION

On motion of Mr. Bender, further consideration of House Bill No. 424 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 252.

HOUSE BILL NO. 115, by Representatives Conner and Owen:

Exempting timber harvested by nonprofit organizations from timber taxes where proceeds support youth programs.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 921, by Representatives Schmitten, Clayton, Fancher, Conner, Whiteside, Oliver, Struthers, Tilly and Hansen:

Providing that fork lifts shall be exceptions to certain requirements for motor vehicles.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 921 was advanced to second reading.

Mr. Schmitten spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 921, and the bill passed the House by the following vote: Yeas, 72; nays, 13; not voting, 13.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Hughes, Hurley M., Keller, Kilbury, King, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McCormick, Moreau, Nelson D., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Schmitten, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Boldt, Erak, Gaines, Gruger, Hanna, Heck, Knedlik, May, McKibbin, Nelson G. A., Salatino, Sanders.

Not voting: Representatives Clemente, Ehlers, Enbody, Hawkins, Hurley G. S., Kreidler, North, Polk, Sherman, Thompson, Valle, Vrooman, and Mr. Speaker.

House Bill No. 921, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 252, by Representatives Adams, Haley, Kreidler, Whiteside, Gruger, Fortson, Barr, Lux, Hanna and Charnley:

Enacting the "Natural Death Act."

On motion of Mr. Knowles, Second Substitute House Bill No. 252 was substituted for House Bill No. 252, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 252 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 424:

The House resumed consideration of the bill on second reading.

On motion of Mr. Adams, the committee amendments were adopted.

MOTION

On motion of Mr. King, further consideration of House Bill No. 424 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 13, by Representatives Fischer and Clemente:

Expanding the work release program to include treatment.

The bill was read the second time.

On motion of Mr. Hanna, Substitute House Bill No. 13 was substituted for House Bill No. 13, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 13 was read the second time.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 13 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar following House Bill No. 424.

HOUSE BILL NO. 777, by Representatives O'Brien, Warnke, Berentson, Chandler, Gaines, Valle, Charnley, Thompson, Conner, McCormick, Burns, Bender, Maxie and Adams:

Authorizing the construction of a cultural arts center in Federal Way.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 777 was substituted for House Bill No. 777, and the substitute bill was placed on the calendar for second reading.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 777 was deferred, and the bill was ordered held for the top of tomorrow's second reading calendar.

HOUSE BILL NO. 538, by Representatives Hanna, Becker, King, Maxie, Gruger, Douthwaite, Nelson (Gary) and Whiteside:

Regulating social workers.

On motion of Mr. Adams, Substitute House Bill No. 538 was substituted for House Bill No. 538, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 538 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 138, by Representatives Eng, Lux, Pardini, Maxie, Blair, Greengo, Salatino and Shinoda (by Commission on Asian-American Affairs request):

Continuing the Washington state commission on Asian-American affairs until June 30, 1983.

On motion of Mr. Ehlers, Substitute House Bill No. 138 was substituted for House Bill No. 138, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 138 was read the second time.

Mr. Taller moved adoption of the following amendment:

On page 1, line 9 strike "1981" and insert "1983"

Representatives Taller and Ehlers spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 138 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1153, by Representatives Adams, Pruitt, Lux, Kreidler, Barr and Haley:

Creating handicapped persons priority in the services of the employment security department.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 8th Day ex. sess., March 18, 1977.)

On motion of Mr. Adams, the committee amendment was adopted.

House Bill No. 1153 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 656, by Representatives O'Brien, King, Maxie, Newhouse, Lysen, Clemente, Berentson, Knowles, Hurley (Margaret), Pardini, Bauer, Becker, Kilbury, Adams, Flanagan, Gallagher, McCormick, Fischer, Conner, Gaines, Erickson, May, Grier, Hughes, Greengo and Taller:

Mandating certain public agencies to make surplus books, equipment, etc. available at depreciated cost to private schools.

The bill was read the second time.

On motion of Mr. Clemente, Substitute House Bill No. 656 was substituted for House Bill No. 656, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 656 was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2156, by Senators Day, Woody, McDermott, Sellar and Francis:

Permitting certain corporations of health care professionals to act as self-insurers against liability.

The bill was read the second time.

Committee on Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 12th Day ex. sess., March 22, 1977.)

Mr. Douthwaite moved adoption of the committee amendment.

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

Strike the last three lines of the amendment and insert "shall be subject to (1) examination pursuant to RCW 48.03; (2) the requirements of RCW 48.12 and RCW 48.13; (3) premium taxes pursuant to RCW 48.14; (4) rate approval pursuant to RCW 48.19; and (5) participation and obligation respecting the guarantee fund pursuant to RCW 48.32."

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

POINT OF INQUIRY

Mr. Knedlik yielded to question by Mr. Newhouse.

Mr. Newhouse: "My question has to do with the sections of the statute that you go into, Representative Knedlik. It would appear that the type of company that is contemplated being set up by doctors would be a mutual company and if there were any arrears for the company that the doctor members would be accessible. Have you not gone into the statutes and covered the rules and regulations of a commercial company rather than a mutual company?"

Mr. Knedlik: "What we've done is gone into the statutes and gotten requirements with regard to auditing of companies which has reference to both mutual companies—there are auditing provisions for both mutual companies and nonmutual insurance companies. We have taken reserve levels in the amendment which are the minimum reserve levels for mutual companies as well. Mutual companies do pay premium taxes, rate approval with regard to mutuals are covered by laws that we have referenced and the guarantee fund does have application to mutual companies, so we have not attempted to impose standards on the doctors' mutual any different from the standards that are imposed on other mutuals. What we have said is that this company, if it's going to be an insurance company, we don't care what they call themselves, they are going to be regulated by the insurance commissioner like everybody else. I have some doubts right now though whether or not we need an insurance commissioner, but that's to do with the products liability issue and not this one. But if we do need an insurance commissioner we don't want to have an insurance commissioner that doesn't have purview over companies writing insurance and so this is simply a matter of equity, it is not a matter of trying to impose additional burdens on this mutual company that other mutual companies don't have."

Representatives Newhouse, Douthwaite and Haley spoke against the amendment to the committee amendment, and Mr. Knedlik spoke again in favor of it.

The amendment to the committee amendment was not adopted.

The committee amendment was adopted.

Engrossed Senate Bill No. 2156 as amended by the House was passed to Committee on Rules for third reading.

HOUSE BILL NO. 438:

The House resumed consideration of the bill on second reading.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 13th Day ex. sess., March 23, 1977.)

Ms. Sommers moved adoption of the committee amendment to page 1, line 11.

On motion of Ms. Sommers, the following amendment by Representatives Sommers, Erickson and Nelson (Gary) to the committee amendment was adopted:

On line 2 of the committee amendment to page 1, line 11 after "during" strike all material down to and including "February:" on line 3 and insert "the period from January 15 to February 15 of each year:"

The committee amendment as amended was adopted.

On motion of Ms. Sommers, the committee amendment to page 1, line 13 was adopted.

House Bill No. 438 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 424:

The House resumed consideration of the bill on second reading.

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

On page 3, line 12 after "to" strike "services for the blind" and insert "State Services for the Blind"

On page 3, line 17 after "vested" strike "in services for the blind" and insert "with State Services for the Blind"

Mr. Nelson (Gary) moved adoption of the following amendment by Representatives Nelson (Gary) and Ehlers:

On page 10 strike section 25.

Representatives Nelson (Gary) and Zimmerman spoke in favor of the amendment, and Mr. Douthwaite spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nelson (Gary) and Ehlers to House Bill No. 424, and the amendment was adopted by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Ehlers, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Gruger, Haley, Hansen, Hawkins, Heck, Knedlik, Lee, Lysen, McKibbin, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Fischer, Gallagher, Grier, Grimm, Hanna, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, Nelson D., O'Brien, Pearsall, Pruitt, Salatino, Schmitt, Shinpoch, Valle, Vrooman, Walk, Whiteside, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Moreau, Thompson.

On motion of Mr. Nelson (Gary), the following amendment to the title was adopted:

On line 14 of the title strike "; and declaring an emergency"

House Bill No. 424 was ordered engrossed and passed to Committee on Rules for third reading.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 2245,
SENATE BILL NO. 2378.

MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 17 was rereferred from Committee on Social and Health Services to Committee on Insurance.

Mr. Deccio moved that the Committee on State Government be relieved of HOUSE BILL NO. 198, and that it be rereferred to Committee on Appropriations.

Mr. Deccio spoke in favor of the motion.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Thursday, April 14, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 14, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Enbody, Lee, Thompson, Warnke and Winsley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christi Moon and Matt Grayson. Prayer was offered by Reverend Paul Beeman 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.

MESSAGES FROM THE SENATE

April 13, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 23,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 13, 1977

Mr. Speaker:

The Senate has passed:

**ENGROSSED SENATE BILL NO. 2472,
SUBSTITUTE SENATE BILL NO. 2529,
ENGROSSED SENATE BILL NO. 2769,**

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2472, by Senators Bottiger, Guess and Bausch:

Changing the law on recreational vehicles.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2529, by Committee on Transportation (Originally sponsored by Senator Henry):

Modifying procedures for construction and maintenance of highways.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 2769, by Senators Ridder, von Reichbauer and Sellar:

Increasing the registration fees for contractors.

To Committee on Commerce

REPORTS OF STANDING COMMITTEES

April 12, 1977

HOUSE BILL NO. 160, Prime Sponsor: Representative Valle, funding oil pollution programs through a tax of two cents per barrel on incoming oil. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Douthwaite, Gruger, Hughes, Hurley (George), Kreidler.

MOTION

On motion of Mr. King, House Bill No. 160 was rereferred to Committee on Revenue.

April 11, 1977

HOUSE BILL NO. 249, Prime Sponsor: Representative Hanna, requiring participation in an alcohol program and administration of antabuse upon a second drunk driving conviction. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Sherman, Smith, Tilly.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 453, Prime Sponsor: Representative Smith, making it unlawful to interfere with the attendance or testimony of any person before the legislature or regulatory agency or to punish any person therefor. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 12, 1977

HOUSE BILL NO. 472, Prime Sponsor: Representative Erickson, designating regional universities. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Haley, Moreau, Oliver, Thompson.

To Committee on Rules for second reading.

April 12, 1977

HOUSE BILL NO. 516, Prime Sponsor: Representative Clemente, increasing the minimum wage. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 21 after "year" insert "PROVIDED FURTHER, That in no event shall the hourly minimum wage be less than the annual poverty level for a nonfarm family of four as established by the federal office of management and budget as the federal government's official statistical measure of poverty as translated into an hourly wage based on nineteen hundred hours of work per year"

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 653, Prime Sponsor: Representative Warnke, safeguarding the purchaser's contribution of money toward construction, completion, or maintenance of improvements to a land development. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

April 12, 1977

HOUSE BILL NO. 681, Prime Sponsor: Representative Clemente, designating core services of educational service districts for budgeting purposes. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman;

Barnes, Ranking Minority Member; Bauer, Craswell, Fortson, Fuller, McKibbin, Valle, Whiteside.

To Committee on Rules for second reading.

April 7, 1977

HOUSE BILL NO. 704, Prime Sponsor: Representative Warnke, allowing optometrists, physicians, and psychologists to form one professional service corporation. Reported by Committee on Commerce.

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

To Committee on Rules for second reading.

April 12, 1977

HOUSE BILL NO. 784, Prime Sponsor: Representative Burns, mandating as one citizen member of the council for postsecondary education a full time faculty member of such a postsecondary educational institution. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Moreau, Thompson.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 1145, Prime Sponsor: Representative Becker, enacting the uniform child custody jurisdiction act. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 11, 1977

HOUSE BILL NO. 1162, Prime Sponsor: Representative Blair, providing for products liability actions. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Blair, Erak, Erickson, Sanders, Taller.

April 12, 1977

HOUSE BILL NO. 1284, Prime Sponsor: Representative Sommers, allowing transactions respecting University of Washington metropolitan tract to encompass time sequence of 60 years from December 31, 1980. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Grimm, Moreau, Oliver, Patterson, Thompson.

To Committee on Rules for second reading.

MOTION

Mr. King moved that House Bill No. 1162 be rereferred to Committee on Judiciary.

POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Knowles, we note that House Bill No. 1162, the products liability bill, and one of the more important bills of this session, which has been in committee for quite some time with extensive hearings in the Insurance Committee and now it goes to your committee. Can you give me any assurance that within a reasonable time this bill might be up for vote to pass out of your committee?"

Mr. Knowles: "Representative Newhouse, I certainly can't. I think during this session a number of bills have been referred to my committee and we found time to work them in. You'll

notice that House Bill No. 1162 is on the calendar today, House Bill No. 252 is on the calendar today. Our schedule is prepared, of course, for the balance of this week and assuming the budget comes over here it probably will crowd us a little bit, but we're up to the task. It is my understanding that this measure, along with some others that are in my committee already, deal with tort liability and I'm sure that this kind of legislation should have a review by the Judiciary Committee. We'll probably have to work nights, but you're a member of the committee and I'm sure you're willing to join with me. I can assure you it will get a fair hearing."

Mr. Newhouse spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion by Mr. King to rerefer House Bill No. 1162 to Committee on Judiciary, and the motion was carried by the following vote: Yeas, 58; nays, 32; not voting, 8.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Valle, Vrooman, Walk, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Martinis, Nelson G. A., Newhouse, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Taller, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Enbody, Lee, Oliver, Shinoda, Thompson, Tilly, Warnke.

STATEMENT FOR THE JOURNAL

I wish to have the record show that I voted "No" on the referral of House Bill No. 1162 to Committee on Judiciary.

RON DUNLAP, 41st District.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 3, by Committee on Revenue (Originally sponsored by Representatives Kilbury, Boldt and Oliver):

Taxing federal nuclear power generators.

The bill was read the third time and placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Kilbury, in consideration of this bill, was there any differentiation between the amounts of revenue that would be yielded by the proposed excise tax versus the tax that would have been assessed against these properties had they remained on a real property tax basis?"

Mr. Kilbury: "Yes, Representative Pardini, there was. Conceivably if these facilities had been retained under present law, they would pay a PUD tax which is in lieu of property tax and that would be somewhat less than what we are proposing to tax them. We are proposing to tax them on the basis of income and at a one and one-half percent rate."

Mr. Pardini: "Did I understand the excise tax would be higher than the in-lieu of property tax presently paid by the PUD?"

Mr. Kilbury: "That is right."

POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Fuller.

Mr. Fuller: "I notice in the bill it refers to fossil fuels, does this apply to coal-fired and oil-fired plants?"

Mr. Kilbury: "Yes, it would provided they were on a federal reservation."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting, 7.

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

Voting nay: Representatives Charette, Greengo, Pardini.

Not voting: Representatives Enbody, Lee, Martinis, Oliver, Thompson, Warnke, Winsley.

Substitute 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.

STATEMENT FOR THE JOURNAL

I wish to vote in favor of Substitute House Bill No. 3.

CLAUDE OLIVER, 8th District.

HOUSE BILL NO. 115, by Representatives Conner and Owen:

Exempting timber harvested by nonprofit organizations from timber taxes where proceeds support youth programs.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 115, and the bill passed the House by the following vote: Yeas, 86; nays, 4; not voting, 8.

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

Voting nay: Representatives Blair, Douthwaite, Hawkins, Pardini.

Not voting: Representatives Dunlap, Enbody, Lee, Martinis, Pearsall, Thompson, Warnke, Winsley.

House Bill No. 115, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 438, by Representatives Sommers and Flanagan:

Changing notice requirements for property appraisals made between December 1 and February 15.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill, and Mr. Pardini spoke against it.

Ms. Sommers spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 438, and the bill passed the House by the following vote: Yeas, 84; nays, 8; not voting, 6.

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

Voting nay: Representatives Ehlers, Erickson, Gilleland, Grimm, Lysen, Pardini, Salatino, Walk.

Not voting: Representatives Enbody, Lee, Martinis, Thompson, Warnke, Winsley.

Engrossed House Bill No. 438, having received the 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. 927, by Representatives Flanagan, Hansen and Oliver:

Exempting community college district employees working outside state's boundaries from higher education personnel law.

The bill was read the third time and placed on final passage.

Mr. Flanagan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 927, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Enbody, Lee, Martinis, Moreau, Thompson, Warnke, Winsley.

House Bill No. 927, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 538, by Committee on Social and Health Services (Originally sponsored by Representatives Hanna, Becker, King, Maxie, Gruger, Douthwaite, Nelson [Gary] and Whiteside):

Regulating social workers.

The bill was read the third time and placed on final passage.

Representatives Hanna and Maxie spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 538, and the bill passed the House by the following vote: Yeas, 61; nays, 25; not voting, 12.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lux, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Valle, Vrooman, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dunlap, Flanagan, Gilleland, Greengo, Haley, Hurley M., Lysen, McKibbin, Owen, Paris, Polk, Sanders, Schmitten, Struthers, Taller, Tilly, Walk, Williams, Wilson.

Not voting: Representatives Enbody, Fortson, Kreidler, Lee, Martinis, Newhouse, Oliver, Pardini, Sommers, Thompson, Warnke, Winsley.

Substitute House Bill No. 538, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 873, by Committee on Natural Resources (Originally sponsored by Representatives Vrooman, Martinis, Moreau, Schmitten and Hanna):

Regulating the harvesting of specialized forest products.

The bill was read the third time and placed on final passage.

Representatives Vrooman and Schmitten 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. 873, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Enbody, Gruger, Lee, Martinis, Thompson, Warnke, Winsley.

Engrossed Substitute House Bill No. 873, having received the 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 HOUSE BILL NO. 1120, by Committee on Ecology (Originally sponsored by Representative Valle):

Enacting an alternative to Initiative 59.

The bill was read the third time and placed on final passage.

Representatives Charette, Valle, Zimmerman, Boldt and Pruitt spoke in favor of passage of the bill, and Representatives Newhouse, Hansen and Kilbury spoke against it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Charette, I really haven't had time to read this bill in great detail. In a situation where at the end of fifty years the state determines there is a higher and better use for the water and it can no longer be used for irrigation, does this apply to both the 2,000 acre farms and the big farms?"

Mr. Charette: "Representative Flanagan, the bill deals with 2,000 acres and for less and then it deals for a substantial withdrawal, which I would assume you would be referring to as a big farm which is more than 2,000 acres. I believe the term permit only applies to the substantial withdrawal, not to the 2,000 acres or less. Also in line with that question, this bill, as every other bill, has a grandfather clause in it that locks in the rights that already exist."

Mr. Flanagan: "I understand that part of it, but I'm wondering if, for example, you have a private entity that comes in and receives a water withdrawal permit for 40,000 or 50,000 acres of land and then you get near the end of the fifty-year period and the state decides that there is higher and better use for the water, can they then split this down into 2,000 acres or less and continue and have a permanent water right anyway?"

Mr. Charette: "Representative Flanagan, I believe that if there were a permit issued for a substantial withdrawal that substantial withdrawal would be under the conditions set forth in the permit and they would not be able to split up that unit with your example into smaller units. Probably the permit would be lost, but one must take into consideration the fact that if there is a large corporation or a large group of people formed under a corporation operating a unit of 40,000, or 50,000, or 100,000 acres with the right to withdraw water, fifty years from now certainly the legislature would look a long ways before they would allow them to eliminate all the jobs that were connected with such a project."

Mr. Flanagan spoke against passage of the bill.

Mr. Bender 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. 1120, and the bill passed the House by the following vote: Yeas, 61; nays, 30; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Knedlik, Kreidler, Lux, Lysen, Martinis, Maxie, McKibbin, North, O'Brien, Owen, Pardini,

Patterson, Pruitt, Salatino, Schmitt, Sherman, Shipoch, Smith, Sommers, Tilly, Valle, Vrooman, Walk, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Hansen, Hurley M., Kilbury, Knowles, Leckenby, May, McCormick, Nelson D., Nelson G. A., Newhouse, Oliver, Paris, Pearsall, Polk, Sanders, Shinoda, Struthers, Taller.

Not voting: Representatives Enbody, Lee, Moreau, Thompson, Warnke, Whiteside, Winsley.

Engrossed Substitute House Bill No. 1120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish the record to show that I voted "No" on Engrossed Substitute House Bill No. 1120.
JIM WHITESIDE, 14th District.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Enbody, Lee, Lux, Thompson and Winsley, who were excused.

MOTION

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

SECOND READING

HOUSE BILL NO. 105, by Representatives Warnke, Valle, Greengo, Gaines and Sanders:

Correcting a definition in economic development law.

The bill was read the second time.

On motion of Mr. Salatino, Substitute House Bill No. 105 was substituted for House Bill No. 105, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 105 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 105 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 105, and the bill passed the House by the following vote: Yeas, 79; nays, 0; not voting, 19.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Charnley, Clemente, Conner, Craswell, Dunlap, Ehlers, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Barr, Boldt, Chandler, Charette, Clayton, Deccio, Douthwaite, Enbody, Erickson, Haley, Lee, Lux, McKibbin, Owen, Pardini, Sommers, Thompson, Winsley, and Mr. Speaker.

Substitute House Bill No. 105, having received the 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. 113, by Representatives Warnke, King, Paris, Valle, Greengo and Gaines:

Authorizing the establishment of foreign trade zones.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and House Bill No. 113 was placed on final passage.

Mr. Salatino spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 113, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

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

Not voting: Representatives Boldt, Enbody, Erickson, Haley, Lee, Lux, North, Owen, Pardini, Thompson, Winsley.

House Bill No. 113, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 163, by Representatives Berentson, Haley, Wilson and Paris:

Eliminating basic science examination requirement for physicians, surgeons, and osteopaths.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 163 was substituted for House Bill No. 163, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 163 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 163 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 163, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

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

Voting nay: Representative Sanders.

Not voting: Representatives Enbody, Erickson, Hurley G. S., Lee, Lux, Owen, Thompson, Winsley.

Substitute House Bill No. 163, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Lux appeared at the bar of the House.

HOUSE BILL NO. 267, by Representative Martinis (by Department of Natural Resources request):

Modifying the law on the acquisition and disposition of public lands for state highways.

The bill was read the second time.

On motion of Mr. Martinis, Substitute House Bill No. 267 was substituted for House Bill No. 267, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 267 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 267 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 267, and the bill passed the House by the following vote: Yeas, 90; nays, 2; not voting, 6.

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

Voting nay: Representatives Boldt, Hawkins.

Not voting: Representatives Enbody, Lee, Lysen, Owen, Thompson, Winsley.

Substitute House Bill No. 267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 389, by Representatives Berentson, Hansen, Vrooman, Moreau, Kilbury, Struthers and Charnley:

Regulating traffic control devices used when constructing or repairing railroad crossings.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 20th Day ex. sess., March 30, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

House Bill No. 389 was ordered engrossed.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 389 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 389, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Amen.

Not voting: Representatives Enbody, Lee, Owen, Thompson, Winsley.

Engrossed House Bill No. 389, having received the 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. 612, by Representatives Hurley (Margaret), McCormick and Gilleland (by Department of Highways request):

Repealing certain laws on the environmental impact of highways.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and House Bill No. 612 was placed on final passage.

Representatives Hurley (Margaret) and Zimmerman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 612, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

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

Voting nay: Representatives Charette, Martinis, Vrooman.

Not voting: Representatives Enbody, Lee, Thompson, Winsley.

House Bill No. 612, having received the 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. 619, by Representatives Sommers, Ehlers and Shipoch (by State Treasurer and Chairman State Finance Committee request):

Modifying investment authority of the state finance committee.

On motion of Mr. Ehlers, Substitute House Bill No. 619 was substituted for House Bill No. 612, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 619 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 619 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 619, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Enbody, Lee, Moreau, Thompson, Winsley.

Substitute House Bill No. 619, having received the 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. 620, by Representatives Sommers, Shipoch and Ehlers (by State Treasurer and Chairman State Finance Committee request):

Clarifying investment authority of the state finance committee.

On motion of Mr. Ehlers, Substitute House Bill No. 620 was substituted for House Bill No. 620, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 620 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 620 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 620, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Pardini.

Not voting: Representatives Enbody, Lee, Pearsall, Thompson, Wilson, Winsley.

Substitute House Bill No. 620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2338, by Senators Walgren, Day and North:

Permitting additional cost factors to be considered when dealing with sheltered workshops.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Senate Bill No. 2338 was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2338, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Pardini.

Not voting: Representatives Adams, Enbody, Lee, Martinis, Thompson, Winsley.

Senate Bill No. 2338, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

The Speaker (Mr. O'Brien presiding) called on Mr. Charette to preside.

SUBSTITUTE HOUSE BILL NO. 656, by Committee on Education (Originally sponsored by Representatives O'Brien, King, Maxie, Newhouse, Lysen, Clemente, Berentson, Knowles, Hurley [Margaret], Pardini, Bauer, Becker, Kilbury, Adams, Flanagan, Gallagher, McCormick, Fischer, Conner, Gaines, Erickson, May, Grier, Hughes, Greengo and Taller):

Mandating certain public agencies to make surplus books, equipment, etc. available at depreciated cost to private schools.

The bill was read the third time and placed on final passage.

Representative O'Brien spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Lysen.

Mr. Lysen: "Representative O'Brien, does this apply to libraries? In the newspaper a month or two ago there was a story that the Seattle Public Library had to throw a large number of their books in the garbage dump because they were unable to donate them to anybody. Would they be able to qualify for these books also?"

Mr. O'Brien: "The act stresses 'other local educational agencies,' and I would imagine the library would come under that type of agency, so this would permit a library to dispose of surplus books at the fair market value at the request of the private schools."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 656, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Enbody, Keller, Kreidler, Lee, Moreau, Thompson, Whiteside, Wilson.

Substitute House Bill No. 656, having received the 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. 2447, by Senators Morrison, Wilson and Benitz:

Increasing the maximum allowable assessment for tree fruit.

The bill was read the third time and placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

Representative Winsley appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2447, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

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

Voting nay: Representative Nelson G. A.

Not voting: Representatives Enbody, Lee, Moreau, Owen, Thompson, Whiteside.

Senate Bill No. 2447, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 2382, by Committee on Parks and Recreation (Originally sponsored by Senators Gaspard, von Reichbauer, Wojahn, Goltz and Peterson):

Authorizing senior citizen passports for admission to and use of state parks.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendment, see Journal, 59th Day, March 9, 1977.)

On motion of Representative Hurley (Margaret), the committee amendment was adopted.

On motion of Representative Hurley (Margaret), the following amendment was adopted:

On page 1, line 11 after "age" strike all material down to and including "pass" on line 13 and insert "may apply to the commission and shall be issued an annual senior citizen pass to be effective for one year after the date of issuance: PROVIDED, That the pass shall only be issued to the applicant if such applicant qualifies for social security benefits under Public Law 92-603 on the date the pass is issued"

Mr. Owen moved adoption of the following amendment:

On page 1, line 23 after "campsites." insert "Any resident of Washington who receives assistance pursuant to Aid to Families with Dependent Children, Supplemental Security Income, or General Assistance as such programs are described in Title 74 RCW shall be entitled to receive, regardless of age and upon making application therefor, a pass at no cost to the holder. The pass shall entitle the holder and members of his camping unit to admission to all state parks, and a fifty percent reduction in the fee for the use of overnight campsites."

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

POINT OF INQUIRY

Representative Hurley (Margaret) yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Hurley, I wonder if you could tell me how many parks we now have that charge admission and what the amount of money is that is raised through admission?"

Representative Hurley (Margaret): "We don't have any parks that charge admission at all. The reason for the inclusion of that wording is that formerly there have been proposals made for day use parks which would charge admission. We don't charge admission, the only thing we now charge for is overnight parking along with concessions. Concessions are not involved here because there would be no fifty percent rate on concessions, it would only be overnight parking."

Representatives Shinpoch and Martinis spoke in favor of the amendment, and Representative Hurley (Margaret) spoke again in opposition to it.

POINT OF INQUIRY

Mr. Owen yielded to question by Mr. Haley.

Mr. Haley: "We have just learned that there is no charge for entering a state park, and if it's only the overnight use of the park it seems to me that the amendment should read in the last sentence, 'This pass shall entitle the holder and members of this camping unit to a fifty percent reduction in the fee for overnight parking.' I think that's the way it should read, am I wrong, Representative Owen?"

Mr. Owen: "The language is written similar to the language in the other two for handicapped and for senior citizens."

Representatives Haley, Hurley (Margaret) and Leckenby spoke against the amendment, and Mr. Martinis spoke in favor of it.

The amendment was adopted.

Substitute Senate Bill No. 2382 as amended by the House was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, Reengrossed Senate Bill No. 2418 was made a Special Order of Business for 3:00 p.m. today.

ENGROSSED SENATE BILL NO. 2062, by Senators Day and Jones:

Revising qualifications for health officers.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 13th Day ex. sess., March 23, 1977.)

On motion of Mr. Kreidler, the committee amendments were adopted.

Engrossed Senate Bill No. 2062 as amended by the House was passed to Committee on Rules for third reading.

Mr. O'Brien resumed the Chair.

SUBSTITUTE SENATE BILL NO. 3047, by Committee on Ways and Means (Originally sponsored by Senators Washington, Morrison and Donohue):

Extending the application date to April 30 for current use classification of agricultural land for taxation beginning in the subsequent year.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 32nd Day ex. sess., April 11, 1977.)

Ms. Sommers moved adoption of the committee amendment.

Ms. Sommers spoke in favor of the committee amendment, and Mr. Amen spoke against it.

The committee amendment was adopted.

Mr. Hawkins moved adoption of the following amendment by Representatives Hawkins, Nelson (Gary) and Nelson (Dick):

On line 6 beginning with "BE" strike all succeeding material and insert "Chapter 212, Laws of 1973, 1st ex. sess., chapter 87, 1970 ex. sess., and RCW 84.34 are each repealed."

Mr. Hawkins spoke in favor of the amendment, and Representatives Flanagan, Kilbury and Sommers spoke against it.

Mr. Hawkins spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hawkins, Nelson (Gary) and Nelson (Dick) to Substitute Senate Bill No. 3047, and the amendment was not adopted by the following vote: Yeas, 7; nays, 77; not voting, 14.

Voting yea: Representatives Blair, Hawkins, Nelson D., Nelson G. A., Pruitt, Taller, Valle.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Bond, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tilly, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Boldt, Burns, Conner, Enbody, Fischer, Leckenby, Lee, Lysen, Moreau, Owen, Thompson, Vrooman, Whiteside.

On motion of Ms. Sommers, the committee amendment to the title was adopted.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3047 as amended by the House was placed on final passage.

Representatives Flanagan, Newhouse and Deccio spoke in favor of passage of the bill, and Representatives Hawkins and Amen spoke against it.

Mr. King demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3047 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 14; not voting, 10.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Taller, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Blair, Eng, Fancher, Greengo, Hawkins, Nelson D., Pardini, Patterson, Pruitt, Struthers, Valle, Williams.

Not voting: Representatives Barnes, Boldt, Clemente, Enbody, Erickson, Lee, McKibbin, Moreau, Smith, Thompson.

Substitute Senate Bill No. 3047 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPECIAL ORDER OF BUSINESS

The hour of 3:00 p.m. having arrived, the Speaker (Mr. O'Brien presiding) announced the question before the House to be the Special Order of Business, Reengrossed Senate Bill No. 2418 on second reading.

REENGROSSED SENATE BILL NO. 2418, by Senators Walgren, Murray, Woody, Clarke and Henry:

Revising the laws relating to criminal justice training.

The bill was read the second time.

The Clerk read the following amendment by Representative Barnes:

On page 2, line 13 after "law" insert "for law enforcement personnel who have served more than one year with pay for their current employer"

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

Mr. Erak moved adoption of the following amendment:

On page 2, beginning on line 9 strike all of section 2 and insert the following: "All law enforcement personnel, except volunteers, employed after January 1, 1978 shall engage in training which complies with standards adopted by the commission pursuant to RCW 43.101.080 and 43.101.160. Such training shall be completed during the first fifteen months of employment of such personnel as a prerequisite to the continued lawful exercise of arrest authority confirmed by law."

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

Mr. Erak moved adoption of the following amendment:

On page 2, line 16 after "1978" insert ": PROVIDED FURTHER, That this section and section 4 of this 1977 amendatory act shall apply only to first class cities and to class AA, class A, first class and second class counties"

Mr. Erak spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Erak yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "I'm just concerned about the technical language. It says that this section and section 4 of this 1977 amendatory act shall apply and I can't find section 4. Where do we find section 4? The way it is written it would indicate that this section, which would be section 2, because you are adding it to section 2, and then you are speaking about section 4, and your other amendment strikes section 3, and so I'm concerned with the technical problem."

Mr. Erak: "It is a technical problem. I conferred with the counsel and it will tie in with the first amendment."

Mr. Zimmerman: "I guess I'm just concerned that it doesn't mean what it says. Wouldn't it be simpler to just change a couple of numbers?"

Mr. Hanna: "I thought I might try to answer the question. The section he is referring to does not exist in this bill unless we pass other amendments which are to follow. In referring to it, it was based on the assumption that the other amendments are going to pass."

MOTION

On motion of Mr. King, further consideration of Reengrossed Senate Bill No. 2418 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

ENGROSSED SENATE BILL NO. 2184, by Senators Marsh, Jones and Bottiger:

Making certain changes in the laws relating to the registration of contractors.

The bill was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Friday, April 15, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 15, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Boldt, Erickson, Keller, Oliver, Sommers and Thompson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kerri Edwards and Gretchen Lentz. Prayer was offered by Reverend Paul Beeman 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.

MESSAGES FROM THE SENATE

April 14, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2175,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 14, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2182,

SENATE BILL NO. 2933,

SENATE BILL NO. 2936,

SENATE BILL NO. 3017,

SUBSTITUTE SENATE BILL NO. 3109,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2175.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2182, by Senators Henry and Bluechel (by Utilities and Transportation Commission request):

Increasing operating tax on certain transportation companies.

To Committee on Transportation

SENATE BILL NO. 2933, by Senators Francis, Clarke, Marsh and Hayner:

Establishing a judicial qualifications commission contingent upon amendment of the state Constitution.

To Committee on Judiciary

SENATE BILL NO. 2936, by Senators Francis, Clarke, Marsh and Hayner:

Establishing the jurisdiction of superior courts in accordance with a proposed new judicial article of the state Constitution.

To Committee on Judiciary

SENATE BILL NO. 3017, by Senators Odegaard and Monohon:

Authorizing transfer of property owned by one port district but located in another.

To Committee on Local Government

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

Adopting the 1977-1979 operating budget.

MOTION

Mr. Berentson moved that the rules be suspended, and Substitute Senate Bill No. 3109 be placed on the second reading calendar for Thursday, April 21, 1977.

Mr. Berentson spoke in favor of the motion, and Mr. King spoke against it.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and hold Substitute Senate Bill No. 3109 for the second reading calendar on April 21, 1977, and the motion was lost by the following vote: Yeas, 33; nays, 56; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Knedlik, Leckenby, Lee, Nelson G. A., Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Boldt, Enbody, Erickson, Keller, Newhouse, Oliver, Sommers, Thompson, Winsley.

Substitute Senate Bill No. 3109 was referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

April 12, 1977

HOUSE BILL NO. 254, Prime Sponsor: Representative Adams, providing a patients bill of rights. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Hanna, Lux, Pruitt, Schmitt.

To Committee on Rules for second reading.

April 13, 1977

HOUSE BILL NO. 307, Prime Sponsor: Representative Hanna, providing funds for local criminal justice programs. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill (as proposed by the Committee on Institutions) be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shipoch, Chairman; McKibbin, Vice Chairman; Amen, Bauer, Becker, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

April 13, 1977

SUBSTITUTE HOUSE BILL NO. 371, Prime Sponsor: Representative Becker, revising the juvenile justice and care system. Reported by Committee on Appropriations.

MAJORITY recommendation: The third substitute bill (as proposed by the Committee on Institutions) be substituted therefor and that the third substitute bill do pass. Signed by Representatives Shipoch, Chairman; Becker, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Valle, Vrooman, Williams.

To Committee on Rules for second reading.

April 12, 1977

HOUSE BILL NO. 741, Prime Sponsor: Representative O'Brien, reducing property tax recapture penalties on schools and colleges which cease to exist. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Bond, Craswell, Erickson, Hurley (George), Kilbury, Nelson (Dick), O'Brien, Tilly, Winsley.

To Committee on Rules for second reading.

April 13, 1977

HOUSE BILL NO. 874, Prime Sponsor: Representative Salatino, modifying the conditions for receiving state funds for probation services. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill (as proposed by the Committee on Institutions) be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Amen, Bauer, Becker, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

April 13, 1977

HOUSE BILL NO. 1184, Prime Sponsor: Representative Martinis, authorizing salmon enhancement facilities bonds. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Bauer, Becker, Boldt, Chandler, Charette, Ehlers, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Valle, Vrooman.

To Committee on Rules for second reading.

April 13, 1977

HOUSE BILL NO. 1323, Prime Sponsor: Representative McKibbin, requiring the legislative budget committee to compile and publish a report of all personal service contracts. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Bauer, Becker, Boldt, Chandler, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

April 12, 1977

HOUSE JOINT MEMORIAL NO. 17, Prime Sponsor: Representative Lysen, memorializing the President and Congress to terminate the mutual civil agreement between pulp and paper manufacturers. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 strike "Securities and Exchange Commission" and insert "Department of Justice"

On page 1, following line 30 insert a new subsection as follows:

"(7) Does the agreement violate the anti-trust laws?"

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

To Committee on Rules for second reading.

April 13, 1977

ENGROSSED SENATE BILL NO. 2365, Prime Sponsor: Senator Fleming, revising laws relating to highways. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Dunlap, Grier, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 13, 1977

ENGROSSED SENATE BILL NO. 2400, Prime Sponsor: Senator Rasmussen, changing the name of the office of program planning and fiscal management to the office of fiscal management. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, O'Brien, Salatino, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

April 13, 1977

ENGROSSED SENATE BILL NO. 2408, Prime Sponsor: Senator Henry, establishing a charge for pamphlets of liquor regulations. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, O'Brien, Salatino, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

April 13, 1977

ENGROSSED SENATE BILL NO. 2421, Prime Sponsor: Senator Goltz, authorizing local governments to employ hearing examiners to hear applications for amending zoning ordinances. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after the enacting clause strike the remainder of the bill and insert:

NEW SECTION. Section 1. There is added to chapter 35.63 RCW a new section to read as follows:

As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and report on any proposal to amend a zoning ordinance, the legislative body of a city or county may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and decide applications for amending the zoning ordinance when the amendment which is applied for is not of general applicability and when the decision to approve or reject such amendment is administrative in nature, as opposed to legislative in nature. In addition, the legislative body may vest in a hearing examiner the power to hear and decide applications for conditional uses, variances, or any other class of applications for or pertaining to land uses which the legislative body believes should be reviewed and decided by a hearing examiner. The legislative body shall prescribe procedures to be followed by the hearing examiner.

Each city or county legislative body electing to use a hearing examiner pursuant to this section shall by ordinance specify the nature of the decisions made by the examiner.

Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the city's or county's comprehensive plan and the city's or county's development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

NEW SECTION. Sec. 2. There is added to chapter 35A.63 RCW a new section to read as follows:

As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and report on any proposal to amend a zoning ordinance, the legislative body of a city may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and decide applications for amending the zoning ordinance when the amendment which is applied for is not of general applicability and when the decision to approve or reject such amendment is administrative in nature, as opposed to legislative in nature. In addition, the legislative body may vest in a hearing examiner the power to hear and decide applications for conditional uses, variances or any other class of applications for or pertaining to land uses which the legislative body believes should be reviewed and decided by a hearing examiner. The legislative body shall prescribe procedures to be followed by a hearing examiner. If the legislative authority vests in a hearing examiner the authority to hear and decide variances, then the provisions of RCW 35A.63.110 shall not apply to the city.

Each city legislative body electing to use a hearing examiner pursuant to this section shall by ordinance specify the nature of the decisions made by the examiner.

Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the city's comprehensive plan and the city's development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

NEW SECTION. Sec. 3. There is added to chapter 36.70 RCW a new section to read as follows:

As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and issue recommendations on applications for plat or short plat approval and applications for amendments to the zoning ordinance, the county legislative authority may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and issue decisions on proposals for plat and short plat approval and for amendments to the zoning ordinance when the amendment which is applied for is not of general applicability and when the decision to approve or reject such amendment is administrative in nature, as opposed to legislative in nature. In addition, the legislative authority may vest in a hearing examiner the power to hear and decide conditional use applications, variance applications, applications for shoreline permits or any other class of applications for or pertaining to land uses. The legislative authority shall prescribe procedures to be followed by a hearing examiner.

Any county which vests in a hearing examiner the authority to hear and decide conditional uses and variances shall not be required to have a zoning adjuster or board of adjustment.

Each county legislative authority electing to use a hearing examiner pursuant to this section shall by ordinance specify the legal effect of the decisions made by the examiner.

Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the county's comprehensive plan and the county's development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

NEW SECTION. Sec. 4. There is added to chapter 58.17 RCW a new section to read as follows:

As an alternative to those provisions of this chapter requiring a planning commission to hear and issue recommendations for plat and short plat approval, the county or city legislative body may adopt a hearing examiner system and shall specify by ordinance the nature of the decisions made by the examiner."

Signed by Representatives Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Keller, North, Zimmerman.

To Committee on Rules for second reading.

SECOND READING

REENGROSSED SENATE BILL NO. 2418, by Senators Walgren, Murray, Woody, Clarke and Henry:

Revising the laws relating to criminal justice training.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal)

The Speaker stated the question before the House to be the amendment by Representative Erak to page 2, line 16.

With the consent of the House, Mr. Erak withdrew the amendment.

The Clerk read the following amendment by Representatives Owen, Erak, Barr and North:

On page 2, line 13 after "conferred by law" strike the period and insert ": PROVIDED, That the commission may extend the period for compliance in cases of hardship or to facilitate the scheduling of training courses: PROVIDED FURTHER, That 'volunteers' as used in this section shall include, but not be limited to, paid and nonpaid reserve officers."

On motion of Mr. Owen, the question was divided, and with the consent of the House, Mr. Owen withdrew the first proviso in the amendment.

Mr. Owen moved adoption of the amendment, being the second proviso.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Would you tell me exactly where we are and what is being considered?"

The Speaker: "We're on the second proviso of the Owen amendment, on page 2, 'PROVIDED FURTHER, That 'volunteers' as used in this section, shall include, but not be limited to, paid and nonpaid reserve officers.' That's the amendment before us."

Representatives Owen and Hanna spoke in favor of the amendment, and it was adopted.

Mr. Erak moved adoption of the following amendment by Representatives Erak, Owen, North and Barr:

On page 3, line 17 insert

"NEW SECTION. Sec. 4. The commission shall develop, in cooperation with the state board for community college education, a comprehensive plan in which programs, facilities and personnel of local community colleges shall be used for the training of law enforcement officers: PROVIDED, That the commission

shall conduct no fewer than three basic academies, in locations other than current training sites, utilizing community college programs, facilities and personnel to the maximum extent feasible and: PROVIDED FURTHER, That the commission shall make a comprehensive report to the legislature not later than January 15, 1980. The report shall contain an evaluation of the off-site training programs including (1) delivery cost; (2) costs incurred by local governments; (3) effectiveness of training; (4) trainee morale attitudes; (5) trainee evaluation of the training submitted upon completion of the course; (6) trainee evaluation of the usefulness of the training, submitted no sooner than 90 days nor later than 120 days following completion of training; (7) employer evaluation of employee performance as affected by training, submitted no sooner than 90 days nor later than 120 days following completion of training; (8) a comparison of these same factors evidenced in conjunction with training programs offered at current training sites."

On motion of Mr. Douthwaite the following amendment to the amendment was adopted: On lines 3 and 8 strike "programs."

The Speaker stated the question before the House to be the amendment as amended.

POINT OF INQUIRY

Mr. Erak yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Erak, I'm a little slow this morning. As I see this amendment, you're saying that we will have three basic academies, but there would be three other than the three we have now in different places?"

Mr. Erak: "That's not the intent, Representative Pardini. The academies right now, as you are well aware, are Spokane, Seattle and Lacey. What we're saying in this section is that if those facilities are available within those local areas, such as those areas that have community college facilities, they could utilize that particular area rather than send them off to Spokane. It doesn't necessarily lock them in one of those three specific areas; it's wherever the facilities are available. The commission would work it out with the local community college people."

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Chandler.

Mr. Chandler: "Representative Hanna, would there be anything to prevent the commission from doing exactly what this amendment suggests without the amendment?"

Mr. Hanna: "No, there wouldn't. In fact, the commission has worked in cooperation with the community colleges all along when appropriate and would continue to do so. To mandate they do it automatically statewide is unnecessary and, I think, unwise. The program is working out well and they adjust the location and the use of community colleges to their needs, but to mandate it is unnecessary. I don't see any reason to do that."

Representatives Chandler, Deccio and Blair spoke against the amendment.

POINT OF INQUIRY

Mr. Blair yielded to question by Mr. Erak.

Mr. Erak: "Representative Blair, I think your point would be well taken if you were talking about physical-type activities, but colleges do have other facilities besides classrooms, do they not?"

Mr. Blair: "The ones I'm acquainted with have other facilities, yes."

Mr. Erak: "Gymnasiums?"

Mr. Blair: "Certainly."

Mr. Erak: "This type of training could be conducted in an area such as that?"

Mr. Blair: "This type of training, I'm sure, could be conducted in any facility or site that the commission felt was appropriate. I'm not at all convinced that a community college is any more appropriate than the facilities they are using at the present. I can't see what point you're trying to get to with your amendment, unless you seem to be indicating this is something that is more appropriately done in a college set than it is in the present facilities, and I can't agree with that."

Representatives Struthers, Hanna and Deccio spoke against the amendment, and Representatives Owen and Erak spoke in favor of it.

Mr. Bender demanded the previous question and the demand was sustained.

The amendment as amended was not adopted.

The Speaker called on Mr. O'Brien to preside.

The Clerk read the following amendment by Representatives Barr, Owen, Barnes and North:

On page 3, line 17 insert:

"NEW SECTION. Sec. 4. The commission shall provide funds to assist certain local governments in meeting the cost of basic police training. For purposes of this act, the term 'cost of basic police training' shall include, but not be limited to:

The living and necessary travel expenses of trainees; the cost of replacement officers or full time equivalents necessary to avoid a diminishing level of police protection to the community; the cost of required training materials and supplies: **PROVIDED**, That the commission shall determine the appropriate cost components applicable to each jurisdiction and shall reimburse local governmental units according to the following schedule:

Percent of Population	Cost Reimbursement
Less than 5,000	100%
5,000 to 7,999	75%
8,000 to 9,999	50%
Greater than 9,999	0%

If funds are not available to meet the funding requirements of this section with regard to any political subdivision, the requirements of section 2 of this act shall not be applicable to such jurisdiction."

POINT OF ORDER

Mr. Pardini: "I believe that the amendment is beyond the scope and object of the bill. The amendments by Representative Erak adopted yesterday exempt all of these particular classes that are listed on this amendment from having to comply with this law and the amendment that Representative Barr is offering would force reimbursement if they did it on a voluntary basis and therefore should be ruled beyond the scope and object of the bill."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The amendment was withdrawn that pertained to first class cities and class A and first and second class counties. This amendment appears to be germane to the subject matter of the bill."

Mr. Barr moved adoption of the amendment and spoke in favor of it.

Mr. Boldt appeared at the bar of the House.

Representatives North, Owen and Amen spoke in favor of the amendment, and Representatives Hanna and Hurley (George) spoke against it.

POINT OF ORDER

Mr. Amen: "Representative George Hurley is indicating that because of what happened in one community that these people are untrained. Does he have any indication that they were trained or untrained?"

The Speaker (Mr. O'Brien presiding): "That has nothing to do with the question at hand. Continue, Representative Hurley."

Mr. Hurley (George) continued his remarks in opposition to the amendment.

POINT OF ORDER

Mr. Owen: "Mr. Speaker, I don't believe Representative Hurley's remarks are germane to the amendment because the amendment does not speak to exempting anybody. The amendment allows for reimbursement for those cities in these categories; it does not speak to exempting anybody from the bill. I maintain his remarks are not germane to the amendment."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Hurley, Reed's Rule 216 states in part: 'All debate should be relevant and confined to the subject of debate.'"

Mr. Hurley (George) continued his remarks.

Mr. Barnes spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Charnley demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barr and others to Reengrossed Substitute Senate Bill No. 2418, and the amendment was not adopted by the following vote: Yeas, 43; nays, 44; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Berentson, Bond, Burns, Chandler, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Haley, Hansen, Hurley M., Knedlik, Leckenby, May, Moreau, Nelson D., Newhouse, North, Owen, Paris, Patterson, Polk, Sanders, Sherman, Shinoda, Taller, Tilly, Vrooman, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Blair, Boldt, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Eng, Fischer, Gaines, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, Nelson G. A., O'Brien, Pardini, Pearsall, Pruitt, Salatino, Shipoch, Smith, Struthers, Valle, Walk, Warnke, Williams.

Not voting: Representatives Erickson, Heck, Keller, Lee, McKibbin, Oliver, Schmitt, Sommers, Thompson, Whiteside, and Mr. Speaker.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Mr. Erak moved that the House reconsider the action by which the first proviso of the Owen, Erak, Barr and North amendment to page 2, line 13 was withdrawn.

POINT OF ORDER

Mr. Polk: "Do I understand his motion is to reconsider the withdrawal of that first proviso?"

The Speaker (Mr. O'Brien presiding): "Yes."

Mr. Polk: "That was not a vote, but simply a matter that no one objected to and it was withdrawn by the sponsor so therefore how could he have been voting on the prevailing side?"

The Speaker (Mr. O'Brien presiding): "It had to be withdrawn with the consent of the House. It was a withdrawal of a motion."

Mr. Polk: "That's not a vote, Mr. Speaker, it's merely a lack of objection."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "That's true to a degree, but once the motion is placed and recognized by the Speaker, it's in possession of the House and can only be withdrawn by the consent of the House, which means the majority vote of the House. We are interpreting it as a withdrawal of a motion and we're reconsidering the motion."

Mr. Polk: "Mr. Speaker, since the proviso was withdrawn by its original sponsor, cannot another member of the House offer that same amendment again?"

The Speaker (Mr. O'Brien presiding): "The question you are raising now isn't before us."

Mr. Polk: "Mr. Speaker, if I just ask you that question, isn't it before us?"

The Speaker (Mr. O'Brien presiding): "I would rule on it if we had the question before us, but we don't have that question before us at this time. You could, of course, object to withdrawal of a motion if you oppose that."

Mr. Polk: "Mr. Speaker, that's already been done a long time ago and that's past us."

The Speaker (Mr. O'Brien presiding): "We are now reconsidering the action. The motion to reconsider the action of the House for the division of the question of the first part of the amendment offered by Representatives Owen, North, Barr and Erak is now before us."

Mr. Polk: "Mr. Speaker, would it be in order at this point to just move that amendment as a proviso?"

The Speaker (Mr. O'Brien presiding): "Not now; it would be out of order now."

Mr. Hurley (George) spoke against the motion, and Mr. Erak spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion to reconsider withdrawal of the first proviso of the amendment by Representatives Owen and others, and the motion was carried by the following vote: Yeas, 46; nays, 40; not voting, 12.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Boldt, Bond, Burns, Chandler, Clayton, Craswell, Douthwaite, Dunlap, Ehlers, Erak, Fancher, Fortson, Fuller, Gilleland, Greengo, Grimm, Haley, Hansen, Heck, Kreidler, Leckenby, Lee, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Sanders, Sherman, Smith, Taller, Tilly, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barr, Becker, Bender, Blair, Charette, Charnley, Clemente, Conner, Deccio, Enbody, Eng, Fischer, Flanagan, Gaines, Gallagher, Grier, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Hurley M., King, Knowles, Lux, Lysen, Martinis, Maxie, May, McCormick, Pearsall, Pruitt, Salatino, Shinpoch, Struthers, Valle, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Erickson, Keller, Kilbury, Knedlik, Moreau, Nelson D., Oliver, Owen, Schmitt, Shinoda, Sommers, Thompson.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment, adding the first proviso in the amendment by Representatives Owen, North, Barr and Erak.

Representatives Douthwaite, North and Hanna spoke in favor of the amendment, and it was adopted.

MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representatives Barr, Owen, Barnes and North to page 3, line 17 failed to pass the House.

Representatives Barr, Owen and Fancher spoke in favor of the motion, and Representatives Struthers, Deccio and Hanna spoke against it.

Mr. Barr spoke again in favor of the motion.

Mr. King demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendment by Representatives Barr, Owen, Barnes and North failed to pass the House, and the motion was carried by the following vote: Yeas, 46; nays, 42; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Burns, Chandler, Clayton, Craswell, Douthwaite, Dunlap, Erak, Fancher, Flanagan, Fortson, Fuller, Gilleland, Grimm, Haley, Hansen, Heck, Hurley M., Knedlik, Leckenby, Lee, Moreau, Nelson G. A., Newhouse, North, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Sherman, Shinoda, Taller, Tilly, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Blair, Boldt, Charette, Charnley, Clemente, Conner, Deccio, Enbody, Eng, Fischer, Gaines, Gallagher, Greengo, Grier, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, O'Brien, Pearsall, Salatino, Shinpoch, Struthers, Valle, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Bauer, Ehlers, Erickson, Keller, Nelson D., Oliver, Schmitt, Smith, Sommers, Thompson.

MOTION

Mr. King moved that further consideration of Reengrossed Senate Bill No. 2418 be deferred, and that the bill be placed on Monday's second reading calendar.

Mr. King spoke in favor of the motion, and Mr. Barnes spoke against it.

The motion was carried.

MOTION

On motion of Mr. Bender, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 2184, by Senators Marsh, Jones and Bottiger:

Making certain changes in the laws relating to the registration of contractors.

The bill was read the third time and placed on final passage.

Representatives Warnke and Polk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2184, and the bill passed the House by the following vote: Yeas, 88; nays, 4; not voting, 6.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Newhouse, Polk.

Not voting: Representatives Erickson, Keller, Oliver, Schmitt, Sommers, Thompson.

Engrossed House Bill No. 2184, having received the 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. 2156, (as amended by the House) by Senators Day, Woody, McDermott, Sellar and Francis:

Permitting certain corporations of health care professionals to act as self-insurers against liability.

The bill was read the third time and placed on final passage.

Representatives Douthwaite and Barnes spoke in favor of passage of the bill and Mr. Knedlik spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2156 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 14; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Kilbury, King, Knowles, Leckenby, Lee, Lux, Martinis, Maxie, McCormick, Moreau, Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Struthers, Taller, Tilly, Valle, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Burns, Eng, Grier, Grimm, Gruger, Knedlik, Kreidler, Lysen, May, McKibbin, Pearsall, Vrooman, Walk, Williams.

Not voting: Representatives Conner, Erickson, Hurley G. S., Keller, Nelson D., Oliver, Schmitt, Smith, Sommers, Thompson.

Engrossed Senate Bill No. 2156 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, April 18, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 18, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Pardini, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sara Lindgren and Katie Lindgren. Prayer was offered by Reverend Stanley J. Workman of the Evergreen Christian Reformed 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

April 15, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2338,
SENATE BILL NO. 2447,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2061,
ENGROSSED SENATE BILL NO. 2332,
ENGROSSED SENATE BILL NO. 2485,
SUBSTITUTE SENATE BILL NO. 2558,
SUBSTITUTE SENATE BILL NO. 2681,
SUBSTITUTE SENATE BILL NO. 2975,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2338,
SENATE BILL NO. 2447.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2061, by Senators Day, Jones and Buffington:

Regulating proprietary hospitals.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2332, by Senators Bailey, Goltz, Buffington and McDermott:

Establishing the Washington state commission for the blind.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2485, by Senators Bottiger, Guess, Wanamaker and Beck:

Establishing new functional classifications for highways.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2558, by Committee on State Government (Originally sponsored by Senators von Reichbauer, Ridder, Van Hollebeke, Woody, Buffington, Odegaard, Matson, Bluechel and Jones - by Governor Ray request):

Renaming the department of motor vehicles.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 2681, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Odegaard):

Amending the appropriations law to direct transfers of certain funds of the state treasurer.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2975, by Committee on Parks and Recreation (Originally sponsored by Senators Bluechel, Gould, Murray, Goltz and Hayner):

Relating to the liability of ski resort operators.

To Committee on Parks and Recreation

REPORTS OF STANDING COMMITTEES

April 14, 1977

HOUSE BILL NO. 66, Prime Sponsor: Representative Clemente, providing for educational clinics and authorizing state aid for students enrolled therein. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Bender, Boldt, Dunlap, Fortson, Fuller, Lee.

To Committee on Rules for second reading.

April 13, 1977

HOUSE BILL NO. 74, Prime Sponsor: Representative Williams, implementing law relating to historic preservation of sites and structures within the state. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, O'Brien, Salatino, Sommers, Struthers.

To Committee on Rules for second reading.

April 14, 1977

HOUSE BILL NO. 228, Prime Sponsor: Representative Conner, providing for the regulation of motor vehicle towing. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Clayton, Dunlap, Gallagher, Grier, Lysen, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 15, 1977

HOUSE BILL NO. 667, Prime Sponsor: Representative May, fixing state reimbursement rate for nursing care. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

April 13, 1977

HOUSE BILL NO. 1135, Prime Sponsor: Representative Pardini, authorizing bonds for cultural facilities projects. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 18 strike "twenty-five" and insert "forty"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, O'Brien, Salatino, Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Sanders, Struthers.

MOTION

On motion of Mr. King, House Bill No. 1135 was rereferred to Committee on Appropriations.

April 14, 1977

HOUSE JOINT MEMORIAL NO. 2, Prime Sponsor: Representative Charnley, requesting federal control of chlorofluorocarbon propellants. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 3 after "request that" strike all material down to and including "and that" on line 5

Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Grier, Gruger, Hughes, Kreidler, Leckenby.

To Committee on Rules for second reading.

April 13, 1977

HOUSE JOINT RESOLUTION NO. 36, Prime Sponsor: Representative Warnke, amending the Constitution to allow the state, its political subdivisions, and municipal corporations to lend their credit to the extent of certain special revenues. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, O'Brien, Salatino, Sanders, Sommers, Struthers.

MOTION

On motion of Mr. King, House Joint Resolution No. 36 was rereferred to Committee on Constitution.

SECOND READING

On motion of Mr. King, consideration of House Bill No. 312 was deferred, and the bill was made a Special Order of Business at 2:00 p.m. today.

HOUSE JOINT RESOLUTION NO. 54, by Representatives Vrooman, Burns, Knedlik, Salatino, Pruitt, Nelson (Dick), Hughes, Enbody, Monohon, Grier, Pearsall, Walk, Grimm, Heck, Kreidler and Schmitt:

Carrying over bills between sessions of the same legislature.

The resolution was read the second time.

On motion of Mr. Ehlers, Substitute House Joint Resolution No. 54 was substituted for House Joint Resolution No. 54, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 54 was read the second time.

Mr. Patterson moved adoption of the following amendment by Representatives Patterson and Polk:

On line 11 after "introduced" strike the balance of the sentence and insert "in the legislature, may be enacted without being passed or reintroduced in its house of origin at any session within the calendar year of its introduction and if it has been affirmatively acted upon by any legislative committee within said calendar year it may be enacted without being reintroduced or repassed at any subsequent session of the same legislature."

Mr. Patterson spoke in favor of the amendment, and Representatives King and Ehlers spoke against it.

The amendment was not adopted.

Mr. Berentson moved adoption of the following amendment by Representatives Berentson and Patterson:

On page 1, line 7 after "section" strike all material down to and including "other" on line 16 and insert "12 of the Constitution of the State of Washington, to read as follows:

Article II, section 12. ((The first legislature shall meet on the first Wednesday after the first Monday in November, A.D., 1889. The second legislature shall meet on the first Wednesday after the first Monday in

January, A.D., 1891, and sessions of the legislature shall be held biennially thereafter, unless specially convened by the governor, but the times of meeting of subsequent sessions may be changed by the legislature. After the first legislature the sessions shall not be more than sixty days: (1) Regular Sessions. A regular session of the legislature shall be convened each year on such day and at such time as the legislature shall determine by statute. During each odd-numbered year, the regular session shall not be more than ninety consecutive days. During each even-numbered year, the regular session shall not be more than sixty consecutive days.

(2) Special Legislative Sessions. Special legislative sessions may be convened for a period of not more than twenty consecutive days by proclamation of the governor pursuant to Article III, section 7 of this Constitution or may be convened for a period of not more than twenty consecutive days by resolution of the legislature upon the affirmative vote of two-thirds of all the members elected or appointed to each house of the legislature, which vote may be taken and resolution executed either while the legislature is in session or during any interim between sessions in accordance with such procedures as the legislature may provide by law or resolution. Such resolution shall specify a purpose or purposes for the convening of a special session, and any special session convened by such resolution shall consider only measures germane to the purpose or purposes expressed therein, unless by resolution adopted during such session by a two-thirds vote of the members of each house an additional purpose or purposes be expressed. The specification of purpose by the governor pursuant to Article III, section 7 of this Constitution shall be considered by the legislature but shall not be mandatory.

The first regular session of the legislature to be held pursuant to this amendment shall commence on the second Monday of January in the year following the approval by the voters of this amendment.

(3) Committees of the Legislature. Standing or special committees of the legislature shall meet and conduct official business pursuant to such rules as the legislature may adopt.

POINT OF ORDER

Mr. Ehlers: "Is this amendment within the scope and object of the bill?"

SPEAKER'S RULING

The Speaker: "The Speaker will rule that the point of order is well taken. The constitutional amendment before us deals with bill carry-over. The amendment goes much further and deals with when and how sessions are convened and the length of sessions. Therefore, I will rule the amendment is beyond the scope and object."

Substitute House Joint Resolution No. 54 was passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 543, by Representatives May, Becker and Charnley:

Funding public transportation systems.

The bill was read the second time.

On motion of Mr. May, the following amendment was adopted:

On page 2, line 13 after "area" insert ": PROVIDED, That after July 1, 1977, any municipality, prior to the imposition of any of the excise taxes provided for in this section, other than the business and occupation tax, shall receive approval for the imposition of such taxes from the voters residing within such respective area if the amount is to exceed one dollar per month for each housing unit."

House Bill No. 543 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 543 was placed on final passage.

Mr. May spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Newhouse: "Representative May, I notice a matching fund provision. Would this require more money from the state general fund to match those increased funds from locally-generated taxes?"

Mr. May: "Yes, it would."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 543, and the bill passed the House by the following vote: Yeas, 86; nays, 7; not voting, 5.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger,

Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Schmitten, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Craswell, Dunlap, Flanagan, Newhouse, Sanders.

Not voting: Representatives Enbody, Pardini, Patterson, Sherman, Zimmerman.

Engrossed House Bill No. 543, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) called on Mr. Conner to preside.

SUBSTITUTE HOUSE BILL NO. 777, by Committee on Commerce (Originally sponsored by Representatives O'Brien, Warnke, Berentson, Chandler, Gaines, Valle, Charnley, Thompson, Conner, McCormick, Burns, Bender, Maxie and Adams):

Authorizing the construction of a cultural arts center in Federal Way.

The bill was read the second time.

Mr. Fischer moved adoption of the following amendment:

On page 1, line 26 after "facility" strike "and located in South King county in the vicinity of the unincorporated areas of Federal Way"

Mr. Fischer spoke in favor of the amendment, and Mr. O'Brien spoke against it.

POINT OF INQUIRY

Mr. Fischer yielded to question by Mrs. Lee.

Mrs. Lee: "Your amendment called something to my attention and before I decide whether I favor it or not, I notice that it specifies that we remove from the bill the particular phrase that says, 'unincorporated area in South King county,' and one of the things that concerns me is that if we leave this in here we are indeed interfering in the local efforts for incorporation. In other words, if Federal Way incorporated, they could not have it and if they tried incorporation one of the arguments against it would be losing the center. I wonder if your interpretation is the same as mine in deleting these words?"

Mr. Fischer: "Well, the unincorporated areas would be taken out of the bill. I don't know whether it would have an effect on their incorporation or not. My only concern is that we have a chance to look at this thing and decide on a location that is the best location for this cultural arts center, not just the first one that comes along or the one that there is some questionable problems with."

Mr. Nelson (Gary) spoke in favor of the amendment, and Mr. Warnke spoke against it.

Mr. Nelson (Gary) spoke again in favor of the amendment, and Mr. Shinoda also spoke in favor of it.

POINT OF ORDER

Mr. Nelson (Gary): "It's not that I don't appreciate the words by Representative Shinoda, but I want to point out one time that this amendment by Representative Fischer does not designate any specific site—Edmonds, Federal Way or anyplace. The person making the argument is particularly making it for one site."

The Speaker (Mr. Conner presiding): "Representative Shinoda, please confine your remarks to the amendment."

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

SECOND READING

HOUSE BILL NO. 219, by Representatives Hawkins, Burns, Hughes and Lux:

Changing the dates for primary elections and for filing declarings of candidacy.

On motion of Mr. Hawkins, Substitute House Bill No. 219 was substituted for House Bill No. 219, and the substitute bill was placed on the calendar for second reading.

POINT OF PARLIAMENTARY INQUIRY

Mr. Shinoda: "Mr. Speaker, I feel that Representative King's motion to recess was out of order and I want to know why I was not allowed to have the floor? Will you please rule on that?"

The Speaker (Mr. O'Brien presiding): "The Rules Committee had established the time of the consent calendar as 1:30 p.m. today. You will have the right to pursue your discussion when Substitute House Bill No. 777 is before us."

Mr. Shinoda: "Mr. Speaker, that's not the ruling I asked for. I asked if Representative King's motion to recess was or was not out of order?"

The Speaker (Mr. O'Brien presiding): "Probably your point of order should have been raised at the time the motion to recess was made. There's a real question whether or not the motion to recess should have been honored while you had the floor."

Mr. Shinoda: "Mr. Speaker, are you saying, yes, but it's too late to do anything about it now?"

The Speaker (Mr. O'Brien presiding): "Yes, about an hour and three-quarters too late."

Substitute House Bill No. 219 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 219 was placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 219, and the bill passed the House by the following vote: Yeas, 83; nays, 4; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knedjik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Struthers, Taller, Thompson, Tilly, Walk, Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Charette, King, Newhouse, Wilson.

Not voting: Representatives Craswell, Keller, Lux, Moreau, Pardini, Smith, Sommers, Valle, Vrooman, Winsley, and Mr. Speaker.

Substitute House Bill No. 219, having received the 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. 327, by Representatives Thompson, Chandler, Bender and Fischer:

Providing for the certification and regulation of operators of public water supply systems.

On motion of Mr. Thompson, Substitute House Bill No. 327 was substituted for House Bill No. 327, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 327 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 327 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Oliver.

Mr. Oliver: "Representative Thompson, this indicates that the twenty-five users of surface water would also be required to use the filtration system and to have a certified operator. Does this mean that any developer of any type of home program which would have twenty-five residences would have to have an operator employed to maintain the system?"

Mr. Thompson: "That is true, if it is also required by law to have a filtration system."

Mr. Oliver spoke against passage of the bill, and Mr. Thompson spoke again in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 327, and the bill passed the House by the following vote: Yeas, 66; nays, 25; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Dunlap, Enbody, Eng, Erak, Fischer, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Taller, Thompson, Tilly, Walk, Warnke, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Clayton, Conner, Craswell, Ehlers, Erickson, Fancher, Flanagan, Fortson, Gilleland, Greengo, Haley, Hansen, Nelson G. A., Newhouse, North, Oliver, Owen, Schmitten, Struthers, Vrooman, Williams, Wilson.

Not voting: Representatives Bond, Deccio, Patterson, Smith, Sommers, Valle, Winsley.

Substitute House Bill No. 327, having received the 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. 546, by Representatives Douthwaite, Conner, Lysen, Lux, Eng, Becker, Nelson (Dick), Enbody, Grier, Charnley, Struthers, Clayton, Nelson (Gary), Dunlap, Sherman, Bender, Maxie, Tilly, Heck, Clemente, Kreidler, Patterson, Berentson, Chandler and Craswell:

Facilitating the use of mopeds.

On motion of Mr. Conner, Substitute House Bill No. 546 was substituted for House Bill No. 546, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 546 was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 546 was placed on final passage.

Mr. Douthwaite spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 546, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Sommers,

Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Hughes, Keller, McKibbin.

Not voting: Representative Smith.

Substitute House Bill No. 546, having received the 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. 678, by Representatives Kilbury, Amen, Vrooman, Hansen and Barr:
Modifying the law on theft of livestock.

On motion of Mr. Kilbury, Substitute House Bill No. 678 was substituted for House Bill No. 678, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 678 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 678 was placed on final passage.

Mr. Kilbury spoke in favor of the bill, and Mr. Charette spoke against it.

Mr. Kilbury rose to speak again on the bill.

POINT OF ORDER

Mr. Charette: "Mr. Speaker, I understood that under consent calendar we were allowed one speech for and one speech against the matter."

The Speaker (Mr. O'Brien presiding): "Representative Charette, a consent calendar is more or less based on a gentleman's agreement. It's hard to avoid one hundred percent noncontroversial arguments. We would hope it would be held to a minimum."

Mr. Kilbury spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 678, and the bill passed the House by the following vote: Yeas, 86; nays, 8; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmittin, Sherman, Shinoda, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Charette, Greengo, Knowles, Leckenby, Smith, Thompson, Williams, Zimmerman.

Not voting: Representatives Haley, Pardini, Salatino, Shinpoch.

Substitute House Bill No. 678, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPECIAL ORDER OF BUSINESS

The hour of 2:00 p.m. having arrived, the Speaker (Mr. O'Brien presiding) stated the question before the House to be the Special Order of Business, House Bill No. 312 on second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at Ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

HOUSE BILL NO. 312, by Representatives Erickson, Chandler and Thompson:

Charging tuition and fees at state institutions of higher education based on portion of educational costs incurred.

The bill was read the second time.

On motion of Ms. Erickson, 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. Thompson moved adoption of the following amendment:

On page 1, section 1, line 27 after "education." strike "For the 1977-79 biennium it" and insert "It"

Mr. Thompson spoke in favor of the amendment, and Representatives Erickson and Chandler spoke against it.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Amen.

Mr. Amen: "Representative Thompson, in your amendment to page 6, it says, 'The cost of instructional services . . . shall be determined by . . . procedures adopted by the council for post-secondary education and approved by the higher education standing committees of the house of representatives and the senate.' In that case these criteria have not been set at present, have they, by the Council on Higher Education or the Council for Post Secondary Education?"

Mr. Thompson: "They have, Representative Amen, and I'm holding a list of those criteria and this list was available to the Higher Education Committee. It is the list of criteria on which the rates are based on in this bill. I don't change those rates with my amendments for this biennium."

Mr. Amen: "Those criteria would then have to be approved by the House and the Senate before these rates could go into effect?"

Mr. Thompson: "My amendment and the original language of the bill both provide for that kind of a process for the future."

Mr. Amen: "How about for the 1977-78 school year? These criteria would have to be approved by the House and Senate before the 1977-78 school year?"

Mr. Thompson: "The House already has adopted them and they are reflected in the tuition rates that are in this bill."

Representatives Newhouse, Leckenby, Shinpoch and Haley spoke in favor of the amendment, and Representatives Enbody, Pardini, Burns, Hurley (George), Maxie and Lux spoke against it.

Mr. Burns demanded an electric roll call and the demand was sustained.

Representatives Taller and Thompson spoke in favor of the amendment, and Representatives Erickson and Knedlik spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Thompson to page 1, line 27 of Substitute House Bill No. 312, and the amendment was not adopted by the following vote: Yeas, 29; nays, 69; not voting, 0.

Voting yea: Representatives Barnes, Bauer, Berentson, Bond, Clayton, Ehlers, Flanagan, Fuller, Gilleland, Haley, Hansen, Hurley M., Leckenby, Lysen, May, McKibbin, Newhouse, Owen, Paris, Polk, Shinpoch, Sommers, Taller, Thompson, Tilly, Valle, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barr, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Struthers, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson.

Mr. Nelson (Gary) moved adoption of the following amendment:

On page 2, line 27 after "the" strike everything down to and including "University" on line 28 and insert "universities"

Mr. Nelson (Gary) spoke in favor of the amendment, and Mr. Chandler spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (Gary) to page 2, line 27 of Substitute House Bill No. 312, and the amendment was not adopted by the following vote: Yeas, 28; nays, 66; not voting, 4.

Voting yea: Representatives Amen, Bender, Bond, Clayton, Craswell, Douthwaite, Dunlap, Fancher, Fischer, Flanagan, Gilleland, Greengo, Hawkins, Leckenby, Lee, Nelson G. A., Newhouse, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Taller, Tilly, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Barr, Bauer, Becker, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Ehlers, Enbody, Eng, Erak, Erickson, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, and Mr. Speaker.

Not voting: Representatives Blair, Lysen, Maxie, Oliver.

The Clerk read the following amendment by Representative Thompson:

On page 2, section 3, beginning on line 36 strike "and thereafter,"

With the consent of the House, Mr. Thompson withdrew the amendment.

On motion of Mr. King, the following amendment by Representatives King and Erickson was adopted:

On page 6, line 18 strike "consistent with the above schedule"

Substitute House Bill No. 312 was ordered engrossed and passed to Committee on Rules for third reading.

EXPLANATION OF VOTE

I voted for the amendments by Representative Thompson to Substitute House Bill No. 312 regarding tuition increases because of these six reasons:

1. They would require a specific percentage that the students pay for tuition. They would be paying approximately one-sixth to one-fourth of costs. It is visible. The public still pays the major subsidy.
2. It asks and compels the institution of higher learning to justify its costs to students and the public.
3. This proposal would remove the heavy political pressures on the legislature every two years. The proposal takes into account actual dollars and provides information to committees working on the tuition criteria.
4. It will help families and students plan their costs better in deciding where to go to college or university.
5. This proposal embodies the ideas and recommendations of the Council on Post Secondary Education after many months of study. It is reasonable.
6. In a time of limited resources, we must set priorities on expenditures and this proposal makes good sense.

HAL ZIMMERMAN, 17th District.

MOTION

On motion of Mr. King, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 15, 1977

HOUSE BILL NO. 67, Prime Sponsor: Representative Sommers, transferring authority for nuclear energy development from the department of commerce and economic development to the state energy office. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Bond, Charnley, Kilbury, Leckenby, Pearsall, Williams, Wilson.

To Committee on Rules for second reading.

April 15, 1977

HOUSE BILL NO. 120, Prime Sponsor: Representative Warnke, establishing a business license center. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

April 15, 1977

HOUSE BILL NO. 625, Prime Sponsor: Representative Becker, authorizing and setting forth rights and powers of central credit unions. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Polk.

To Committee on Rules for second reading.

April 15, 1977

HOUSE BILL NO. 726, Prime Sponsor: Representative Fischer, changing the law on savings and loan associations. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Hurley (Margaret), Knowles, Kreidler, Lux, Polk, Winsley.

To Committee on Rules for second reading.

April 15, 1977

HOUSE BILL NO. 732, Prime Sponsor: Representative Fischer, modifying dates for filing of financial statements by industrial loan companies. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Pardini, Winsley.

To Committee on Rules for second reading.

April 15, 1977

HOUSE BILL NO. 824, Prime Sponsor: Representative Smith, raising from 6% to 8% the interest on loans where no rate is stated. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Fancher, Gallagher, Hansen, Hawkins, Owen, Paris, Struthers.

To Committee on Rules for second reading.

April 15, 1977

HOUSE BILL NO. 908, Prime Sponsor: Representative Warnke, establishing a select joint committee to investigate business inspections. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

April 14, 1977

HOUSE BILL NO. 947, Prime Sponsor: Representative Kilbury, increasing the compensation of directors of irrigation district boards. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Amen, Ranking Minority Member; Clayton, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

April 15, 1977

HOUSE JOINT MEMORIAL NO. 15, Prime Sponsor: Representative Bond, memorializing the President of the United States and several sister states to meet in conference on rising British Columbia gas prices. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:
On page 2, strike all of lines 2, 3 and 4.

Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Berentson, Bond, Charnley, Conner, Kilbury, Leckenby, Pearsall, Williams, Wilson.

To Committee on Rules for second reading.

MOTIONS

Mr. King moved that the House adjourn until 9:30 a.m., Tuesday, April 19, 1977, and the motion failed.

On motion of Mr. King, the House adjourned until 9:31 a.m., Tuesday, April 19, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 19, 1977.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Bond, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages, Julie Allenbaugh and Bob Keller. Prayer was offered by Reverend Stanley Workman of the Evergreen Christian Reformed 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

April 18, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2184,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 18, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2104,

SENATE BILL NO. 2493,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2593,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2184.

INTRODUCTION AND FIRST READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2104, by Committee on Natural Resources (Originally sponsored by Senators Peterson, Talley and Wanamaker):

Authorizing salmon license limitations.

To Committee on Natural Resources

SENATE BILL NO. 2493, by Committee on Higher Education (Endorsed by Senators Sandison, Donohue, Goltz, Benitz, Odegaard, Guess and Scott):

Making miscellaneous changes in community college law.

To Committee on Higher Education

ENGROSSED SUBSTITUTE SENATE BILL NO. 2593, by Committee on Higher Education (Originally sponsored by Senators Sandison and Guess):

Authorizing certain community college programs for military personnel and their dependents, department of defense civilians and their dependents and for U. S. veterans.

To Committee on Higher Education

REPORTS OF STANDING COMMITTEES

April 18, 1977

HOUSE BILL NO. 936, Prime Sponsor: Representative Owen, authorizing cities and towns of less than eight thousand five hundred population to become a part of a rural county library district or intercounty rural library district. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Eng, Fancher, Keller, North, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

April 14, 1977

HOUSE BILL NO. 1230, Prime Sponsor: Representative Kilbury, revising requirements for form and denominations of irrigation bonds. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Amen, Ranking Minority Member; Clayton, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

April 15, 1977

HOUSE BILL NO. 1315, Prime Sponsor: Representative Warnke; creating the professional and regulatory committee of the legislature. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

April 18, 1977

SENATE BILL NO. 2314, Prime Sponsor: Senator Sellar, increasing county auditor's fees for official services. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Eng, Fancher, Gilleland, Keller, Shinoda, Vrooman.

To Committee on Rules for second reading.

April 18, 1977

ENGROSSED SENATE BILL NO. 3019, Prime Sponsor: Senator Odegaard, making an appropriation to the superintendent of public instruction for disbursement to certain school districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Craswell, Ehlers, Fortson, Fuller, Lee, Schmitten, Whiteside.

MOTION

On motion of Mr. Bender, Engrossed Senate Bill No. 3019 was rereferred to Committee on Appropriations.

The Speaker declared the House to be at ease.

The Speaker (Mr. Charnley presiding) called the House to order.

MOTIONS

On motion of Mr. Bender, the House advanced to the eighth order of business.

The Speaker (Mr. Charnley presiding) stated the question before the House to be the motion by Representative Deccio that the Committee on State Government be relieved of HOUSE BILL NO. 198, and that the bill be rereferred to Committee on Appropriations.

Representatives Deccio and Struthers spoke in favor of the motion, and Representatives Ehlers and Shinpoch spoke against it.

Mr. Pardini 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 Bauer, Blair, Bond and Maxie.

MOTION

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Bond, who was excused.

MOTION

On motion of Mr. King, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 728, by Representatives Winsley, Erickson, Conner and Craswell:

Modifying laws relating to collection of property taxes and the sale of property acquired for nonpayment of taxes.

On motion of Ms. Sommers, Substitute House Bill No. 728 was substituted for House Bill No. 728, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 728 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 728 was placed on final passage.

Mrs. Winsley spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Knedlik.

Mr. Knedlik: "Representative Sommers, I notice there is a considerable amount of language deleted in section 1, and I was wondering if you could indicate to us what the end result of that deletion is?"

Ms. Sommers: "The only change in section 1 is the change of the interest rate. There are some eighteen lines of language deleted and perhaps six lines added. What we are trying to do here is bring some clarity to the property tax statutes. We discovered that this section had been amended so many times that it was almost incomprehensible. Although there is extensive deletion and brief addition, the only real change in this section is that of the interest rate."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 728, and the bill passed the House by the following vote: Yeas, 87; nays, 6; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Conner, Fortson, Hurley G. S., Owen, Williams.

Not voting: Representatives Bond, Hansen, Heck, Moreau, North.

Substitute House Bill No. 728, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1229, by Representative Bender:

Revising laws relating to boiler inspections.

The bill was read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and House Bill No. 1229 was placed on final passage.

Mr. Bender spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1229, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen,

Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Heck, North.

House Bill No. 1229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 675, by Representatives Fischer, Adams, Sherman, Erickson, North, Clemente, Hughes, Salatino, Nelson (Dick), Vrooman, Burns, Keller, Pearsall, Grier, Owen, Hanna, Gruger, Gallagher, Bauer, Bender, Charnley, Knowles, Williams, Gaines, McCormick, Maxie, Grimm, Hurley (George), Douthwaite, Lux, Martinis, Sommers and Walk:

Abolishing pay toilets and requiring certain places of public accomodation to have free public toilet facilities.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 675 was substituted for House Bill No. 675, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 675 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 675 was placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 675, and the bill passed the House by the following vote: Yeas, 81; nays, 13; not voting, 4.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Schmitten, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Chandler, Dunlap, Gilleland, Greengo, McKibbin, Nelson G. A., Newhouse, Polk, Sanders, Tilly, Wilson, Zimmerman.

Not voting: Representatives Bond, Lux, Pardini, Sherman.

Substitute House Bill No. 675, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 828, by Representatives King, Enbody, Berentson and Polk:

Authorizing civil penalties against collection agencies.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and House Bill No. 828 was placed on final passage.

Representatives King and Greengo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 828, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Oliver, Tilly.

House Bill No. 828, having received the 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. 553, by Representatives May, Thompson, Knowles, Lux, Kilbury, Grier, Clemente and Fischer:

Exempting certain theatre employees from the law establishing a minimum overtime wage.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 21st Day ex. sess., March 31, 1977.)

On motion of Mr. Lux, the committee amendment was adopted.

House Bill No. 553 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 553 was placed on final passage.

Mr. May spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 553, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Teller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haley, Heck.

Engrossed House Bill No. 553, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 777, by Committee on Commerce (Originally sponsored by Representatives O'Brien, Warnke, Berentson, Chandler, Gaines, Valle, Charnley, Thompson, Conner, McCormick, Burns, Bender, Maxie and Adams):

Authorizing the construction of a cultural arts center in Federal Way.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 39th Day ex. sess., April 18, 1977.)

The Speaker stated the question before the House to be the following amendment by Representative Fischer:

On page 1, line 26 after "facility" strike "and located in South King County in the vicinity of the unincorporated area of Federal Way"

Representatives Shinoda, Fischer and Nelson (Gary) spoke in favor of the amendment, and Representatives Paris, O'Brien, Warnke and Shinpoch spoke against it.

The amendment was not adopted.

Mr. Deccio moved adoption of the following amendment by Representatives Deccio and Amen:

On page 1, line 29 strike "general obligation" and insert "revenue"

Representatives Deccio and Greengo spoke in favor of the amendment, and Representatives Barnes and Warnke spoke against it.

Mr. Deccio spoke again in favor of the amendment, and Mr. Warnke spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Deccio and Amen to Substitute House Bill No. 777, and the amendment was not adopted by the following vote: Yeas, 27; nays, 67, not voting, 4.

Voting yea: Representatives Amen, Barr, Bender, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Fischer, Flanagan, Fuller, Gilleland, Greengo, Hurley G. S., King, Lee, Martinis, Nelson G. A., Oliver, Patterson, Polk, Sanders, Shinoda, Struthers, Taller, Whiteside.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Schmittten, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Pardini, Paris, Tilly.

SPEAKER'S PRIVILEGE

The Speaker recognized within the House Chamber representatives from the Prefectory Government Assembly in Kobi, Japan, Sister City of Seattle, and requested Representatives Hansen, Shinoda, O'Brien and Berentson to escort them to the rostrum.

The Speaker introduced Speaker Hiroshi Washio, Secretary Kyoichiro Hoshikawa and the interpreter, Kotoro Yamada. Speaker Washio spoke briefly to the House and the Speaker requested the escort committee to escort the delegation from the House Chamber.

The House resumed consideration of Substitute House Bill No. 777 on second reading.

Mr. Leckenby moved adoption of the following amendment:

On page 2, line 4 strike "thirty" and insert "twelve"

Mr. Leckenby spoke in favor of the amendment, and Mr. Shipoch spoke against it. Mr. Leckenby spoke again in favor of the amendment.

The amendment was not adopted.

The Speaker called on Mr. O'Brien to preside.

The Clerk read the following amendment by Representatives Deccio and Amen:

On page 2, line 11 beginning with "The" strike all material down to and including "due." on line 13

With the consent of the House, Mr. Deccio withdrew the amendment.

Mr. Fischer moved adoption of the following amendment:

On page 3, line 34 after "committee" insert ", and of whom one shall be a member of the Washington State Arts Commission"

Mr. Fischer spoke in favor of the amendment, and Mr. Warnke spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representative Fischer:

On page 4, beginning on line 5 strike all of subsection (5) and insert a new subsection to read as follows: "(5) One member appointed by the Snohomish County Board of Commissioners who may or may not be a board member; and"

With the consent of the House, Mr. Fischer withdrew the amendment.

Substitute House Bill No. 777 was passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 27, by Representatives Sommers, Conner and Haley (by Executive request of Governor Ray):

Amending the Constitution to authorize the governor to organize and reorganize the executive branch of state government.

On motion of Mr. Ehlers, Second Substitute House Joint Resolution No. 27 was substituted for House Joint Resolution No. 27, and the second substitute resolution was placed on the calendar for second reading.

Second Substitute House Joint Resolution No. 27 was read the second time and passed to Committee on Rules for third reading.

MOTION

Mr. Bender moved that the Rules Committee be relieved of Second Substitute House Joint Resolution No. 27, and the resolution be placed on the second reading calendar for today.

POINT OF PARLIAMENTARY INQUIRY

Mr. Tilly: "What sort of majority vote does it take to do this?"

The Speaker (Mr. O'Brien presiding): "A simple majority vote."

Mr. Tilly: "Aren't we suspending the rules?"

The Speaker (Mr. O'Brien presiding): "It takes a constitutional majority of all members of the House to relieve the Rules Committee of a bill."

Mr. Tilly spoke in favor of the motion.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "If the Rules Committee is relieved of this bill by a majority vote, will you tell the body in which status that bill will be when it comes back before us?"

The Speaker (Mr. O'Brien presiding): "It will come back on second reading."

Mr. Pardini: "It has been through second reading."

The Speaker (Mr. O'Brien presiding): "It has been through second reading, but we'll bring it back and place it on second reading again."

MOTION

Mr. Tilly moved to amend the motion by Representative Bender to also relieve the Rules Committee of House Bill No. 198.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your motion isn't germane to the question at hand."

The motion by Representative Bender was carried.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Second Substitute House Joint Resolution No. 27 was placed on third reading.

Representatives Sommers, Nelson (Gary), Taller and Ehlers spoke in favor of passage of the resolution, and Representative Zimmerman spoke against it.

POINT OF INQUIRY

Mr. Nelson (Gary) yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Nelson, under the provisions of the Joint Resolution, a reference is made to twenty agencies that could be established and I'm wondering if the Legislature itself is limited to the twenty, or whether or not, in the wisdom of the Legislature, there would come a time in the future when there would be a necessity of creating a separate board or commission to handle very important areas of state government that should not be under the control of the legislature or the executive branch, would we be limiting ourselves to this resolution?"

Mr. Nelson (Gary): "The first paragraph of this resolution strictly takes care of what has to be done by 1980. After that period of time it is open season again for the Legislature to pursue those additional commissions or boards that we feel might be in the best interest of this state, so there would be an opportunity to add beyond the twenty. This is limited right off the bat as to what the Governor's goal should be by the end of 1979."

Mr. Patterson: "So you're saying it really doesn't limit the ability of the Legislature to create additional agencies or commissions, over and above the twenty limitation here?"

Mr. Nelson (Gary): "That's correct, beyond 1980 we can go ahead."

Mr. King demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Joint Resolution No. 27, and the resolution received the constitutional two-thirds majority by the following vote: Yeas, 81; nays, 15; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Clayton, Douthwaite, Fancher, Gilleland, Grimm, McKibbin, Newhouse, Pardini, Sanders, Tilly, Williams, Wilson, Zimmerman.

Not voting: Representatives Bond, Flanagan.

Second Substitute House Joint Resolution No. 27, having received the constitutional two-thirds majority, was declared passed.

MOTION

On motion of Mr. King, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 18, 1977

HOUSE BILL NO. 39, Prime Sponsor: Representative Clemente, revising the state industrial insurance laws. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt.

To Committee on Rules for second reading.

April 13, 1977

HOUSE BILL NO. 92, Prime Sponsor: Representative Gaines, establishing a state lottery. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shipoch, Chairman; McKibbin, Vice Chairman; Bauer, Charette, Ehlers, Hawkins, Heck, Hughes, Keller, Maxie, Pardini, Thompson, Vrooman, Warnke.

MINORITY recommendation: Do not pass. Signed by Representative Zimmerman.

To Committee on Rules for second reading.

April 18, 1977

HOUSE BILL NO. 634, Prime Sponsor: Representative Thompson, changing the fees charged by secretary of state for filing by corporations. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Salatino, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

April 18, 1977

HOUSE BILL NO. 735, Prime Sponsor: Representative Newhouse, modifying procedures in industrial insurance appeals. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shipoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Becker, Boldt, Ehlers, Hawkins, Heck, Hughes, Lee, Pardini, Thompson, Valle, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representative Charette.

To Committee on Rules for second reading.

April 18, 1977

HOUSE BILL NO. 867, Prime Sponsor: Representative Sommers, creating a revised LEOFF retirement system. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Boldt, Ehlers, Hawkins, Heck, Hughes, Lee, Pardini, Thompson, Valle, Zimmerman.

MINORITY recommendation: Do not pass. Signed by Representative Charette.

To Committee on Rules for second reading.

April 15, 1977

HOUSE FLOOR RESOLUTION NO. 77-11, Prime Sponsor: Representative Burns, UTC, contributions. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On line 25 after "for" strike the remainder of the paragraph and insert "recently allowing certain utilities to pass the cost of contributions for charitable, social or community welfare purposes directly to rate payers when the rate payers receive no direct benefit from those contributions, and, further, that it be encouraged to examine all contributions and donations claimed by utilities as operating expenses and allow only those of direct benefit to the utility rate payer."

Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Conner, Grimm, Kilbury, McKibbin, Pearsall, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Dunlap, Ranking Minority Member; Bond, Leckenby, Wilson.

To Committee on Rules for second reading.

April 18, 1977

ENGROSSED SENATE BILL NO. 2166, Prime Sponsor: Senator Odegaard, transferring the powers, duties, and functions of the printing and duplicating committee to the newly-created printing and duplicating management center. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 28 insert a new section to read as follows:

"NEW SECTION. Sec. 9. To carry out the provisions of this act there is appropriated to the department of general administration from the general fund for the biennium ending June 30, 1979, the sum of one hundred sixty-six thousand two hundred sixty-five dollars, or so much thereof as shall be necessary."

On page 1, line 8 of the title after "43.77.040;" strike "and" and on line 9 after "43.77.050" insert "; and making an appropriation"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

April 18, 1977

SENATE BILL NO. 2180, Prime Sponsor: Senator Bottiger, increasing the maximum limit for revenue of small water companies not subject to regulation. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Charnley, Grimm, Kilbury, Leckenby, McCormick, McKibbin, Wilson.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, by Committee on Higher Education (Originally sponsored by Representatives Erickson, Chandler and Thompson):

Charging tuition and fees at state institutions of higher education based on portion of educational costs incurred.

The bill was read the third time and placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 312, and the bill passed the House by the following vote: Yeas, 60; nays, 36; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Blair, Boldt, Chandler, Charnley, Clayton, Clemente, Craswell, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pearsall, Pruitt, Sanders, Sherman, Shinpoch, Smith, Sommers, Taller, Valle, Vrooman, Walk, Whiteside, and Mr. Speaker.

Voting nay: Representatives Bender, Berentson, Burns, Charette, Conner, Deccio, Douthwaite, Enbody, Erak, Fuller, Gaines, Gilleland, Greengo, Haley, King, Leckenby, Lux, Maxie, May, Nelson G. A., Newhouse, Pardini, Paris, Patterson, Polk, Salatino, Schmittin, Shinoda, Struthers, Thompson, Tilly, Warnke, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Dunlap.

Engrossed 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.

STATEMENT FOR THE JOURNAL

I wish to change my vote from "Nay" to "Aye" on Engrossed Substitute House Bill No. 312.

ALEX DECCIO, 14th District.

MOTIONS

On motion of Mr. King, the House advanced to the eighth order of business.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Deccio that HOUSE BILL NO. 198 be rereferred from Committee on State Government to Committee on Appropriations.

Mr. Deccio spoke in favor of the motion.

Mr. King demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 198 from Committee on State Government to Committee on Appropriations, and the motion was lost by the following vote: Yeas, 35; nays, 61; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinoda, Shinpoch, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Erak.

NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Pardini served notice that he would, on the next working day, offer an amendment to House Rule 66.

MOTIONS

On motion of Mr. Bender, HOUSE BILL NO. 411 was rereferred from Committee on Insurance to Committee on Judiciary.

On motion of Mr. Bender, ENGROSSED SENATE BILL NO. 2769 was rereferred from Committee on Commerce to Committee on Labor.

On motion of Mr. King, the House adjourned until 11:00 a.m., Wednesday, April 20, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 20, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Gilleland, Leckenby, North, Polk and Struthers, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Davis and Tom Fuller. Prayer was offered by Reverend Stanley Workman of the Evergreen Christian Reformed 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

April 19, 1977

TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:

I have the honor to advise that on April 19, 1977, Governor Ray approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 23: Establishing a dental disciplinary board.

Sincerely,
Joe Zaspel, Legislative Assistant.

MESSAGE FROM THE SENATE

April 19, 1977

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE JOINT RESOLUTION NO. 104,
SENATE JOINT RESOLUTION NO. 113,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

REENGROSSED SENATE JOINT RESOLUTION NO. 104, by Senators Francis, Clarke, Marsh and Van Hollebeke:

Amending the Constitution to adopt a new judicial article.

To Committee on Judiciary

SENATE JOINT RESOLUTION NO. 113, by Senators Van Hollebeke, Francis, Washington, Jones, Day, Mardesich, Marsh, Murray, Goltz, Bailey, Benitz, von Reichbauer, Grant, Ridder, Bluechel, Walgren, Matson, Hayner, Bottiger, Sellar, Henry, Gaspard, Newschwander, Lewis, Woody and Bausch:

Amending the Constitution to increase the jurisdictional limits of justices of the peace.

To Committee on Judiciary

HOUSE CONCURRENT RESOLUTION NO. 31, by Representative King:

Calling Joint Session of the legislature for the purpose of receiving the Governor of Alaska.

MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 31 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 31 was placed on final passage and adopted.

REPORTS OF STANDING COMMITTEES

April 18, 1977

HOUSE BILL NO. 116, Prime Sponsor: Representative Douthwaite, extending the pilotage act to include waters from Port Angeles to Cape Flattery. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 21 add a new section to read as follows:

"Sec. 2. Section 4, chapter 18, Laws of 1935 as last amended by section 3, chapter 297, Laws of 1971 ex. sess. and RCW 88.16.070 are each amended to read as follows:

All vessels under enrollment and all vessels engaged exclusively in the coasting trade on the west coast of the continental United States (including Alaska) and/or British Columbia shall be exempt from the provisions of this chapter unless a pilot licensed under this chapter be actually employed, in which case the pilotage rates provided for in this chapter shall apply. Every vessel not so exempt, shall while navigating Puget Sound and adjacent inland waters, Grays Harbor and Willapa Bay, employ a pilot licensed under the provisions of this chapter and shall be liable for and pay pilotage rates in accordance with the pilotage rates herein established or which may hereafter be established under the provisions of the chapter: PROVIDED, ~~((That the Washington pilotage commission, immediately after May 21, 1971, shall conduct a study of the need to require employment of pilots licensed under the provisions of this chapter on all vessels entering into Puget Sound and adjacent inland waters, together with an assessment of the legality and feasibility of such requirement. The commission shall report the results of such study together with recommended legislative action to the next session of the legislature))~~ That ships first bound for Canadian ports or ships carrying licensed Canadian pilots shall be exempt from the provisions of this act during transit through the Strait of Juan de Fuca, Haro Strait, Boundary Pass and the Strait of Georgia, if pilotage is provided in accordance with the laws of the Dominion of Canada."

Signed by Representatives Conner, Chairman; Bender, Burns, Charnley, Clemente, Dunlap, Gaines, Gallagher, Grier, Sherman, Walk.

To Committee on Rules for second reading.

April 18, 1977

HOUSE BILL NO. 671, Prime Sponsor: Representative Smith, listing readiness requirements for ships before pilotage. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 after "helm is on" strike "hand" and insert "manual"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Bender, Burns, Charnley, Clayton, Clemente, Gallagher, Grier, McCormick, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 1257, Prime Sponsor: Representative Kilbury, authorizing mosquito control districts to establish rates and charges against property in the district. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Amen, Ranking Minority Member; Becker, Boldt, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

April 18, 1977

HOUSE BILL NO. 1268, Prime Sponsor: Representative Ehlers, permitting motor vehicle headlamps which meet international standards. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Gaines, Gallagher, Grier, McCormick, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 19, 1977

HOUSE JOINT MEMORIAL NO. 9, Prime Sponsor: Representative Kilbury, requesting Congress to relieve economic pressure on cattle industry. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Amen, Ranking Minority Member; Boldt, Fancher, Flanagan, Hansen.

To Committee on Rules for second reading.

SENATE BILL

April 19, 1977

ENGROSSED SENATE BILL NO. 2441, Prime Sponsor: Senator Donohue, providing for disbursement of certain funds to counties to upgrade certain horse race courses. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Clayton, Flanagan, Hansen.

MOTION

On motion of Mr. King, Engrossed Senate Bill No. 2441 was rereferred to Committee on Appropriations.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Leckenby and Moreau. Representatives Bond and Leckenby were excused.

MOTION

On motion of Mr. Bender, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 76, by Representatives Williams, Polk, Ehlers and Burns:

Providing in state building code for fire stairs and fire elevators in historic structures.

On motion of Mr. Bender, Substitute House Bill No. 76 was substituted for House Bill No. 76, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 76 was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 76 was placed on final passage.

Mr. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 76, and the bill passed the House by the following vote: Yeas, 74; nays, 3; not voting, 21.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna,

Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Vrooman, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Fancher, Oliver, Sanders.

Not voting: Representatives Bauer, Bond, Craswell, Deccio, Dunlap, Enbody, Grimm, Hurley G. S., Hurley M., Leckenby, Lee, Lux, Lysen, Moreau, Owen, Shinoda, Thompson, Valle, Walk, Wilson, Winsley.

Substitute House Bill No. 76, having received the 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. 320, by Representatives Fortson, Whiteside, Adams, Gruger, Kreidler, Shinpoch, Lux, Pearsall, Pruitt, Haley, Hanna, Knedlik and Nelson (Dick):

Licensing adult day care centers.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 320 was substituted for House Bill No. 320, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 320 was read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 320 was placed on final passage.

Mrs. Fortson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 320, and the bill passed the House by the following vote: Yeas, 77; nays, 6; not voting, 15.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Vrooman, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Chandler, Greengo, Pardini, Polk.

Not voting: Representatives Bond, Dunlap, Enbody, Grimm, Leckenby, Lee, Moreau, Oliver, Owen, Thompson, Tilly, Valle, Walk, Whiteside, Winsley.

Substitute House Bill No. 320, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 382, by Representatives Taller, Oliver, Lee, Chandler, Polk, Blair, Fuller, Fancher, Schmitt and Bond:

Exempting prescription drugs sold to the state or political subdivisions from sales tax.

The bill was read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and House Bill No. 382 was placed on final passage.

Mr. Taller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 382, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Bond, Dunlap, Enbody, Grimm, Leckenby, Lee, May, Moreau, Owen, Thompson, Walk.

House Bill No. 382, having received the 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. 453, by Representatives Smith, Knedlik, Pardini, Greengo, Charnley, Williams, Walk, North, Burns, Sherman, Gruger, Lux, Knowles, May, Bender, Gallagher, Keller, Enbody, Clemente, Heck, Vrooman, Kreidler, Boldt, Adams, Grier, Hurley (Margaret), Hughes, Erickson, Thompson, Sommers, Owen, Grimm, Struthers, Zimmerman, Dunlap, Becker, Shipoch, Ehlers, Deccio and Sanders:

Making it unlawful to interfere with the attendance or testimony of any person before the legislature or regulatory agency or to punish any person therefor.

The bill was read the second time.

On motion of Mr. Smith, Substitute House Bill No. 453 was substituted for House Bill No. 453, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 453 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 453 was placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 453, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Dunlap, Enbody, Leckenby, Moreau, Owen, Shinoda, and Mr. Speaker.

Substitute House Bill No. 453, having received the 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. 512, by Representatives Kreidler, Keller and Thompson:

Permitting counties, cities, and districts to make direct bank deposits of salaries.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 512 was substituted for House Bill No. 512, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 512 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 512 was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 512, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bond, Enbody, Leckenby, Moreau, Owen, Shinoda.

Substitute House Bill No. 512, having received the 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. 515, by Representatives Hansen, Smith and Patterson:

Broadening the definition of negligent driving.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 515 was placed on final passage:

Mr. Hansen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 515, and the bill passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shipnosh, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Pardini, Struthers.

Not voting: Representatives Berentson, Bond, Deccio, Enbody, Gruger, Hanna, Leckenby, Schmittchen, Shinoda.

House Bill No. 515, having received the 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. 582, by Representatives Whiteside, Deccio, Newhouse, Clayton, Hansen and Flanagan:

Creating the Yakima river conservation area.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 582 was placed on final passage.

Representatives Whiteside and Zimmerman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 582, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmittchen, Sherman, Shipnosh, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Douthwaite, Flanagan.

Not voting: Representatives Bond, Enbody, Leckenby, Shinoda.

House Bill No. 582, having received the 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. 627, by Representatives Schmittchen, Hansen, Flanagan and Taller:

Authorizing irrigation districts to merge existing sewer districts.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 29th Day ex. sess., April 8, 1977.)

On motion of Mr. Thompson, the committee amendments were adopted.

House Bill No. 627 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 627 was placed on final passage.

Mr. Schmitten spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 627, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bender, Bond, Enbody, Leckenby, Salatino.

Engrossed House Bill No. 627, having received the 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. 694, by Representatives Boldt and Kilbury:

Authorizing the state patrol to dispose of certain real property.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 694 was placed on final passage.

Mr. Boldt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 694, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Deccio, Leckenby, O'Brien, Shinoda.

House Bill No. 694, having received the 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. 726, by Representatives Fischer, Knowles, Pardini, Polk and Eng:

Changing the law on savings and loan associations.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 726 was substituted for House Bill No. 726, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 726 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 726 was placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 726, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines,

Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bond, Leckenby, Oliver.

Substitute House Bill No. 726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 307, by Representatives Hanna, Becker, Struthers, Salatino, Knowles, Deccio, Greengo, Fischer and Nelson (Dick):

Providing funds for local criminal justice programs.

The bill was read the second time.

On motion of Mr. Hanna, Second Substitute House Bill No. 307 was substituted for House Bill No. 307, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 307 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 307 was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Hanna yielded to question by Mrs. North.

Mrs. North: "Representative Hanna, I'm very concerned about the site of a mini-prison in the 47th District. Does this have anything to do with situating a mini-prison in the 47th District?"

Mr. Hanna: "It simply grandfathers four mini-prisons into your district. No, seriously, this bill would not in any way relate to mini-prisons. That will be in the capital budget if there is going to be any at all."

Mr. Struthers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 307, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Ehlers, McKibbin.

Not voting: Representatives Bond, Leckenby.

Second Substitute House Bill No. 307, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE HOUSE BILL NO. 371, by Committee on Institutions (Originally sponsored by Representatives Becker, Hanna, Deccio, Knowles, Fischer, Salatino, Nelson [Dick] and Maxie):

Revising the juvenile justice and care system.

The bill was read the second time.

On motion of Ms. Becker, Third Substitute House Bill No. 371 was substituted for Substitute House Bill No. 371, and the third substitute bill was placed on the calendar for second reading.

Third Substitute House Bill No. 371 was read the second time.

Mr. Paris moved adoption of the following amendment by Representatives Paris, Zimmerman and Becker:

On page 7, following subsection (5) insert a new subsection as follows:

"(6) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversionary interview, the parent or legal guardian of said juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile."

Representatives Paris and Becker spoke in favor of the amendment, and it was adopted.

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman, Chandler and Tilly:

On page 8, beginning on line 30 strike subsection (b) and reletter the remaining subsections.

Representatives Zimmerman and Tilly spoke in favor of the amendment, and Representatives Becker, Charette and Hanna spoke against it.

Mr. Zimmerman spoke again in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment was not adopted.

Mr. Struthers moved adoption of the following amendment:

On page 11, line 35 beginning with "The right" strike all the material down to and including "attorney." on line 36.

Mr. Struthers spoke in favor of the amendment, and Ms. Becker spoke against it.

POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Becker, in the matter of waiving counsel, does this bill provide that the youth by himself or herself could waive counsel without parental consent?"

Ms. Becker: "Yes."

Mr. Pardini: "If this sentence remains in there, the youth by himself or herself could waive counsel?"

Ms. Becker: "After an initial interview by an attorney."

Mr. Pardini spoke in favor of the amendment, and Mr. Charette spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to Third Substitute House Bill No. 371, and the amendment was not adopted by the following vote: Yeas, 20; nays, 70; not voting, 8.

Voting yea: Representatives Amen, Berentson, Chandler, Craswell, Deccio, Dunlap, Fancher, Flanagan, Gilleland, Lee, Pardini, Paris, Patterson, Sanders, Schmitt, Shinoda, Struthers, Tilly, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Clayton, Enbody, Hansen, Leckenby, Polk, Sommers, Taller.

Mr. Tilly moved adoption of the following amendment:

On page 12, after line 4 insert a new subsection as follows:

"(3) Court costs and expenses of counsel may be assessed against the juvenile and/or his parent pursuant to the provisions and requirements of RCW 10.01.160, RCW 10.01.170 and RCW 10.01.180."

Mr. Tilly spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "On page 11, line 34—it has been commented by Representative Charette that if the parent, guardian or custodian refuses to pay for counsel the child shall not be deprived of counsel. Under your amendment, suppose the parent or guardian or custodian refuses to pay for counsel, what would happen?"

Mr. Tilly: "My intent would be that if they have the means to pay for it the courts could require them to pay for it and I believe that's fair."

Representatives Douthwaite, Becker and Charette spoke against adoption of the amendment.

Mr. Tilly spoke again in favor of the amendment, and Ms. Becker spoke again in opposition to it.

The amendment was not adopted.

Mr. Paris moved adoption of the following amendment by Representatives Paris and Becker:

On page 15, after line 30 insert a new subsection as follows:

"(3) In making its dispositional order, the court, where appropriate, shall impress upon the offender's parents or guardian the role and responsibility of such individuals in raising and guiding the youth to become a responsible citizen."

Mr. Paris spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Paris yielded to question by Mr. Owen.

Mr. Owen: "I'm curious as to how this would be carried out?"

Mr. Paris: "First of all, I don't know if you have attended hearings when juveniles are brought before judges or before a juvenile court, but some parents would be there, in fact, most parents would be there, but some of the parents have not taken a responsible position in raising their children, and have not imposed what most of us consider reasonable restraint on their children in terms of training, and therefore, this would simply be an opportunity for these parents in such a situation to receive that kind of guidance."

The amendment was adopted.

Mr. Tilly moved adoption of the following amendment:

On page 22, line 34 after "authority" insert ", or the judge(s) assigned to juvenile court if so delegated the responsibility,"

Representatives Tilly and Becker spoke in favor of the amendment, and it was adopted.

Mr. Amen moved adoption of the following amendment by Representatives Amen and Zimmerman:

On page 29, line 34 beginning with "A crime" strike all the material down to and including "proceeding," on page 30, line 1.

Representatives Amen, Zimmerman and Pardini spoke in favor of the amendment, and Representatives Becker, Hanna and Charette spoke against it.

Ms. Becker spoke again in opposition to the amendment.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Newhouse.

Mr. Newhouse: "I'd like to know, Representative Charette, in reading the bill I see no penalty clause and with a restriction like this on the victim of the crime, if the victim or his family were to divulge the name of the perpetrator of that crime, being a juvenile, what kind of a penalty could you assess and why have such a thing in this bill at all?"

Mr. Charette: "I would assume that it would be a misdemeanor and I believe the reason that second sentence is in there is so that the information can be given to the person who is the victim of the crime if necessary. Obviously this gives some latitude to the prosecuting authority, but it is a misdemeanor. I think the two sentences go together and it might be better to

strike the whole section than just half the section, but of course, I wouldn't want to strike the whole section."

Representatives Newhouse and Owen spoke in favor of the amendment.

Mr. Patterson demanded an electric roll call and the demand was sustained.

Mr. Amen spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Amen and Zimmerman to Third Substitute House Bill No. 371, and the amendment was adopted by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Dunlap, Ehlers, Eng, Erickson, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Hansen, Heck, Hughes, Hurley G. S., Hurley M., King, Knedlik, Kreidler, Lee, Lux, Martinis, McKibbin, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Boldt, Burns, Charette, Conner, Douthwaite, Enbody, Erak, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Keller, Kilbury, Knowles, Lysen, Maxie, May, McCormick, Nelson D., O'Brien, Pearsall, Salatino, Shinpoch, Thompson, Valle, Warnke, and Mr. Speaker.

Not voting: Representatives Bond, Leckenby, Moreau.

Third Substitute House Bill No. 371 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Third Substitute House Bill No. 371 was placed on final passage.

MOTION

On motion of Mr. Bender, further consideration of Engrossed Third Substitute House Bill No. 371 was deferred, and the bill was ordered held for the third reading calendar tomorrow.

HOUSE BILL NO. 874, by Representatives Salatino, Becker, Hanna, Hurley (George), Barr and Struthers:

Modifying the conditions for receiving state funds for probation services.

The bill was read the second time.

On motion of Mr. Hanna, Second Substitute House Bill No. 874 was substituted for House Bill No. 874, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 874 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 874 was placed on final passage.

Mr. Salatino spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 874, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Pearsall, Wilson.

Not voting: Representatives Bond, Keller, Leckenby.

Second Substitute House Bill No. 874, having received the 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. 2082, by Committee on State Government (Originally sponsored by Senators Wilson, Rasmussen, Cunningham, Gould, Sandison, Donohue, Wanamaker, Day, Odegaard and Wojahn):

Establishing procedures for abolishing state agencies.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 28th Day ex. sess., April 7, 1977.)

Mr. Ehlers moved adoption of the committee amendment.

On motion of Mr. Walk, the following amendments by Representatives Walk and Taller to the committee amendment were adopted:

On page 3, line 42 of the amendment, after "entities" insert "or of the private sector, where appropriate"

On page 4, line 17 of the amendment, after "agencies" insert "or of the private sector, where appropriate"

The committee amendment as amended was adopted.

On motion of Mr. Ehlers, the committee amendment to the title was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2082 as amended by the House was placed on final passage.

Representatives Ehlers and Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2082 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bond, Keller, Leckenby, Tilly.

Substitute Senate Bill No. 2082 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House advanced to the eleventh order of business.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, normally when we move to the eleventh order of business, it means we're going to take the rest of the afternoon off. Yesterday I gave notice of a proposed rule change under Rule 85, and I'm wondering what disposition is going to be made of that notice now? Do I need to renew my notice? Are we going to take it up?"

The Speaker (Mr. O'Brien presiding): "Your question will be considered under the eighth order of business."

Mr. Pardini: "I guess my question is, Mr. Speaker, normally when we go to the eleventh order of business at 3:30 in the afternoon, it means we're going to quit for the day. I don't mind that, but do I have to give another notice for another twenty-four hours?"

The Speaker (Mr. O'Brien presiding): "Your notice has been received."

MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, April 21, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 21, 1977.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Erickson, Leckenby, O'Brien, Pardini and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mary Greengo and Chris Wolf. Prayer was offered by Reverend Stanley Workman of the Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 20, 1977

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 31,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 31.

REPORTS OF STANDING COMMITTEES

April 19, 1977

HOUSE BILL NO. 253, Prime Sponsor: Representative Fortson, establishing a mechanism for the provision of adult protective services. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Haley, Hanna, Lux, Pruitt, Schmitten.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 317, Prime Sponsor: Representative Hansen, pertaining to the aircraft fuel excise tax. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Bender, Burns, Charnley, Clayton, Clemente, Gallagher, Grier, Lysen, McCormick, Paris, Patterson, Sherman, Wilson.

MOTION

On motion of Mr. Bender, House Bill No. 317 was rereferred to Committee on Revenue.

April 19, 1977

HOUSE BILL NO. 348, Prime Sponsor: Representative Fortson, permitting emergency suspension or restriction of nursing home operations. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Haley, Hanna, Lux, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 477, Prime Sponsor: Representative Heck, providing for the expunging of pupil learning/language disabilities from school reports. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bender, Craswell, Fortson, Fuller, Lee, Schmitten, Whiteside.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 482, Prime Sponsor: Representative Gaines, authorizing wagering under certain specified conditions for food, beverages, and music. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, beginning on line 33 strike all material through "subsection." on page 4, line 7 and insert the following:

"(7) The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping or matching of coins on the premises of an establishment in the business of selling food or beverage for consumption on the premises to determine who will pay for certain items of food, beverage, or music served or provided on that day by that establishment. Such establishments are hereby authorized to possess dice and dice cups on their premises but only for use in such limited wagering."

Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Gallagher, Hansen, Hawkins, Owen, Shinoda, Struthers, Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Greengo, Paris.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 498, Prime Sponsor: Representative Valle, limiting forced overtime. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lux, Chairman; Fischer, King, Nelson (Dick), Pruitt.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 522, Prime Sponsor: Representative Sommers, phasing out tax credits and exemptions for pollution control facilities. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Erickson, Kilbury, Nelson (Dick).

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 532, Prime Sponsor: Representative Fortson, mandating examining and accrediting by state board of education of all schools within school district. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, add a new section following section 1 as follows:

"NEW SECTION. Sec. 2. There is hereby appropriated from the general fund to the superintendent of public instruction for the biennium ending June 30, 1979, the sum of ninety-six thousand four hundred sixty-six dollars, or so much thereof as may be necessary to carry out the purposes and intent of this act."

On page 1, line 4 of the title after "RCW 28A.04.120" insert "; and making an appropriation"

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitten, Valle, Whiteside.

To Committee on Rules for second reading.

April 18, 1977

HOUSE BILL NO. 615, Prime Sponsor: Representative Enbody, enacting the "Comprehensive Sentencing Act of 1977". Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 695, Prime Sponsor: Representative Conner, restricting the regulation of storage warehouses to household goods storage warehouses. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Berentson, Charnley, Clayton, Gaines, Gallagher, Grier, Paris, Patterson, Walk, Wilson.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 712, Prime Sponsor: Representative Conner, repealing provisions pertaining to warehousemen and wharfingers. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Dunlap, Gaines, Gallagher, Grier, Paris, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 768, Prime Sponsor: Representative Moreau, implementing the law relating to granting of degrees at certain state colleges including financial impact review. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Grimm, Haley, Oliver, Thompson.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 853, Prime Sponsor: Representative Gaines, creating a new liquor board with shorter terms of office. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Gallagher, Hansen, Hawkins, Owen, Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Greengo, Ranking Minority Member; Paris, Shinoda, Struthers.

MOTION

On motion of Mr. Bender, House Bill No. 853 was rereferred to Committee on State Government.

April 20, 1977

HOUSE BILL NO. 898, Prime Sponsor: Representative Bauer, abolishing the state educational television commission and creating the state public broadcasting commission. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Oliver, Patterson, Thompson.

MINORITY recommendation: The substitute bill do not pass. Signed by Representatives Grimm, Haley.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 952, Prime Sponsor: Representative Conner, bringing state motor vehicle equipment standards into conformity with federal standards. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, Lysen, McCormick, Paris, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 1147, Prime Sponsor: Representative Hughes, providing for a remedial reading program in the common schools. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Boldt, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitt, Valle, Whiteside.

MOTION

On motion of Mr. King, House Bill No. 1147 was rereferred to Committee on Appropriations.

April 18, 1977

HOUSE BILL NO. 1166, Prime Sponsor: Representative Douthwaite, modifying insurance laws. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Erak, Knedlik, Sanders, Taller.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 1189, Prime Sponsor: Representative Fortson, requiring independent audits for nursing homes. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Haley, Hanna, Lux, Pearsall, Pruitt, Schmitt.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 1190, Prime Sponsor: Representative Thompson, modifying the law on the boundary review board. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Eng, Fancher, Keller, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 1254, Prime Sponsor: Representative Charnley, regulating boating. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Burns, Charnley, Clayton, Clemente, Gaines, Grier, Lysen, McCormick, Sherman.

MINORITY recommendation: Do not pass. Signed by Representatives Gilleland, Ranking Minority Member; Berentson, Dunlap, Wilson.

To Committee on Rules for second reading.

April 18, 1977

HOUSE BILL NO. 1348, Prime Sponsor: Representative Knedlik, providing for increased coverage for uninsured motorists at the purchaser's option. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Blair, Erak, Knedlik, Maxie, Sanders, Taller.

To Committee on Rules for second reading.

April 19, 1977

HOUSE CONCURRENT RESOLUTION NO. 10, Prime Sponsor: Representative Adams, directing the establishment of a plan for home health care. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 28 after "agencies," insert "representatives of the legislature, and health care providers,"

On page 2, line 4 after "care" strike "institution" and insert "institutions, in order to stress the critical linkage between the health care facility and the home setting"

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Haley, Hanna, Lux, Pearsall, Pruitt.

To Committee on Rules for second reading.

April 20, 1977

ENGROSSED SENATE BILL NO. 2443, Prime Sponsor: Senator Ridder, establishing an additional purpose and function of the board of electrical examiners and creating the department of labor and industries, division of building and construction safety inspection services revolving fund. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman, Pearsall, Vice Chairwoman; Clayton, Fischer, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

April 20, 1977

ENGROSSED SENATE BILL NO. 2769, Prime Sponsor: Senator Ridder, increasing the registration fees for contractors. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Clayton, Fischer, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 371, by Committee on Institutions (Originally sponsored by Representatives Becker, Hanna, Deccio, Knowles, Fischer, Salatino, Nelson [Dick] and Maxie):

Revising the juvenile justice and care system.

The bill was read the third time and placed on final passage.

Representatives Becker, Deccio and Adams spoke in favor of passage of the bill, and Mr. Zimmerman spoke against it.

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Amen.

Mr. Amen: "Representative Hanna, this came out of your committee and you had a hearing on it, there has been reference made to the cost to the counties on this. Was there any testimony on what it would cost the counties? The \$983,000 is the state's cost, but is there any indication on how much cost to the counties? Was there any testimony by the counties?"

Mr. Hanna: "The counties have been involved in it, and they have expressed concern. Note though that the way the bill is set up there is a year once we've passed this and it passes the Senate, then the counties will have a year to look thoroughly at any additional cost to them and we'll take a look at that before the actual implementation date. We have worked with the counties and their concerns have been minimized on the impact. Some of the amendments we dealt with yesterday were an attempt to keep that at a minimum. There are going to be some costs to the counties, but I think it will be minimal and reasonable."

POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Amen.

Mr. Amen: "Did you have any indication of how much this cost will be?"

Ms. Becker: "The \$983,000 appropriation is to the counties—the fiscal impact to the state on this bill. The additional cost was analyzed to be cost to the counties for operating these diversion programs. This is what happened when the bill went to Appropriations Committee and Representative Shinpoch insisted that we do a careful analysis. The local government fiscal analyzer from OCD contacted a number of counties and we came up with a figure of youngsters who would be impacted by this bill who are not presently being served in this way by the counties and this is what the appropriation is for."

Mr. Amen: "You say there will be a study for a year before this is implemented; what happens if the study shows that there will be quite an impact to the counties?"

Ms. Becker: "Well, it's my opinion that the financial impact has been extensively analyzed. The purpose of the delayed implementation date is a judicial kind of thing. It's the same kind of thing we did when we adopted the new adult criminal code in order that the people who are going to enforce it will have a chance to study it."

Mr. Tilly spoke against passage of the bill, and Mr. Struthers spoke in favor of it.

POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Paris.

Mr. Paris: "Representative Becker, the director of the juvenile center in my county, Cowlitz County, that is, is quite concerned about this bill in terms of what will happen to the present program that we have for subsidizing the youths who are retained in our counties rather than sent to institutions. It has been a very successful program, I understand, throughout the state and we're concerned that if this bill does pass that particular program could suffer and I'd like to know what your response to that question is?"

Ms. Becker: "Representative Paris, naturally I can't guarantee anything that will happen in the Legislature, but I just want to point out here the almost doubling of the juvenile subsidy program which is embodied in House Bill No. 874 which passed yesterday. It was part of the package that our committee developed along with this bill. I think it would be really hypocritical on our part to try to pass laws which say to the communities, 'You are responsible,' and to not provide to them the necessary resources to run those programs. We recognize that it's cheaper in almost all cases for communities to run these programs than it is to expand our state institutions. We recognize that the delinquency rate has been on the increase, but yet the commitment rate is fairly steady and this has been due to the efforts the counties have been making. Speaking for myself, I would not want to do anything that would undercut the efforts of those programs."

Mr. Paris: "Are you in agreement that the program has been successful and are you supportive of it?"

Ms. Becker: "Yes."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute House Bill No. 371, and the bill passed the House by the following vote: Yeas, 83; nays, 8; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt,

Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, and Mr. Speaker.

Voting nay: Representatives Enbody, Fancher, Gallagher, Pearsall, Smith, Tilly, Wilson, Zimmerman.
 Not voting: Representatives Bond, Erickson, Haley, Leckenby, O'Brien, Pardini, Williams.

Engrossed Third Substitute House Bill No. 371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 1:30 p.m.
 The Speaker called the House to order.

MOTION

On motion of Mr. King, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 758, by Representatives Conner, McCormick and Gilleland:

Revising the law requiring vehicles to stop for school buses.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 758 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 758, and the bill passed the House by the following vote: Yeas, 60; nays, 0; not voting, 38.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clemente, Conner, Ehlers, Fancher, Fischer, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, May, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Struthers, Taller, Thompson, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Boldt, Bond, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Flanagan, Fortson, Haley, Hurley G. S., Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McCormick, Moreau, Newhouse, Oliver, Owen, Sanders, Schmitt, Smith, Sommers, Tilly, Valle, Vrooman, Whiteside, Williams, Zimmerman.

House Bill No. 758, having received the 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. 842, by Representatives Thompson and Whiteside (by Secretary of State request):

Removing county auditor filing requirements for business corporations.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 842 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 842, and the bill passed the House by the following vote: Yeas, 74; nays, 0; not voting, 24.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Deccio, Douthwaite, Dunlap, Eng, Erak, Erickson, Flanagan, Haley, Hurley G. S., Leckenby, Lee, Lux, Lysen, Maxie, Moreau, Newhouse, Oliver, Pardini, Pearsall, Sommers, Vrooman, Williams, and Mr. Speaker.

House Bill No. 842, having received the 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. 922, by Representatives Hansen, Burns and Sherman:

Eliminating the requirement for cities and counties to prepare long range arterial construction plans.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 34th Day ex. sess., April 14, 1977.)

On motion of Mr. Hansen, the committee amendment was adopted.

House Bill No. 922 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 922 was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 922, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bender, Bond, Clayton, Erak, Erickson, Hughes, King, Leckenby, Lysen, Maxie, Moreau, Sommers, Williams, and Mr. Speaker.

Engrossed House Bill No. 922, having received the 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. 1132, by Representative Conner:

Designating the commercial driving record of a person separately for commercial insurance purposes.

The bill was read the second time.

On motion of Mr. Douthwaite, Substitute House Bill No. 1132 was substituted for House Bill No. 1132, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1132 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1132 was placed on final passage.

Representatives Conner, Fuller and Douthwaite spoke in favor of the bill, and Mr. Newhouse spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1132, and the bill passed the House by the following vote: Yeas, 74; nays, 15; not voting, 9.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Sanders, Sherman, Shinoda, Shipoch, Smith, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Clayton, Dunlap, Flanagan, Greengo, Nelson G. A., Newhouse, Paris, Schmitt, Struthers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Erak, Erickson, Leckenby, Maxie, Moreau, Salatino, Sommers, Williams.

Substitute House Bill No. 1132, having received the 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. 1145, by Representatives Becker, Charette, Blair, Tilly and Knedlik:
Enacting the uniform child custody jurisdiction act.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 1145 was substituted for House Bill No. 1145, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1145 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1145 was placed on final passage.

Ms. Becker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1145, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Erak, Erickson, Leckenby, Martinis, Maxie, Moreau, Williams.

Substitute House Bill No. 1145, having received the 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. 1258, by Representatives Vrooman, Knowles, Berentson, Walk, McCormick, Lee, Wilson and North:

Authorizing private improvement or completion of county roads.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1258 was substituted for House Bill No. 1258, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1258 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1258 was placed on final passage.

Mr. Vrooman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1258, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Bond, Erak, Erickson, Hurley G. S., Leckenby, Maxie, Moreau, Williams.

Substitute House Bill No. 1258, having received the 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. 1264, by Representative Shipoch:

Making changes in the laws relating to the refunding of bonds.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 1264 was placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1264, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Bond, Erak, Erickson, Fischer, Haley, Hughes, Leckenby, Maxie, Moreau, Pardini, Smith, Williams.

House Bill No. 1264, having received the 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. 1284, by Representatives Sommers, Newhouse, Shinpoch, O'Brien, Taller and Erickson:

Allowing transactions respecting University of Washington metropolitan tract to encompass time sequence of 60 years from December 31, 1980.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 1284 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1284, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Bond, Erak, Erickson, Haley, Leckenby, Maxie, Moreau, Williams.

House Bill No. 1284, having received the 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. 55, by Representatives Conner and Gaines:

Permitting the legislature to establish reasonable rates, whether maximum or minimum for transportation.

The resolution was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Joint Resolution No. 55 was placed on final passage.

Mr. Conner spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 55, and the resolution passed the House by the following vote: Yeas, 84; nays, 3; not voting, 11.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., Newhouse, North,

O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Nelson G. A.

Not voting: Representatives Becker, Bond, Erak, Erickson, Gruger, Leckenby, Maxie, Moreau, Sommers, Thompson, Williams.

House Joint Resolution No. 55, having received the constitutional two-thirds majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 56, by Representatives Conner and Gaines:

Removing the constitutional requirement prohibiting short-haul differential.

The resolution was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Joint Resolution No. 56 was placed on final passage.

Mr. Conner spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 56, and the resolution passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Newhouse.

Not voting: Representatives Becker, Bender, Bond, Erak, Erickson, Leckenby, Moreau, Williams, Zimmerman.

House Joint Resolution No. 56, having received the constitutional two-thirds majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 57, by Representatives Conner and Gaines:

Removing the constitutional prohibition against combinations by carriers.

The resolution was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Joint Resolution No. 57 was placed on final passage.

Mr. Conner spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 57, and the resolution passed the House by the following vote: Yeas, 85; nays, 1; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Becker, Bond, Erak, Erickson, Gaines, Gruger, Leckenby, Moreau, Paris, Patterson, Taller, Williams.

House Joint Resolution No. 57, having received the constitutional two-thirds majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 18, by Representatives Flanagan and Hansen:

Requesting that the next state ferry be named "Kittitas."

The resolution was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 34th Day ex. sess., April 14, 1977.)

On motion of Mr. Conner, the committee amendment was adopted.

House Concurrent Resolution No. 18 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed House Concurrent Resolution No. 18 was placed on final passage.

Representatives Flanagan, Hansen and Zimmerman spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 18, and the resolution was adopted by the following vote: Yeas, 84; nays, 4; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, Nelson G. A., Newhouse, Wilson.

Not voting: Representatives Becker, Bond, Erickson, Fuller, Hanna, Hurley G. S., Leckenby, Lysen, Taller, Williams.

Engrossed House Concurrent Resolution No. 18, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 917, by Representatives Lee, Hurley (Margaret), Craswell and Paris:

Authorizing the interagency committee on outdoor recreation to produce a state recreation guide.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, 25th Day ex. sess., April 4, 1977.)

On motion of Representative Hurley (Margaret), the committee amendments were adopted.

On motion of Representative Hurley (Margaret), the following amendment was adopted:

On page 1, line 8 after "Washington" insert ", and privately owned parks and recreation facilities in the state of Washington if the owner of any such facilities agrees to pay the cost of listing such facilities in the guide"

House Bill No. 917 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 917 was placed on final passage.

Representatives Lee and Hurley (Margaret) spoke in favor of passage of the bill, and Mr. Charette spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 917, and the bill passed the House by the following vote: Yeas, 70; nays, 21; not voting, 7.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fancher, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Salatino, Schmitt, Sherman, Shinoda, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Boldt, Charette, Ehlers, Enbody, Fischer, Flanagan, Gilleland, Haley, Hawkins, Lux, Martinis, McKibbin, Oliver, Pardini, Polk, Pruitt, Sanders, Shipoch, Smith, Wilson.

Not voting: Representatives Becker, Bond, Erak, Erickson, Leckenby, Williams, Zimmerman.

Engrossed House Bill No. 917, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 226, by Representatives Fortson, Clemente, Dunlap, Bauer, Lux, Hurley (George), Haley, North, Hughes, Vrooman, Enbody, Fischer, Gaines, Lysen and McCormick:

Implementing mandatory common school testing program.

The bill was read the second time.

On motion of Mr. Shipoch, Substitute House Bill No. 226 was substituted for House Bill No. 226, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 226 was read the second time.

On motion of Mr. Shipoch, the following amendments were adopted:

On page 3, strike all of section 3 and insert the following:

***NEW SECTION. Sec. 3.** This 1977 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1977.*

On page 1, line 3 of the title after "date" insert "and declaring an emergency"

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 226 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 735.

HOUSE BILL NO. 865, by Representatives Sommers, Blair, Shipoch, Wilson, Patterson, Hansen, Gilleland and Charnley:

Establishing a revised public employees' retirement system.

The bill was read the second time.

On motion of Mr. Shipoch, Substitute House Bill No. 865 was substituted for House Bill No. 865, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 865 was read the second time.

Mr. Knedlik moved adoption of the following amendment:

On page 13, line 4 strike "forty-eight" and insert "thirty-six"

Mr. Knedlik spoke in favor of the amendment, and Representatives Hawkins, Blair and Newhouse spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representative Tilly:

On page 7, line 21 strike all of lines 21 through 24

With the consent of the House, Mr. Tilly withdrew the amendment.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 865 was placed on final passage.

Representatives Sommers, Pardini and Hawkins spoke in favor of the bill, and Mr. Keller spoke against it.

MOTION

On motion of Mr. Fischer, Representative Pardini's remarks in favor of the bill were ordered placed in the Journal.

Mr. Pardini: "There are a couple of other things that ought to be said on this floor and put this in context. First, no public employees presently on the payroll are having their benefits reduced. No public employee presently on the payroll is having his or her benefits reduced. The act only affects those people who aren't even hired yet. It starts to take effect the first of July—people who aren't even on the payroll yet, so let's make that point very, very clear for everybody in this state. No public employees—no teacher, no policeman, no fireman, no clerk—who is presently working is going to be hurt by any of these programs.

"Second, if we talk about reduction in benefits let's take a look at this particular bill. A thirty-year employee of the state can still get sixty percent of their average high four years—four consecutive years—as a retirement benefit to be supplemented by their social security benefits, which means generally they will retire with somewhere in the neighborhood with an excess of eighty percent of their average four-year salary. Now if that is a harsh retirement

program, ladies and gentlemen, let's find out what a harsh retirement program really is. They are going to do substantially well. We've reduced costs in this program for those employees that will be contributing, the contribution of the employee is down in each of these programs and I think if we take all of those things into consideration and those points in all of these pension bills, I think the trade-off is with the taxpayer who is paying the bill and with the people who are going to have to continue to pay the bills for the next fifty years."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 865, and the bill passed the House by the following vote: Yeas, 76; nays, 15; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Kilbury, Knedlik, Knowles, Lee, Lysen, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Burns, Enbody, Fischer, Gallagher, Hurley G. S., Keller, King, Kreidler, Lux, Martinis, May, Pearsall, Pruitt, Salatino, Walk.

Not voting: Representatives Becker, Bond, Conner, Erickson, Hughes, Leckenby, Williams.

Substitute House Bill No. 865, having received the 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. 866, by Representatives Sommers, Blair, Shinpoch, Wilson, Patterson, Hansen, Gilleland and Charnley:

Establishing a revised teachers' retirement system.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 866 was substituted for House Bill No. 866, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 866 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 866 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 866, and the bill passed the House by the following vote: Yeas, 84; nays, 7; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Enbody, Fischer, Gallagher, Keller, King, Martinis, Pearsall.

Not voting: Representatives Becker, Bond, Conner, Erickson, Hanna, Leckenby, Williams.

Substitute House Bill No. 866, having received the 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. 867, by Representatives Sommers, Blair, Shinpoch, Wilson, Patterson, Hansen, Gilleland, Charnley and Barr:

Creating a revised LEOFF retirement system.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 867 was substituted for House Bill No. 867, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 867 was read the second time.

Mr. Newhouse moved adoption of the following amendments:

On page 2, line 32 after "members" strike ", employers, and the state" and insert "and employers"

On page 3, line 18 after "members" strike ", and employers of such members, and the state shall each contribute six" and insert "and employers shall each contribute nine"

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "It's an unusual procedure, Mr. Speaker, but House Bill No. 867 is interlocked with House Bill No. 735, if this amendment were adopted, do you know is it the intent of the maker of this amendment to also revise House Bill No. 735?"

The Speaker: "Mr. Newhouse?"

Mr. Newhouse: "I have no amendments on the desk for House Bill No. 735."

Mr. Newhouse spoke in favor of the amendments, and Representatives McKibbin and Blair spoke against them.

POINT OF INQUIRY

Mr. Blair yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "Representative Blair, the words 'rip-off' have been used in relation to this amendment and to the bill. You were one of the architects of the bill, do you believe that the bill unamended is a rip-off?"

Mr. Blair: "I did not use those words and I will answer your question directly. No, I don't feel that our bill is a rip-off. I think it's a very reasonable and honest attempt for this Legislature to address a very significant problem, but neither do I think that Representative Newhouse's amendment is a rip-off. I think it represents a different point of view on the way that these systems should be funded. In the course of our hearings, and they lasted for a good number of months, we found that there were a very great variety of perspectives on pension legislation. I think we have regard for all those different perspectives and we've come up with what we think is the best compromise we could develop. I'm not in any way impugning Representative Newhouse's motives though in proposing his amendment. I think he just represents a different point of view."

Mr. Newhouse spoke again in favor of the amendments, and Mr. O'Brien spoke against them.

POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, I could remind Representative O'Brien of the vote on some of those things and which party voted where."

The Speaker: "I don't consider that a point of order. What Mr. O'Brien said was that when the minority party was controlling the Legislature, the bill passed."

The amendments were not adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 867 was placed on final passage.

Mr. Blair spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 867, and the bill passed the House by the following vote: Yeas, 84; nays, 9; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knedlik,

Knowles, Kreidler, Lee, Lux, Lysen, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Fischer, Gallagher, Keller, King, Martinis, May, Newhouse, O'Brien, Pearsall.

Not voting: Representatives Becker, Bond, Erickson, Leckenby, Williams.

Substitute House Bill No. 867, having received the 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. 735, by Representatives Newhouse, Berentson, Leckenby, Gilleland and Clayton:

Modifying procedures in industrial insurance appeals.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 735 was substituted for House Bill No. 735, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 735 was read the second time.

POINT OF PARLIAMENTARY INQUIRY

Mr. Newhouse: "I happened to be the original sponsor of House Bill No. 735, and I kind of liked the original matter and also the matter the committee put in it, can I ask that we not just substitute, but add to it?"

The Speaker: "Representative Newhouse, the bill has been substituted. If you would like to amend the substitute bill, you have the prerogative."

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third and Substitute House Bill No. 735 was placed on final passage.

POINT OF PERSONAL PRIVILEGE

Mr. Blair: "Mr. Speaker, I would like to take this opportunity to give my very sincere and personal thanks to the members of the subcommittee, Representatives Becker, Hawkins, McKibbin and Pardini and to Representatives Sommers and Shinpoch as ad hoc members, for the long, long hours and the very constructive criticism and the great patience that they showed in the development of the bills that we have been acting on this afternoon."

Mr. Shinpoch spoke in favor of passage of the bill.

POINT OF PERSONAL PRIVILEGE

Mr. Shinpoch: "I think the House should know that without the patience and ability of Representative Blair we probably wouldn't have been here today. Probably if you had someone like me with my lack of patience on that subcommittee then you would have had something that wouldn't go through quite so easily. I think that should be acknowledged."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 735, and the bill passed the House by the following vote: Yeas, 85; nays, 7; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Fischer, Grier, Hurley G. S., Keller, Lux, O'Brien, Pearsall.

Not voting: Representatives Becker, Bond, Erickson, Leckenby, Vrooman, Williams.

Substitute House Bill No. 735, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 226:

The House resumed consideration of the bill on second reading.

Mr. Ehlers moved adoption of the following amendment:

On page 1, beginning on line 7 strike all of the material down to and including "hereof." on line 24 and insert the following:

'(1) It shall be the intent and purpose of this section to direct the office of the superintendent of public instruction to conduct standardized reading, mathematics, and language arts achievement level surveys of approximately two thousand students distributed throughout the state in each of the grade levels eight and eleven (~~during such testing cycles as provided for in subsection (2) of This section~~). The survey testing shall be based on a statistical random sample of students from these grade levels sufficient to generalize about all of the students at each of the selected grade levels from the state's school districts. The purpose of these surveys is to allow the public and the legislature to evaluate how Washington students in these grades compare to students in the same grades tested in other comparable national achievement surveys. The office of superintendent of public instruction shall coordinate such tests and testing cycles as designated by the superintendent of public instruction's office and provide such information as obtained therefrom to the legislature no less often than once every four years.'

Mr. Ehlers spoke in favor of the amendment, and Mrs. Fortson spoke against it.

Mr. Ehlers spoke again in favor of the amendment, and Mr. Dunlap spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ehlers to Substitute House Bill No. 226, and the amendment was not adopted by the following vote: Yeas, 33; nays, 55; not voting, 10.

Voting yea: Representatives Amen, Berentson, Blair, Boldt, Charnley, Craswell, Ehlers, Erak, Fancher, Grier, Grimm, Hawkins, Keller, Kreidler, Lee, Martinis, Nelson D., Oliver, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Smith, Struthers, Tilly, Valle, Walk, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Barnes, Barr, Bauer, Bender, Burns, Chandler, Charette, Clayton, Clemente, Douthwaite, Dunlap, Enbody, Eng, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Kneedlik, Knowles, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Polk, Shipoch, Sommers, Taller, Vrooman, Warnke, Winsley, and Mr. Speaker.

Not voting: Representatives Becker, Bond, Conner, Deccio, Erickson, Leckenby, Shinoda, Thompson, Williams, Wilson.

The Clerk read the following amendment by Representative Ehlers:

On page 1, beginning on line 27 after "level" strike all the material down to and including "legislature" on page 2, line 1 and insert "(surveys conducted in the 1975-77 biennium)" and for each of the subsequent testing cycles as designated by the superintendent of public instruction's office"

With the consent of the House, Mr. Ehlers withdrew the amendment.

House Bill No. 226 was ordered engrossed and passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 2431, by Committee on State Government (Originally sponsored by Senators Marsh, Henry, Talley and Keefe):

Providing for the erection of a statue in statuary hall in the national capitol.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 6 after the enacting clause strike all the material down to and including "act." on line 21 and insert:

NEW SECTION. Section 1. The selection committee for Statuary Hall is hereby created.

NEW SECTION. Sec. 2. The committee shall consist of eleven members. The governor shall select one member who is not a Washington state legislator from each congressional district to serve on the committee. The Washington State Historical Society shall select four members from its membership to serve on the selection committee for Statuary Hall. The members of the committee shall receive no compensation or reimbursement for carrying out the provisions of this act.

NEW SECTION. Sec. 3. The committee shall conduct a study of candidates for commemoration in Statuary Hall. On January 1, 1978, the committee shall submit its recommendations for a candidate to be commemorated to the Washington State Legislature.

NEW SECTION. Sec. 4. The committee shall cease to exist on or before June 30, 1978."

Representatives Tilly and Polk spoke in favor of the amendment, and Representatives Bauer, McKibbin and O'Brien spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Substitute Senate Bill No. 2431, and the amendment was not adopted by the following vote: Yeas, 26; nays, 61; not voting, 11.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Chandler, Charnley, Clayton, Craswell, Dunlap, Eng, Fancher, Fuller, Gilleland, Gruger, Haley, Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitten, Smith, Struthers, Thompson, Wilson.

Voting nay: Representatives Adams, Bauer, Bender, Boldt, Burns, Charette, Clemente, Deccio, Douthwaite, Ehlers, Enbody, Erak, Fischer, Flanagan, Fortson, Gaines, Gallagher, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Sommers, Tallor, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barr, Becker, Bond, Conner, Erickson, Keller, Leckenby, Lux, Paris, Tilly, Williams.

Substitute Senate Bill No. 2431 was passed to Committee on Rules for third reading.

MOTIONS

On motion of Mr. King, the House advanced to the eighth order of business.

On motion of Mr. Bender, HOUSE BILL NO. 1361 was rereferred from Committee on Social and Health Services to Committee on Ecology.

On motion of Mr. King, the House adjourned until 11:00 a.m., Friday, April 22, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 22, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. May presiding). The Clerk called the roll and all members were present except Representatives Bauer, Bond, Ehlers, Leckenby, Newhouse and Walk, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cassandra Neal and Jim Keller. Prayer was offered by Reverend Stanley Workman of the Evergreen Christian Reformed 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

April 21, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2015,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2399,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 102,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 21, 1977

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 31,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2015, by Senators Wilson, Donohue and Matson:

Exempting certain intra-family property transfers from the excise tax on real estate transfers.

To Committee on Revenue

ENGROSSED SUBSTITUTE SENATE BILL NO. 2399, by Committee on State Government (Originally sponsored by Senators Bausch, Pullen and Rasmussen):

Making the day before a legal holiday which falls on Saturday a holiday.

To Committee on State Government

SUBSTITUTE SENATE JOINT MEMORIAL NO. 102, by Committee on Energy and Utilities (Originally sponsored by Senators Pullen, Mardesich, Lewis, Bottiger and Benitz):

Memorializing Congress on fusion energy development.

To Committee on Energy and Utilities

REPORTS OF STANDING COMMITTEES

April 21, 1977

HOUSE BILL NO. 66, Prime Sponsor: Representative Clemente, providing for educational clinics and authorizing state aid for students enrolled therein. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

April 21, 1977

HOUSE BILL NO. 365, Prime Sponsor: Representative Lysen, requiring total life-cycle cost analysis of proposed action by governmental unit or agency. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:
On page 2, line 2 after "analysis" insert ", as defined in RCW 39.35.030."

Signed by Representatives Taller, Ranking Minority Member; Burns, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 417, Prime Sponsor: Representative Sherman, restricting taxes on bingo, raffles, or amusement games only under specified conditions. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Gallagher, Hansen, Hawkins, Shinoda, Struthers, Walk.

MOTION

On motion of Mr. Bender, House Bill No. 417 was rereferred to Committee on Revenue.

April 20, 1977

HOUSE BILL NO. 494, Prime Sponsor: Representative Lux, revising laws relating to minors' work permits and wages. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:
On page 2, beginning on line 12 strike all of section 3 and renumber the remaining section consecutively.
On page 1, beginning on line 4 of the title strike all material down to and including "49.46.020;" on line 6.

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 532, Prime Sponsor: Representative Fortson, mandating examining and accrediting by state board of education of all schools within school district. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

April 20, 1977

HOUSE BILL NO. 697, Prime Sponsor: Representative Dunlap, mandating learning objectives for grades K-12 for statutorily required courses. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Craswell, Dunlap, Ehlers, Fortson, Fuller, Lee, McKibbin, Schmitten, Valle, Whiteside.

MOTION

On motion of Mr. Bender, House Bill No. 697 was rereferred to Committee on Appropriations.

April 21, 1977

HOUSE BILL NO. 709, Prime Sponsor: Representative Sanders, clarifying the law relating to racing on public highways. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Newhouse, Sherman, Smith, Tilly.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 764, Prime Sponsor: Representative Gaines, authorizing a county admissions tax for county owned facilities in class AA counties within the corporate limits of any city or town. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 6 strike "board of county commissioners" and insert "~~((board of county commissioners))~~ legislative authority"

On page 2, line 4 after "town" insert "from January 1, 1978 until December 31, 1992"

On page 2, line 7 strike "board of county commissioners" and insert "~~((board of county commissioners))~~ county legislative authority"

On page 1, beginning on line 1 of the title after "tax;" strike all the matter down to and including "and RCW 36.38.010" on line 2 and insert "amending section 36.38.010, chapter 4, Laws of 1963 and RCW 36.38.010; and prescribing effective dates"

Signed by Representatives Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, Gilleland, North, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 780, Prime Sponsor: Representative Fischer, exempting from the gambling laws antique slot machines if not used for gambling purposes. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Fancher, Gallagher, Hansen, Hawkins, Owen, Shinoda, Walk.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 808, Prime Sponsor: Representative Adams, creating an office of ombudsman for disabled citizens. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Haley, Hanna, Lux, Pearsall, Schmitten.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 821, Prime Sponsor: Representative Fortson, requiring crosswalk curb ramps for handicapped persons. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Eng, Fancher, Keller.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 898, Prime Sponsor: Representative Bauer, abolishing the state educational television commission and creating the state public broadcasting commission. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

April 19, 1977

HOUSE BILL NO. 912, Prime Sponsor: Representative Lee, establishing disposition procedures for unclaimed personal property. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Eng, Fancher, Keller, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 945, Prime Sponsor: Representative Nelson, restoring the civil rights of persons convicted of infamous crimes upon their final discharge by the parole board. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Newhouse, Sherman, Smith.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1087, Prime Sponsor: Representative Hurley (George), relating to public utilities. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

April 21, 1977

HOUSE BILL NO. 1172, Prime Sponsor: Representative Keller, requiring the department of general administration to rehabilitate Capitol Lake and making appropriations therefor. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Sommers, Struthers.

MINORITY recommendation: Do not pass. Signed by Representatives Erak, Nelson (Gary), Sanders.

MOTION

On motion of Mr. Bender, House Bill No. 1172 was rereferred to Committee on Appropriations.

April 21, 1977

HOUSE BILL NO. 1269, Prime Sponsor: Representative Knowles, providing for extensions of judgments in justice courts. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1278, Prime Sponsor: Representative Whiteside, authorizing local governments to use state and local funds for senior citizen and other programs. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Thompson, Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, Gilleland, North, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 1337, Prime Sponsor: Representative Sommers, remitting motor vehicle excise taxes to municipalities on the first day of the months of January, April, August, and October. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 8 after "PROVIDED, That" strike "after August 1," and insert "on or after July 15,"

On page 2, line 11 after "April," strike "August, and October" and insert "and October and on the 15th day of July."

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Craswell, Erickson, Flanagan, Kilbury, Nelson (Dick), Tilly.

To Committee on Rules for second reading.

April 20, 1977

ENGROSSED SENATE BILL NO. 2108, Prime Sponsor: Senator Henry, revising laws pertaining to metropolitan public transportation. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 8, line 7 after "the" insert "state transportation commission, or, if such does not exist, the"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Dunlap, Gaines, McCormick, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 21, 1977

ENGROSSED SENATE BILL NO. 2166, Prime Sponsor: Senator Odegaard, transferring the powers, duties, and functions of the printing and duplicating committee to the newly-created printing and duplicating management center. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Appropriations.

April 19, 1977

ENGROSSED SENATE BILL NO. 2286, Prime Sponsor: Senator Odegaard, revising law relating to regulation of the funeral business. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

*Section 1. Section 1, chapter 108, Laws of 1937 as amended by section 1, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.010 are each amended to read as follows:

The term 'funeral director' as used herein is a person engaged in the profession or business of conducting funerals and supervising or directing the burial and disposal of dead human bodies.

The term 'embalmer' as used herein is a person engaged in the profession or business of disinfecting, preserving or preparing for disposal or transportation dead human bodies.

A 'two-year college course' as used herein means the completion of sixty semester hours or ninety quarter hours of collegiate credit from a college or university approved by the director ((of licenses)) and the state ((examining committee)) board of funeral directors and embalmers.

'Funeral establishment' means a place of business licensed in accordance with section 3 of this 1977 amendatory act, conducted at a specific street address or location, and devoted to the care and preparation for burial or disposal of dead human bodies and includes all areas of such business premises and all tools, instruments, and supplies used in preparation and embalming of dead human bodies for burial or disposal.

'Director' means the director of motor vehicles.

'Board' means the state board of funeral directors and embalmers created pursuant to section 8 of this 1977 amendatory act.

Words used in this chapter importing the singular may be applied to the plural of the person or thing, words importing the plural may be applied to the singular, and words importing the masculine gender may be applied to the female.

Sec. 2. Section 11, chapter 108, Laws of 1937 and RCW 18.39.180 are each amended to read as follows:

For the purpose of carrying out the provisions of this chapter the director of (~~licenses and state examining committee~~) motor vehicles in consultation with the state board of funeral directors and embalmers shall have power and it shall be their duty to adopt, promulgate and enforce reasonable rules and regulations. Said director ((of licenses)) shall have the power to suspend or revoke any license, after proper hearing and notice to the licensee, upon such licensee being found guilty of any of the following acts or omissions:

- (1) Conviction of a crime involving moral turpitude;
- (2) Unprofessional conduct which is hereby defined to include:
 - (a) Misrepresentation or fraud in the conduct of the business or the profession of a funeral director or embalmer;
 - (b) False or misleading advertising as a funeral director or embalmer;
 - (c) Solicitation of human dead bodies by the licensee, his agents, assistants or employees, whether such solicitation occurs after death or while death is impending: PROVIDED, This chapter shall not be deemed to prohibit general advertising or the sale of pre-need funeral plans;
 - (d) Employment by the licensee of persons known as 'cappers' or 'steerers' or 'solicitors' or other such persons to obtain funeral directing or embalming business;
 - (e) Employment directly or indirectly of any apprentice, agent, assistant, embalmer, employee, or other person, on part or full time, or on commission, for the purpose of calling upon individuals or institutions by whose influence dead human bodies may be turned over to a particular funeral director or embalmer;
 - (f) The buying of business by the licensee, his agents, assistants or employees, or the direct or indirect payment or offer of payment of a commission by the licensee, his agents, assistants or employees, for the purpose of securing business;
 - (g) Gross immorality;
 - (h) Aiding or abetting an unlicensed person to practice funeral directing or embalming;
 - (i) Solicitation or acceptance by a licensee of any commission or bonus or rebate in consideration of recommending or causing a dead human body to be disposed of in any crematory, mausoleum or cemetery;
 - (j) Using any casket or part of a casket which has previously been used as a receptacle for, or in connection with, the burial or other disposition of, a dead human body, without the written consent of next of kin;

- (k) Violation of any of the provisions of this chapter or the rules and regulations in support thereof;
- (l) Violation of any state law or municipal or county ordinance or regulation affecting the handling, custody, care or transportation of dead human bodies;
- (m) Fraud or misrepresentation in obtaining a license;
- (n) Refusing to promptly surrender the custody of a dead human body, upon the express order of the person lawfully entitled to the custody thereof;

(o) For the selling or offering for sale of shares, certificates or an interest in the business of any funeral director or embalmer or in any corporation owning or conducting an undertaking or embalming establishment, under promise of or purporting to give to the purchasers thereof a right to the services of such funeral director, embalmer or corporation at a charge or cost less than that offered or given to the public at large.

NEW SECTION. Sec. 3. The director shall issue a funeral establishment license to any person, partnership, association, corporation, or other organization to operate a funeral establishment, at specific locations only, which has met the following requirements:

(1) The applicant has designated the name under which the funeral establishment will operate and has designated locations for which the general establishment license is to be issued;

(2) The applicant is licensed in this state as a funeral director and as an embalmer, or employs at least one person with both such qualifications or one licensed funeral director and one embalmer who will be in service at each designated location;

(3) The applicant has filed an application with the director as required by this chapter and paid the required filing fee therefor as fixed by the director pursuant to RCW 43.24.085.

The director shall make the determination of qualifications of all applicants within a reasonable time after the filing of an application with the director. No funeral establishment license shall be transferable, but an applicant may make application for more than one funeral establishment license so long as all of the requirements are met for each license.

NEW SECTION. Sec. 4. (1) In the event a licensed funeral establishment ceases to have a licensed funeral director and embalmer in its employ at its place of business, its license shall be canceled immediately by the director, except as provided in subsection (2) of this section.

(2) If a licensed funeral establishment constitutes any part of the assets of an estate of a deceased person upon whom such license was dependent because the deceased was a licensed funeral director, then the legal representative of the estate shall be entitled to appoint someone other than a licensed funeral director to act in the capacity of a funeral director and shall be entitled to continue to operate the licensed funeral establishment under the existing license or renewals thereof for a period not to exceed two years without the necessity of employing a licensed funeral director in addition to the required licensed embalmer.

NEW SECTION. Sec. 5. The director, in addition to other powers and duties, shall have the following powers and duties under this chapter:

(1) To determine the qualifications of applicants for all licenses under this chapter;

(2) To issue all licenses provided for under the provisions of this chapter;

(3) To annually renew licenses under this chapter;

(4) To collect all fees prescribed and required under this chapter; and

(5) To keep general books of record of all official acts, proceedings, and transactions of the department while acting under this chapter.

NEW SECTION. Sec. 6. (1) The director may initiate and conduct investigations as may be reasonably necessary to establish the existence of any alleged violations of or noncompliance with the provisions of this chapter or any rules and regulations issued hereunder. For the purpose of any investigation or proceeding under this chapter, the director or any officer designated by him may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, agreements, or other documents or records which the director deems relevant or material to the inquiry.

(2) If any individual fails to obey a subpoena or obeys a subpoena but refuses to give evidence, any court of competent jurisdiction, upon application by the director, may issue to that person an order requiring him to appear before the court, to show cause why he should not be compelled to obey the subpoena and give evidence material to the matter under investigation. The failure to obey an order of the court may be punishable as contempt.

NEW SECTION. Sec. 7. The director may refer such evidence as may be available to him concerning violations of this chapter or of any rule or regulation adopted hereunder to the attorney general or the prosecuting attorney of the county wherein the alleged violation arose, who may, in their discretion, with or without such a reference, in addition to any other action they might commence, bring an action in the name of the state against any person to restrain and prevent the doing of any act or practice prohibited by this chapter: PROVIDED, That this chapter shall be considered in conjunction with chapters 9.04 and 19.86 RCW, as now or hereafter amended, and the powers and duties of the attorney general and the prosecuting attorney as they may appear in the aforementioned chapters, shall apply against all persons subject to this chapter.

NEW SECTION. Sec. 8. There is hereby established a state board of funeral directors and embalmers to be composed of five members appointed by the governor in accordance with this section, one of whom shall be a public member. The three members of the state examining committee for funeral directors and embalmers, which was created pursuant to RCW 43.24.060, as of the effective date of this 1977 amendatory act are hereby appointed as members of the board to serve for initial terms. The governor shall appoint two additional members of the board. Each professional member of the board shall be licensed in this state as a

funeral director and embalmer and a resident of the state of Washington for a period of at least five years next preceding appointment, during which time such member shall have been continuously engaged in the practice as a funeral director or embalmer as defined in this chapter. No person shall be eligible for appointment to the board of funeral directors and embalmers who is financially interested, directly or indirectly, in any embalming college, wholesale funeral supply business, or casket manufacturing business.

All members of the board of funeral directors and embalmers shall be appointed to serve for a term of five years, to expire on July 1 of the year of termination of their term, and until their successors have been appointed and qualified: PROVIDED, That the governor is granted the power to fix the terms of office of the members of the board first appointed so that the term of office of not more than one member of the board shall terminate in any one year. In case of a vacancy occurring on the board, the governor shall appoint a qualified member for the remainder of the unexpired term of the vacant office. Any member of the board of funeral directors and embalmers who fails to properly discharge the duties of a member may be removed by the governor.

The board shall meet once annually to elect a chairman, vice chairman, and secretary and take official board action on pending matters by majority vote of all the members of the board of funeral directors and embalmers and at other times when called by the director, the chairman, or a majority of the members. A majority of the members of said board shall at all times constitute a quorum.

NEW SECTION. Sec. 9. Each member of the board of funeral directors and embalmers shall receive compensation of twenty-five dollars for each board meeting attended, together with travel expenses in connection with board duties in accordance with RCW 43.03.050 and 43.03.060.

The state board of funeral directors and embalmers shall have the following duties and responsibilities:

- (1) To be responsible for the preparation, conducting, and grading of examinations of applicants for funeral director and embalmer licenses;
- (2) To certify to the director the results of examinations of applicants and certify the applicant as having 'passed' or 'failed';
- (3) To make findings and recommendations to the director on any and all matters relating to the enforcement of the provisions of this chapter; and
- (4) To perform all other duties and responsibilities under this chapter, the laws of the state of Washington, and the rules and regulations promulgated in support thereof.

NEW SECTION. Sec. 10. The board of funeral directors and embalmers shall be responsible for determining the nature, type, and extent of examinations to be taken by applicants for a funeral director or embalmer license. However, such examinations for embalmers shall include generally the following subjects: Anatomy, chemistry, restorative art, physiology, pathology, sanitary science, and the care, disinfection, preservation, transportation, and burial, or other final disposition, of dead human bodies. The examination for funeral director shall generally include: Psychology, sanitary science, the care and transportation of dead human bodies, and operational management of funeral establishments. Both examinations shall include generally the subject of this chapter and of the law of the state of Washington relating to infectious diseases, quarantine, and the care and disposition of dead human bodies. The board shall grade the examinations and shall determine whether the applicant has passed or failed such examination. Examinations shall be written and shall be held at such times and at such places within the state of Washington as determined by the director.

NEW SECTION. Sec. 11. Sections 3 through 10 of this 1977 amendatory act shall be added to chapter 18.39 RCW.

NEW SECTION. Sec. 12. The board of funeral directors and embalmers shall cease to exist on July 1, 1981, unless extended by law for an additional fixed period of time." In the title, strike everything after "AN ACT" and insert "Relating to funerals; amending section 1, chapter 108, Laws of 1937 as amended by section 1, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.010; amending section 11, chapter 108, Laws of 1937 and RCW 18.39.180; and adding new sections to chapter 18.39 RCW."

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Haley, Hanna, Lux, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

April 21, 1977

ENGROSSED SENATE BILL NO. 2310, Prime Sponsor: Senator Rasmussen, making various changes in the law on the state committee on salaries. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 11 strike all material down to and including "designee." on line 22 and insert:

"(1) There is hereby created a (~~committee to be known as the~~) state committee on salaries ((:)) to consist of seven members, or their designees, as follows: The president of the University of Puget Sound (~~or his nominee~~); the president of Washington State University (~~or his nominee~~); the (~~chairman~~) chairperson of the State Personnel Board; the president of the Association of Washington Business; the president of the Pacific Northwest Personnel Managers' Association; the president of the Washington State Bar Association ((:)); and the president of the Washington State Labor Council (~~or his nominee~~). If any of the titles or

positions mentioned in this subsection are changed or abolished, any person occupying an equivalent or like position shall be qualified for appointment by the governor to membership upon the committee."

On page 2, line 1 after "and" insert "of"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

MOTION

Mr. King moved that House Bill No. 417 be rereferred from Committee on Revenue to Committee on Rules.

Mr. King spoke in favor of the motion.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "What order of business are we on?"

The Speaker (Mr. May presiding): "The fifth order of business."

Mr. Pardini: "I would submit then that this motion is out of order. This is not a committee report; he is attempting to move a bill from one committee to the other and he's going to have to go to the eighth order of business in order to achieve this."

The Speaker (Mr. May presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. Conner presiding) called the House to order.

SECOND READING

HOUSE BILL NO. 21, by Representatives Greengo, Warnke, Leckenby, Barnes and Sanders:

Increasing allowable investment by banks and trust companies in stock of small business investment companies.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and House Bill No. 21 was placed on final passage.

Representatives Eng and Greengo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 21, and the bill passed the House by the following vote: Yeas, 78; nays, 0; not voting, 20.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Kilbury, King, Knedlik, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Clayton, Deccio, Douthwaite, Ehlers, Hurley G. S., Hurley M., Keller, Leckenby, Lee, Lux, Lysen, Moreau, Newhouse, Oliver, Pearsall, Sherman, Walk, Wilson.

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.

HOUSE BILL NO. 27, by Representatives Paris, Warnke, Leckenby, Deccio, Lee and Salatino:

Creating the small business committee and empowering it to review matters relating to small business enterprises.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 27 was substituted for House Bill No. 27, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 27 was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 27 was placed on final passage.

Mr. Paris spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 27, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Deccio, Ehlers, Hurley G. S., Leckenby, Lysen, Moreau, Walk.

Substitute 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.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

The Speaker assumed the Chair.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 777, by Committee on Commerce (Originally sponsored by Representatives O'Brien, Warnke, Berentson, Chandler, Gaines, Valle, Charnley, Thompson, Conner, McCormick, Burns, Bender, Maxie and Adams):

Authorizing the construction of a cultural arts center in Federal Way.

The bill was read the third time and placed on final passage.

Representatives Warnke, Nelson (Gary) and O'Brien spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Warnke, what is the exact status of the federal funding match in this project?"

Mr. Warnke: "Representative Deccio, the bill is being prepared by Representative Norm Dicks of the 6th Congressional District. We also have received a letter from Congressman Bonker which I have on my desk, which would support the legislation going into the federal government. They simply are not going to submit the legislation until the state makes some commitment. If the House does not pass the bill and the Senate does not pass the bill and the Governor sign it, the federal legislation will not go in."

Mr. Deccio: "If the federal legislation does not pass what happens to the obligation of the \$5 million?"

Mr. Warnke: "It reverts to the state and will not be spent for a performing cultural arts center."

Mr. Deccio: "Are you also aware of the fact that some of the Senators are interested in spending a million dollars for Olympia and something for Tacoma for the same kind of facility?"

Mr. Warnke: "I'm not aware of any of the Senators' personal legislation."

Mr. Deccio spoke against passage of the bill.

POINT OF INQUIRY

Mr. Fischer: "I understand that the City of Seattle, and King County as well, have stated that they will not operate and maintain a \$20 to \$25 million project and it would only cover a short period of time—I guess between two and one-half and three months during the summer

time. Who do you have in mind that would maintain this project for such a short period of time for such a large amount of money?"

Mr. Warnke: "Apparently you were not listening to the testimony on this floor the last few days and the reports by the ERA. First of all, it is not a short period of time. The estimated date for the use of this facility is 200 days a year. Those are engagements that we have collected—the ERA has, the people who did the remote study—by going out to booking agencies, theatrical agencies and finding out whether or not the facility could be filled up. These engagements are engagements that cannot presently be filled in the Seattle area. I have been asked to come to the King County Council by Mr. Paul Barden to speak on this project Monday morning at 9:30 before the Budget Committee there. The use of the dates, the entire project, I think, has been closely reviewed by the ERA, the facts are before us. You simply have to interpret the known facts. We have debated it so long now it simply is a case of whether or not you wish to believe the ERA study."

Mr. Nelson (Gary) spoke again in opposition to the bill.

POINT OF PARLIAMENTARY INQUIRY

Mr. Warnke: "Does this bill require 60 votes?"

The Speaker: "It requires 60% or 59 votes."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 777, and the bill passed the House by the following vote: Yeas, 63; nays, 26; not voting, 9.

Voting yea: Representatives Adams, Barnes, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Enbody, Erak, Erickson, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bender, Clayton, Craswell, Deccio, Eng, Fancher, Fischer, Flanagan, Greengo, Grimm, King, Lee, McKibbin, Nelson D., Nelson G. A., North, Patterson, Sanders, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson.

Not voting: Representatives Bauer, Bond, Ehlers, Haley, Leckenby, Moreau, Newhouse, Schmitt, Walk.

Substitute House Bill No. 777, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Warnke, Substitute House Bill No. 777 was ordered transmitted immediately to the Senate.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 32, by Committee on Elections and Governmental Ethics (Originally sponsored by Representatives Sommers, Pardini, Hawkins, Fortson, Gruger, Lysen, Heck, Nelson [Dick], Erickson, Lux and Charnley):

Amending the Constitution to provide for a redistricting commission.

The resolution was read the third time and placed on final passage.

Representatives Sommers, Fuller and Hawkins spoke in favor of the resolution, and Mr. Williams spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 32, and the resolution passed the House by the following vote: Yeas, 75; nays, 15; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Maxie, May, McCormick, Nelson D., Nelson G. A., O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bender, Clemente, Conner, Fischer, Grier, Keller, Lysen, Martinis, North, Owen, Pearsall, Salatino, Sherman, Williams.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, McKibbin, Moreau, Newhouse, Walk.

Substitute House Joint Resolution No. 32, having received the constitutional two-thirds 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 HOUSE BILL NO. 593, by Committee on Elections and Governmental Ethics (Originally sponsored by Representatives Sommers, Pardini, Hawkins, Patterson, Fortson, Gruger, Heck, Nelson [Dick], Erickson, Gaines, Lux, Charnley, Berentson and Polk):

Establishing a redistricting commission.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 593, and the bill passed the House by the following vote: Yeas, 79; nays, 10; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Clemente, Conner, Fischer, Keller, North, Owen, Salatino, Sherman, Williams.

Not voting: Representatives Bauer, Bond, Ehlers, Hughes, Leckenby, Moreau, Newhouse, Smith, Walk.

Engrossed Substitute House Bill No. 593, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1131, by Committee on Agriculture (Originally sponsored by Representatives Clayton, Amen, Barr, Hansen, Oliver, Newhouse, Kilbury, Boldt and Flanagan):

Clarifying the law on the storage of agricultural commodities.

The bill was read the third time and placed on final passage.

Mr. Clayton spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1131, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bender, Blair, Bond, Ehlers, Grimm, Hughes, Leckenby, Moreau, Newhouse, Owen, Walk.

Substitute House Bill No. 1131, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE HOUSE BILL NO. 252, by Committee on Judiciary (Originally sponsored by Representatives Adams, Haley, Kreidler, Whiteside, Gruger, Fortson, Barr, Lux, Hanna and Charnley):

Enacting the "Natural Death Act."

The bill was read the third time and placed on final passage.

Representatives Adams, Haley and Pruitt spoke in favor of the bill, and Mr. O'Brien spoke against it.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Paris.

Mr. Paris: "Representative Adams, Representative O'Brien has brought up the subject regarding participation of the family, and I think this is certainly a very valid question. Would you say that it would be the intent of this legislation that where possible there would be family consultations by the doctor?"

Mr. Adams: "I would presume that any good physician who had been taking care of a patient and that patient is terminal, that he would certainly have been talking in some manner pertaining to the family's idea about the situation. However, I want to say that the individual who signs a statement requesting that they do not prolong life when it is terminal must be an adult when they sign that paper. Therefore, I think that person should have the privilege and the right to make that statement. I would presume that any good physician and any good surgeon would certainly talk with the family about the situation. I imagine where it's possible they are with the family a great deal and the patient is with the family a great deal. We've had cases on record in this country where life has been prolonged for ten years when terminal under instrumentation and it costs a tremendous amount of money. I think that person should have the right, if they wish it, to terminate their life under those conditions."

Representatives Paris, Fortson and Adams spoke in favor of passage of the bill, and Representatives Hurley (Margaret), Gallagher, Tilly and Lysen spoke against it.

Mr. Charette demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 252, and the bill passed the House by the following vote: Yeas, 65; nays, 20; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, King, Knowles, Kreidler, Lee, May, Nelson D., Nelson G. A., Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Valle, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Deccio, Dunlap, Flanagan, Gallagher, Greengo, Hughes, Hurley M., Kilbury, Lysen, Martinis, Maxie, McCormick, North, O'Brien, Oliver, Patterson, Schmitt, Tilly, Vrooman.

Not voting: Representatives Bauer, Berentson, Bond, Ehlers, Knedlik, Leckenby, Lux, McKibbin, Moreau, Newhouse, Polk, Walk, Warnke.

Second Substitute House Bill No. 252, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to be recorded as voting "Yea" on Second Substitute House Bill No. 252.

EUGENE LUX, 35th District.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 449, by Committee on Appropriations (Originally sponsored by Representatives Erickson, Salatino, Sherman, Maxie, Pruitt, Nelson [Dick], Williams, Gruger, Lee, Knedlik, Lux and Valle - by Governor Ray request):

Establishing a state women's commission.

The bill was read the third time and placed on final passage.

Representatives Erickson, Hurley (George), Boldt, Lee, Salatino and Pardini spoke in favor of passage of the bill, and Mr. Oliver spoke against it.

Mr. King demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 449, and the bill passed the House by the following vote: Yeas, 70; nays, 19; not voting, 9.

Voting yea: Representatives Adams, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, McKibbin, Nelson D., North, O'Brien, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Dunlap, Fancher, Gallagher, Hurley M., May, McCormick, Nelson G. A., Oliver, Paris, Polk, Struthers, Wilson.

Not voting: Representatives Bauer, Bond, Ehlers, Knedlik, Leckenby, Moreau, Newhouse, Owen, Walk.

Engrossed Second Substitute House Bill No. 449, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish the record to show that I voted "Aye" on Engrossed Second Substitute House Bill No. 449.

WILL KNEDLIK, 45th District.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 138, by Committee on State Government (Originally sponsored by Representatives Eng, Lux, Pardini, Maxie, Blair, Greengo, Hanna, Salatino and Shinoda - by Commission on Asian-American Affairs request):

Continuing the Washington state commission on Asian-American affairs until June 30, 1983.

The bill was read the third time and placed on final passage.

Representatives Eng, Shinoda and Lux 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. 138, and the bill passed the House by the following vote: Yeas, 84; nays, 6; not voting, 8.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Oliver, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Craswell, Dunlap, Nelson G. A., Paris.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Moreau, Newhouse, Owen, Walk.

Engrossed Substitute House Bill No. 138, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 890, by Committee on Agriculture (Originally sponsored by Representatives Becker, Kilbury, Boldt, Monohon, Fancher, Shinoda and Vrooman):

Regulating nondairy products.

The bill was read the third time and placed on final passage.

Ms. Becker 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. 890, and the bill passed the House by the following vote: Yeas, 81; nays, 8; not voting, 9.

Voting yea: Representatives Adams, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Nelson D., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Clayton, Flanagan, Greengo, Nelson G. A., Pardini, Polk, Sanders.

Not voting: Representatives Bauer, Bond, Ehlers, Haley, Leckenby, McKibbin, Moreau, Newhouse, Walk.

Engrossed Substitute House Bill No. 890, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 424, by Representatives Douthwaite, Burns, Lux, Boldt, Leckenby, Pruitt, Nelson (Dick), Valle, Charnley, Hughes, Fischer, Knowles, Chandler, Grier and Bender:

Establishing the Washington state commission for the blind.

The bill was read the third time and placed on final passage.

Representatives Douthwaite and Burns spoke in favor of passage of the bill, and Representatives Taller, Gruger and Shinpoch spoke against it.

Mr. Douthwaite spoke again in favor of the bill.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Polk.

Mr. Polk: "This bill creates what appears to be a rather unique organizational structure in that I'm not aware of any other commission that is providing services to their constituency as well, even though the veterans' affairs thing created a department rather than a commission, and I'm wondering, with your background of dealing with these various agencies, if you know of any other agency in state government, or any other commission in state government, that is presently providing services to its constituency?"

Mr. Shinpoch: "I can't just come up with one. I just don't remember any one that provides services."

Representatives Polk and McKibbin spoke against passage of the bill.

Mr. King demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 424, and the bill passed the House by the following vote: Yeas, 57; nays, 31; not voting, 10.

Voting yea: Representatives Adams, Barr, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Deccio, Douthwaite, Enbody, Eng, Erak, Fancher, Fischer, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Hansen, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Maxie, May, McCormick, Nelson D., North, O'Brien, Oliver, Pardini, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Struthers, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Clayton, Clemente, Conner, Craswell, Dunlap, Erickson, Flanagan, Fuller, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Lee, McKibbin, Nelson G. A., Owen, Paris, Patterson, Polk, Shinpoch, Smith, Sommers, Taller, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bauer, Becker, Bond, Ehlers, Kreidler, Leckenby, Martinis, Moreau, Newhouse, Walk.

Engrossed House Bill No. 424, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1153, by Representatives Adams, Pruitt, Lux, Kreidler, Barr and Haley:

Creating handicapped persons priority in the services of the employment security department.

The bill was read the third time and placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1153, and the bill passed the House by the following vote: Yeas, 82; nays, 4; not voting, 12.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson,

Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Nelson G. A., Polk.

Not voting: Representatives Bauer, Bond, Craswell, Ehlers, Kreidler, Leckenby, Moreau, Newhouse, Owen, Sommers, Walk, Zimmerman.

Engrossed House Bill No. 1153, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

On Thursday, April 21st, I was absent from the House of Representatives session because I went to Richland, Washington to address a meeting of Superior Court judges about HB 371, the juvenile justice bill, of which I am the prime sponsor. That afternoon, four pension bills were voted upon by the House, House Bills 865, 866, 867 and 735. Because of my membership on the subcommittee on pensions, I am very familiar with the bills and wanted to give them my support. If possible, I would like to have my vote in favor of all four bills recorded in the Journal of the House.

On the following day, Friday, April 22nd, the House passed House Bill 424, the bill establishing a separate Commission for the Blind. At the time of the vote, I was in the wings discussing the bill and I failed to vote on the bill. For that reason, I would also like to be recorded as a "Yes" vote for House Bill 424 in the Journal of the House.

MARY KAY BECKER, 42nd District.

MOTIONS

On motion of Mr. King, the House advanced to the eighth order of business.

On motion of Mr. Bender, HOUSE BILL NO. 417 was rereferred from Committee on Revenue to Committee on Rules.

On motion of Mr. King, the House adjourned until 9:00 a.m., Saturday, April 23, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, April 23, 1977.

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 Bauer, Bond, Ehlers, Leckenby, Smith, Walk and Whiteside, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jennie Block and Rhett Berry. Prayer was offered by Reverend Stanley Workman of the Evergreen Christian Reformed 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

April 22, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2197,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2267,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2268,
 ENGROSSED SENATE BILL NO. 2288,
 SENATE BILL NO. 2444,
 ENGROSSED SENATE BILL NO. 2452,
 SENATE BILL NO. 2486,
 SENATE BILL NO. 2563,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2565,
 ENGROSSED SENATE BILL NO. 2570,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 18, 1977

Mr. Speaker:

The Senate refuses to concur with the House amendments to SUBSTITUTE SENATE BILL NO. 3047, and asks the House to recede therefrom, and said bill, with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTIONS

Representative Sommers moved that the House refuse to recede from its amendments to Substitute Senate Bill No. 3047, and once again ask the Senate to concur therewith.

Mr. Newhouse moved that the House do recede from its amendments.

The Speaker stated that the positive motion by Mr. Newhouse had precedence over the negative motion and therefore the question before the House was the motion to recede.

Representatives Newhouse, Hansen and Flanagan spoke in favor of the motion, and Representatives Sommers, Nelson (Gary) and Hawkins spoke against it.

POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Nelson (Dick).

Mr. Nelson (Dick): "Representative Hawkins, is it correct that people can prepare all the paperwork that's necessary to file under open space and have it ready and when this bill passes through a conference committee, it can immediately go under open space?"

Mr. Hawkins: "Application for open space can be made throughout the calendar year. The manner in which they are accepted and the assessment year in which they are accepted would depend on the qualifying period. The qualifying period for the end of April or the end of May—that application could still be accepted irrespective of the deadline."

Representatives Kilbury and Sommers spoke against the motion, and Representatives Flanagan and Deccio spoke in favor of it.

POINT OF PARLIAMENTARY INQUIRY

Mr. Hawkins: "Mr. Speaker, is the question the motion to recede from our amendments?"

The Speaker: "Yes, that the House do recede."

ROLL CALL

The Clerk called the roll on the motion that the House do recede from its amendments to Substitute Senate Bill No. 3047, and the motion was lost by the following vote: Yeas, 33; nays, 55; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Chandler, Clayton, Conner, Deccio, Dunlap, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Haley, Hansen, Knowles, Leckenby, Lee, Martinis, Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Tilly, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Craswell, Douthwaite, Enbody, Erak, Erickson, Fischer, Gaines, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Eng, Grimm, Keller, Owen, Smith, Walk, Whiteside.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2197, by Committee on Financial Institutions (Originally sponsored by Senators Woody and Jones):

Revising laws regulating escrow officers and agents.

To Committee on Financial Institutions

ENGROSSED SUBSTITUTE SENATE BILL NO. 2267, by Committee on State Government (Originally sponsored by Senators Bausch, Ridder and Talley):

Permitting more flexibility in mileage allowances.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 2268, by Committee on State Government (Originally sponsored by Senators Bausch, Ridder and Talley):

Permitting OPP&FM to establish per diem rates.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2288, by Senators Talley, Bluechel and Fleming (by Office of Program Planning and Fiscal Management request):

Regulating the conduct of various censuses.

To Committee on Local Government

SENATE BILL NO. 2444, by Senator Goltz:

Authorizing an involuntary sustained treatment program for recidivist alcoholics.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2452, by Senator Goltz:

Authorizing reasonable restraint of persons incapacitated by alcohol by medical personnel and limiting liability for actions in the course of official duty.

To Committee on Social and Health Services

SENATE BILL NO. 2486, by Senators Bottiger, Guess and Wanamaker (by Department of Highways request):

Modifying the methods for closing highways and restricting traffic.

To Committee on Transportation

SENATE BILL NO. 2563, by Senators Gould, Marsh and Lewis (by Secretary of State request):

Requiring presidential electors to vote for their party's nominee.

To Committee on Elections and Governmental Ethics

ENGROSSED SUBSTITUTE SENATE BILL NO. 2565, by Committee on State Government (Originally sponsored by Senators Rasmussen, Herr and Buffington):

Transferring UCC duties from the secretary of state to the department of motor vehicles.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2570, by Senators Washington, Bailey and Guess:

Providing for a school facilities cost stabilization program.

To Committee on Education

MOTION

On motion of Mr. King, all bills listed on today's agenda under the fourth order of business, were considered first reading, and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

April 21, 1977

HOUSE BILL NO. 34, Prime Sponsor: Representative Gaines, providing for the construction and financing of public facilities. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sanders, Sommers, Struthers.

MOTION

On motion of Mr. King, House Bill No. 34 was rereferred to Committee on Appropriations.

April 22, 1977

HOUSE BILL NO. 341, Prime Sponsor: Representative Wilson, prohibiting clam dredging in intertidal and estuarine waters. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Conner, Enbody, Fuller, Gilleland, Greengo, May, Schmitten, Shinoda, Vrooman.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 347, Prime Sponsor: Representative Fortson, defining the term "consultant pharmacist." Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Lux, Pearsall, Schmitten.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 400, Prime Sponsor: Representative Nelson (Gary), authorizing a pilot project to be known as the Washington innovation service institute. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass and amendments proposed by Committee on Commerce be adopted. Signed by Representatives McKibbin, Vice Chairman; Blair, Ranking

Minority Member; Amen, Chandler, Ehlers, Hawkins, Lee, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 558, Prime Sponsor: Representative Ehlers, providing a code to regulate the rental of mobile home lots. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 19, 1977

HOUSE BILL NO. 614, Prime Sponsor: Representative Hanna, providing for determinate sentencing for felony offenses. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Winsley.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 711, Prime Sponsor: Representative Gaines, modifying gambling laws. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Fancher, Gallagher, Hansen, Hawkins, Owen, Shinoda, Struthers.

MINORITY recommendation: Do not pass. Signed by Representatives Greengo, Ranking Minority Member; Paris.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 744, Prime Sponsor: Representative North, permitting residents along shorelands to construct piers without leasing the shoreland. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Douthwaite, Grier, Gruger, Hughes, Hurley (George), Oliver, Tilly.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 773, Prime Sponsor: Representative Fuller, modifying the forest excise tax laws. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Eng, Flanagan, Hurley (George), Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 790, Prime Sponsor: Representative O'Brien, including title insurance under insurance premium tax. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 11 after "year." insert "This subsection shall not apply to title insurers."

On page 2, line 28 after "agents," strike "other than title insurers," and insert "((other than title insurers;))"

Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Blair, Erak, Erickson, Sanders.

MOTION

On motion of Mr. King, House Bill No. 790 was rereferred to Committee on Revenue.

April 21, 1977

HOUSE BILL NO. 857, Prime Sponsor: Representative Keller, requiring statements on convicted persons for the board of prison terms and paroles. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 1133, Prime Sponsor: Representative Conner, authorizing certain golfing sweepstakes under gambling act. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 29 after "chapter:" insert "PROVIDED FURTHER, That the proprietor of a bowling establishment shall not be construed as engaging in 'professional gambling' if a proprietor employs as a trade stimulant a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money and which tickets are then selected by the luck of a draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: AND"

On page 8, line 30 strike "game" and insert "games"

Signed by Representatives Warnke, Chairman; Fancher, Gallaher, Hansen, Hawkins, Owen, Shinoda, Struthers.

MINORITY recommendation: Do not pass. Signed by Representatives Greengo, Ranking Minority Member; Paris.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1142, Prime Sponsor: Representative Knowles, requiring felony judgments to contain the fingerprints of the person convicted. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 1156, Prime Sponsor: Representative Gaines, implementing gambling act. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Greengo, Ranking Minority Member; Fancher, Gallagher, Hansen, Hawkins, Owen, Shinoda, Struthers.

MINORITY recommendation: Do not pass. Signed by Representative Paris.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1164, Prime Sponsor: Representative Smith, modifying the laws regulating driving while under the influence of intoxicating liquor. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, beginning on line 17 strike all of section 2

On page 1, line 3 of the title after "46.20.308" insert a period and strike the remainder of the title.

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1227, Prime Sponsor: Representative Charette, permitting vendors one hundred twenty days to file for reimbursement from the department of social and health services. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Chandler, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Polk, Taller, Thompson, Valle, Vrooman.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1251, Prime Sponsor: Representative Blair, establishing a salary schedule for state legislators. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Burns, Erak, O'Brien, Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Taller, Ranking Minority Member; Sanders, Struthers.

MOTION

On motion of Mr. King, House Bill No. 1251 was rereferred to Committee on Appropriations.

April 20, 1977

HOUSE BILL NO. 1260, Prime Sponsor: Representative Douthwaite, modifying the bond, licensing, and fee provisions of the insurance laws. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 7, beginning on line 27 strike all of section 7

On page 1, line 9 of the title after "RCW 48.17.430;" insert "and" and on line 12 after "RCW 48.17-.500" insert a period and strike the remainder of the title.

Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Blair, Erak, Erickson, Knedlik.

To Committee on Rules for second reading.

April 20, 1977

HOUSE BILL NO. 1262, Prime Sponsor: Representative Douthwaite, modifying assessments of insurance guaranty association members. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 strike "two hundred" and insert "one thousand"

On page 2, line 21 strike "two hundred" and insert "one thousand"

Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Blair, Erak, Erickson, Keller, Sanders.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 1272, Prime Sponsor: Representative Paris, delaying the legislative session following the election of a new governor. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1285, Prime Sponsor: Representative Pruitt, modifying property tax exemption laws for nonprofit corporations. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning with "for use" on line 2 strike all matter down to and including "school" on line 4 and insert "((for use for an eleemosynary activity)) qualified to receive tax deductible contributions under the United States Internal Revenue Code of 1954 and amendments thereto for use for an activity consistent with the nonprofit purpose of such organization, association, or school"

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Flanagan, Hurley (George), Kilbury, Nelson (Dick).

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 1291, Prime Sponsor: Representative Douthwaite, modifying valuation and nonforfeiture provisions for insurance contracts. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendment:
On page 4, line 1 strike "three" and insert "((three)) six"

Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Erak, Erickson, Sanders, Taller.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1306, Prime Sponsor: Representative King, establishing a schedule of salary increases for legislators. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Burns, Erak, O'Brien, Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Taller, Ranking Minority Member; Struthers.

MOTION

On motion of Mr. King, House Bill No. 1306 was rereferred to Committee on Appropriations.

April 22, 1977

HOUSE BILL NO. 1310, Prime Sponsor: Representative Valle, defining "date of filing" with regard to a permit for a variance or a conditional use under the shoreline management act. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Douthwaite, Grier, Gruger, Hughes, Hurley (George), Kreidler.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1321, Prime Sponsor: Representative Ehlers, establishing a schedule of salary increases for the executive branch officers. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Burns, Erak, O'Brien, Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Taller, Ranking Minority Member; Sanders, Struthers.

MOTION

On motion of Mr. King, House Bill No. 1321 was rereferred to Committee on Appropriations.

April 21, 1977

HOUSE BILL NO. 1322, Prime Sponsor: Representative Ehlers, establishing a schedule of salary increases for the judicial branch. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Burns, Erak, O'Brien, Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Taller, Ranking Minority Member; Struthers.

MOTION

On motion of Mr. King, House Bill No. 1322 was rereferred to Committee on Appropriations.

April 22, 1977

HOUSE BILL NO. 1361, Prime Sponsor: Representative Nelson (Dick), employing a portion of cigarette and tobacco taxes for smoking education and research. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Gruger, Hughes, Hurley (George), Kridler, Oliver.

MOTION

On motion of Mr. King, House Bill No. 1361 was rereferred to Committee on Appropriations.

April 22, 1977

HOUSE JOINT MEMORIAL NO. 14, Prime Sponsor: Representative Fortson, requesting the federal government to develop a program of standards for marine measurements. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Gruger, Hughes, Hurley (George), Kridler, Oliver, Tilly.

To Committee on Rules for second reading.

April 22, 1977

HOUSE JOINT RESOLUTION NO. 9, Prime Sponsor: Representative Maxie, amending the Constitution to provide for annual legislative sessions and other sessions to be convened by the legislature. Reported by Committee on Constitution.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Charette, Sommers.

To Committee on Rules for second reading.

April 22, 1977

HOUSE JOINT RESOLUTION NO. 36, Prime Sponsor: Representative Warnke, amending the Constitution to allow the state, its political subdivisions, and municipal corporations to lend their credit to the extent of certain special revenues. Reported by Committee on Constitution.

MAJORITY recommendation: The substitute bill by Committee on State Government be substituted therefor and that the substitute bill do pass. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

April 22, 1977

HOUSE CONCURRENT RESOLUTION NO. 8, Prime Sponsor: Representative Fortson, requesting pharmacy consulting services for nursing homes. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kridler, Vice Chairman; Whiteside, Ranking Minority Member; Fortson, Gruger, Lux, Pearsall, Schmitt.

To Committee on Rules for second reading.

April 21, 1977

HOUSE CONCURRENT RESOLUTION NO. 9, Prime Sponsor: Representative Kridler, requesting unit dose drug distributions for nursing homes. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Lux, Pearsall, Schmitten.

To Committee on Rules for second reading.

April 22, 1977

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2104, Prime Sponsor: Senator Peterson, authorizing salmon license. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 22 after "Sec. 2." insert "For the purposes of sections 1 through 6 of this act, the term 'charter boat' shall refer only to those charter boats from which salmon are taken."

Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Conner, Enbody, Fuller, Gilleland, Greengo, Lysen, May, Schmitten, Shinoda, Vrooman.

To Committee on Rules for second reading.

April 21, 1977

ENGROSSED SENATE BILL NO. 2199, Prime Sponsor: Senator Lewis, making more specific the degree of alcoholism which prevents a person from getting a driver's license. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 28 after "alcoholism" strike "treatment" and insert "recovery"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, Lysen, Patterson, Sherman.

To Committee on Rules for second reading.

April 22, 1977

ENGROSSED SENATE BILL NO. 2460, Prime Sponsor: Senator von Reichbauer, authorizing hostels. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 9 after "hostels" insert ": PROVIDED, That the commission shall establish rules and regulations for the operation of hostels which are substantially similar to the operating standards and customs established by the American Youth Hostels Incorporated"

Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; King, Owen, Paris.

To Committee on Rules for second reading.

April 21, 1977

SUBSTITUTE SENATE BILL NO. 2681, Prime Sponsor: Senator Donohue, amending the appropriations law to direct transfers of certain funds of the state treasurer. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Chandler, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Teller, Thompson, Valle, Vrooman.

To Committee on Rules for second reading.

April 19, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2924, Prime Sponsor: Senator Henry, creating a department of transportation. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION.** Section 1. There is added to Title 47 RCW a new section to read as follows:

The legislature hereby recognizes the following imperative needs within the state: To create a state-wide transportation development plan which identifies present status and sets goals for the future; to coordinate transportation modes; to promote and protect land use programs required in local, state and federal law; to coordinate transportation with the economic development of the state; to supply a broad framework in which regional, metropolitan, and local transportation needs can be related; to facilitate the supply of federal and state aid to those areas which will most benefit the state as a whole; to provide for public involvement in the transportation planning and development process; to administer programs within the jurisdiction of this

title relating to the safety of the state's transportation systems; and to coordinate and implement national transportation policy with the state transportation planning program.

The legislature finds and declares that placing all elements of transportation in a single department is fully consistent with and shall in no way impair the use of moneys in the motor vehicle fund exclusively for highway purposes.

Through this chapter, a unified department of transportation is created. To the jurisdiction of this department will be transferred the present powers, duties, and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, and the canal commission, and the transportation related powers, duties, and functions of the planning and community affairs agency.

NEW SECTION. Sec. 2. There is added to Title 47 RCW a new section to read as follows:

As used in this title unless the context indicates otherwise:

- (1) 'Department' means the department of transportation created in section 3 of this 1977 amendatory act;
- (2) 'Commission' means the transportation commission created in section 5 of this 1977 amendatory act;
- (3) 'Secretary' means the secretary of transportation as provided for in section 4 of this 1977 amendatory act.

NEW SECTION. Sec. 3. There is added to Title 47 RCW a new section to read as follows:

(1) There is created a department of state government to be known as the department of transportation.

(2) All powers, duties, and functions vested by law in the department of highways, the state highway commission, the director of highways, the Washington toll bridge authority, the aeronautics commission, the director of aeronautics, and the canal commission, and the transportation related powers, duties, and functions of the planning and community affairs agency, are transferred to the jurisdiction of the department, except those powers, duties, and functions which are expressly directed elsewhere in this or in any other act of the 1977 legislature.

(3) The urban arterial board and the board of pilotage commissioners are transferred to the jurisdiction of the department for their staff support and administration: PROVIDED, That nothing in this section shall be construed as transferring any policy making powers of the urban arterial board or the board of pilotage commissioners to the transportation commission or the department of transportation.

NEW SECTION. Sec. 4. There is added to Title 47 RCW a new section to read as follows:

The executive head of the department of transportation shall be the secretary of transportation, who shall be appointed by the transportation commission from a list of three names submitted by the governor, and shall be paid a salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. The secretary shall be an ex officio member of the commission without a vote. The secretary shall be the chief executive officer of the commission responsible only to it, and shall be guided by policies established by it. The secretary shall serve until removed by the commission, but only for incapacity, incompetence, neglect of duty, malfeasance in office, or failure to carry out the commission's policies. Before a motion for dismissal shall be acted on by the commission, the secretary shall be granted a hearing on formal written charges before the full commission. An action by the commission to remove the secretary shall be final.

NEW SECTION. Sec. 5. There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

There is hereby created a transportation commission, which shall consist of seven members appointed by the governor, with the consent of the senate. The present five members of the highway commission shall serve as five initial members of the transportation commission until their terms of office as highway commission members would have expired. The additional two members provided herein for the transportation commission shall be appointed for initial terms to expire on June 30, 1982, and June 30, 1983. Thereafter all terms shall be for six years. No elective state official or state officer or state employee shall be a member of the commission, and not more than four members of the commission shall at the time of appointment or thereafter during their respective terms of office be members of the same major political party. At the time of appointment or thereafter during their respective terms of office, four members of the commission shall reside in the western part of the state and three members shall reside in the eastern part of the state as divided north and south by the summit of the Cascade mountains. No more than two members of the commission shall reside in the same county. Commissioners shall not be removed from office by the governor before the expiration of their terms unless for a disqualifying change of residence or for cause based upon a determination of incapacity, incompetence, neglect of duty, or malfeasance in office by the superior court of the state of Washington in and for Thurston county upon petition and show cause proceedings duly brought therefor in said court and directed to the commissioner in question. No member shall be appointed for more than two consecutive terms.

NEW SECTION. Sec. 6. There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

The commission shall meet at such times as it deems advisable but at least once every month. It may adopt its own rules and regulations and may establish its own procedure. It shall act collectively in harmony with recorded resolutions or motions adopted by majority vote of at least four members. The commission may appoint an administrative secretary, and shall elect one of its members chairman for a term of one year. The chairman shall be able to vote on all matters before the commission.

Each member of the commission shall receive compensation of sixty dollars per day for each day actually spent in the performance of duties, and actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and actual and necessary traveling and other

expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the secretary of transportation, but in no event shall a commissioner be compensated in any year for more than one hundred twenty days, except the chairman of the commission who may be paid compensation for not more than one hundred fifty days. Service on the commission shall not be considered as service credit for the purposes of any public retirement system.

NEW SECTION. Sec. 7. There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

The transportation commission shall have the following functions, powers, and duties:

(1) To propose policies to be adopted by the legislature designed to assure the development and maintenance of a comprehensive and balanced state-wide transportation system which will meet the needs of the people of this state for safe and efficient transportation services. Wherever appropriate the policies shall provide for the use of integrated, intermodal transportation systems to implement the social, economic, and environmental policies, goals, and objectives of the people of the state, and especially to conserve nonrenewable natural resources including land and energy. To this end the commission shall:

(a) Develop transportation policies which are based on the policies, goals, and objectives expressed and inherent in existing state laws;

(b) Inventory the adopted policies, goals, and objectives of the local and area-wide governmental bodies of the state and define the role of the state, regional, and local governments in determining transportation policies, in transportation planning, and in implementing the state transportation plan;

(c) Propose a transportation policy for the state, and after notice and public hearings, submit the proposal to the legislative transportation committee and the senate and house transportation committees by January 1, 1978, for consideration in the next legislative session;

(d) Establish a procedure for review and revision of the state transportation policy and for submission of proposed changes to the legislature;

(e) To integrate the state-wide transportation plan with the needs of the elderly and handicapped, and to coordinate federal and state programs directed at assisting local governments to answer such needs;

(2) To establish the policy of the department to be followed by the secretary on each of the following items:

(a) To provide for the effective coordination of state transportation planning with national transportation policy, state and local land use policies, and local and regional transportation plans and programs;

(b) To provide for public involvement in transportation designed to elicit the public's views both with respect to adequate transportation services and appropriate means of minimizing adverse social, economic, environmental, and energy impact of transportation programs;

(c) To provide for the administration of grants in aid and other financial assistance to counties and municipal corporations for transportation purposes;

(d) To provide for the management, sale, and lease of property or property rights owned by the department which are not required for transportation purposes;

(3) To direct the secretary to prepare and submit to the commission a comprehensive and balanced state-wide transportation plan which shall be based on the transportation policy adopted by the legislature and applicable state and federal laws. After public notice and hearings, the commission shall adopt the plan and submit it to the legislative transportation committee and to the house and senate standing committees on transportation before January 1, 1980, for consideration in the next legislative session. The plan shall be reviewed and revised at the next regular session of the legislature and biennially thereafter. A preliminary plan shall be submitted to such committees by January 1, 1979.

The plan shall take into account federal law and regulations relating to the planning, construction, and operation of transportation facilities;

(4) To approve and propose to the governor and to the legislature prior to the convening of each regular session a recommended budget for the operation of the department and for carrying out the program of the department for the ensuing biennium. The proposed budget shall separately state the appropriations to be made from the motor vehicle fund for highway purposes in accordance with constitutional limitations and appropriations and expenditures to be made from the general fund, or accounts thereof, and other available sources for other operations and programs of the department;

(5) To review and authorize all departmental requests for legislation;

(6) To approve the issuance and sale of all bonds authorized by the legislature for capital construction of state highways, toll facilities, Columbia Basin county roads (for which reimbursement to the motor vehicle fund has been provided), urban arterial projects, and aviation facilities;

(7) To adopt such rules, regulations, and policy directives as may be necessary to carry out reasonably and properly those functions expressly vested in the commission by statute;

(8) To delegate any of its powers to the secretary of transportation whenever it deems it desirable for the efficient administration of the department and consistent with the purposes of this title;

(9) To exercise such other specific powers and duties as may be vested in the transportation commission by this or any other provision of law.

NEW SECTION. Sec. 8. There is added to Title 47 RCW a new section to read as follows:

(1) Initially the department shall be organized into divisions, including the division of highways, the division of public transportation, the division of aeronautics, the division of marine transportation, and the division of transportation planning and budget.

(2) The secretary may reorganize divisions in order to attain the maximum possible efficiency in the operation of the department. Each division shall be headed by an assistant secretary to be appointed by the

secretary. The secretary may also appoint a deputy secretary as may be needed for the performance of the duties and functions vested in the department. The secretary may delegate to officers within the several divisions of the department authority to employ personnel necessary to discharge the responsibilities of the department.

(3) The officers appointed under this section shall be exempt from the provisions of the state civil service law and 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. 9. There is added to Title 47 RCW a new section to read as follows:

The secretary shall establish such advisory councils as are necessary to carry out the purposes of this 1977 amendatory act, and to insure adequate public participation in the planning and development of transportation facilities. Members of such councils shall serve at the pleasure of the secretary and may receive per diem and necessary expenses, in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

NEW SECTION, Sec. 10. There is added to Title 47 RCW a new section to read as follows:

The secretary shall have the authority and it shall be his or her duty, subject to policy guidance from the commission:

(1) To serve as chief executive officer of the department with full administrative authority to direct all its activities;

(2) To organize the department as he or she may deem necessary to carry out the work and responsibilities of the department effectively;

(3) To designate and establish such transportation district or branch offices as may be necessary or convenient, and to appoint assistants and delegate any powers, duties, and functions to them or any officer or employee of the department as deemed necessary to administer the department efficiently;

(4) To direct and coordinate the programs of the various divisions of the department to assure that they achieve the greatest possible mutual benefit, produce a balanced overall effort, and eliminate unnecessary duplication of activity;

(5) To adopt all department rules which are subject to the adoption procedures contained in the state administrative procedure act except rules subject to adoption by the commission pursuant to statute;

(6) To maintain and safeguard the official records of the department, including the commission's recorded resolutions and orders;

(7) To provide full staff support to the commission to assist it in carrying out its functions, powers, and duties and to execute the policy established by the commission pursuant to its legislative authority;

(8) To exercise all other powers and perform all other duties as are now or hereafter provided by law.

NEW SECTION, Sec. 11. There is added to Title 47 RCW a new section to read as follows:

(1) All employees and personnel of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, and the canal commission, and personnel in the planning and community affairs agency whose primary duties relate to transportation, shall, on July 1, 1977, be transferred to the jurisdiction of the department of transportation. All employees classified under chapter 41.06 RCW, the state civil service law, 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 bargaining agreements and the laws and rules governing the state merit system: PROVIDED, That the executive secretary appointed by the urban arterial board shall not be transferred to the department and shall remain subject to the control of the urban arterial board.

(2) Any officer or employee of any of the agencies mentioned hereinabove who holds an exempt position with such agency and who previously held permanent status in a classified position shall on or after July 1, 1977, have a right of reversion to the highest class of position previously held, and may continue employment in the department of transportation at such class of position subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state merit system.

NEW SECTION, Sec. 12. The lawfully adopted rules and regulations of the Washington state highway commission, the Washington toll bridge authority, the aeronautics commission, the canal commission, and those of the planning and community affairs agency which relate to transportation, in effect on June 30, 1977, shall continue to have full force and effect and be applicable until superseded by, or repealed by, rules and regulations lawfully adopted by the secretary of transportation or the transportation commission as provided in sections 6 and 10 of this 1977 amendatory act. Rules and regulations lawfully adopted by the board of pilotage commissioners pursuant to RCW 88.16.030 in effect on June 30, 1977, shall continue to have full force and effect and be applicable until suspended by, or repealed by, rules and regulations lawfully adopted by the newly constituted board of pilotage commissioners as provided for in RCW 88.16.010 as now or hereafter amended.

NEW SECTION, Sec. 13. 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 transportation to the secretary, a deputy secretary, an administrative assistant to the secretary, if any, one assistant secretary for each division designated pursuant to section 8 of this 1977 amendatory act, and one confidential secretary for each of the above-named officers. The individuals appointed under this section shall be exempt from the provisions of the state civil service law, and shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for individuals exempt from the operation of the state civil service law.

NEW SECTION. Sec. 14. If on the effective date of this 1977 amendatory act, any exempt position designated hereinabove has not been filled by appointment, the person serving in the comparable exempt position, if any, in an agency whose functions are by section 3 of this 1977 amendatory act transferred to the department of transportation shall fill such exempt position until a permanent appointment thereto has been made.

NEW SECTION. Sec. 15. Nothing in this 1977 amendatory act shall be construed to affect any existing rights acquired under the sections amended or repealed herein except as to the governmental agencies referred to and their officials and employees, nor as affecting any actions, activities, or proceedings validated thereunder, nor as affecting any civil or criminal proceedings instituted thereunder, nor any rule, regulation, resolution, or order promulgated thereunder, nor any administrative action taken thereunder; and neither the abolition of any agency nor any transfer of powers, duties, and functions as provided herein, shall affect the validity of any act performed by such agency or any officer thereof prior to the effective date of this 1977 amendatory act.

NEW SECTION. Sec. 16. Nothing contained in this 1977 amendatory act shall be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until any such agreement has expired.

NEW SECTION. Sec. 17. All reports, documents, surveys, books, records, files, papers, or other writings in the possession of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the canal commission, the board of pilotage commissioners, and such material in possession of the planning and community affairs agency which relates to transportation, shall be delivered on the effective date of this 1977 amendatory act, to the custody of the department of transportation.

All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed in carrying out the powers, duties, and functions transferred to the department of transportation by section 3 of this 1977 amendatory act shall be made available on the effective date of this 1977 amendatory act, to the department. All funds, credits, or other assets held in connection with the functions so transferred shall by such time be assigned to the department of transportation.

Any appropriations heretofore made to the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the canal commission, and the planning and community affairs agency for the purpose of carrying out the powers, duties, and functions transferred in section 3 of this 1977 amendatory act, shall on the effective date of this 1977 amendatory act, be so transferred and credited to the department of transportation for the purpose of carrying out such transferred powers, duties, and functions. Appropriations to the planning and community affairs agency hereby transferred to the department of transportation, including funds for administration of advanced planning moneys for local public transportation agencies, that are available for administration and state level planning functions may be expended during the period July 1, 1977, through March 31, 1978, to pay that share of the administration and planning activities of the department of transportation relating to nonhighway functions of the department, pending adoption of the department's supplemental budget as provided in section 25 of this 1977 amendatory act.

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 section 3 of this 1977 amendatory act, the director of the office of program planning and fiscal management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 18. All state officials required to maintain contact with or provide services for any of the departments or agencies whose functions are transferred by section 3 of this 1977 amendatory act shall continue to perform such services for the department of transportation unless otherwise directed by this title.

NEW SECTION. Sec. 19. While any bonds, whether definitive, temporary, or interim, or warrants, certificates, or receipts of any denomination, with or without coupons attached heretofore issued by the state aeronautics commission, the toll bridge authority, the highway commission, or any of the other agencies whose functions are transferred to the department of transportation by section 3 of this 1977 amendatory act, remain outstanding, the powers and duties relating thereto of such agencies or of any official or employee thereof transferred by section 11 of this 1977 amendatory act to the department of transportation, or any powers and duties of any other state official or state agency with respect to such bonds, warrants, certificates, or receipts shall not be diminished or impaired in any manner that will adversely affect the interests and rights of the holders of such bonds, warrants, certificates, or receipts. The holder of any such bond, warrant, certificate, or receipt may by mandamus or other appropriate proceeding require the performance by the department of transportation, or other appropriate state official or agency, of any of the duties heretofore imposed upon any state department, official, or employee under the terms of any such prior bond, warrant, certificate, or receipt agreement or sale: **PROVIDED**, That the enumeration of such rights and remedies herein shall not be deemed to exclude the exercise or prosecution of any other rights or remedies by the holders of such bonds, warrants, certificates, or receipts.

Sec. 20. Section 1, chapter 7, Laws of 1977 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 social and health services, (2) the department of ecology, (3) the department of labor and industries, (4) the department of agriculture, (5) the department of fisheries, (6) the department of game, (7) the department of ~~(highways))~~ transportation, (8) the department of motor vehicles, (9) the department of general administration, (10) the department of commerce and economic development, (11) the department of veterans affairs, (12) the department of revenue, and (13) the department of retirement systems, 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. 21. Section 2, chapter 7, Laws of 1977 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 secretary of social and health services, (2) the director of ecology, (3) the director of labor and industries, (4) the director of agriculture, (5) the director of fisheries, (6) the director of game, (7) the ~~((director-of-highways))~~ secretary of transportation, (8) the director of motor vehicles, (9) the director of general administration, (10) the director of commerce and economic development, (11) the director of veterans affairs, (12) the director of revenue, and (13) the director of retirement systems.

Such officers, except the ~~((director-of-highways))~~ secretary of transportation 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))~~ secretary of transportation shall be appointed by the ~~((state-highway))~~ transportation commission as prescribed by section 4 of this 1977 amendatory act, and the director of game shall be appointed by the game commission.

NEW SECTION. Sec. 22. There is added to chapter 14.04 RCW a new section to read as follows:

Unless the language specifically indicates otherwise, or unless the context plainly requires a different interpretation:

Wherever in any provision in the Revised Code of Washington the term 'Washington state aeronautics commission', 'the state aeronautics commission', 'the aeronautics commission of the state', 'the aeronautics commission', or 'the commission' (when referring to the Washington state aeronautics commission) is used, it shall mean the department of transportation created in section 3 of this 1977 amendatory act.

Wherever in any provision in the Revised Code of Washington the term 'state director of aeronautics', 'director of aeronautics', or 'director' (when referring to the state director of aeronautics) is used, it shall mean the secretary of transportation whose office is created in section 4 of this 1977 amendatory act.

NEW SECTION. Sec. 23. There is added to Title 47 RCW a new section to read as follows:

Unless the language specifically indicates otherwise, or unless the context plainly requires a different interpretation:

Wherever in Title 47 RCW or in any provision in the Revised Code of Washington the term 'Washington state highway commission', 'the state highway commission', 'the highway commission', 'the commission' (when referring to the Washington state highway commission), 'the department of highways', 'Washington toll bridge authority', or 'the authority' (when referring to the Washington toll bridge authority) is used, it shall mean the department of transportation created in section 3 of this 1977 amendatory act.

Wherever in Title 47 RCW or in any provision in the Revised Code of Washington the term 'director of highways' is used, it shall mean the secretary of transportation, whose office is created in section 4 of this 1977 amendatory act.

NEW SECTION. Sec. 24. There is added to chapter 1.08 RCW a new section to read as follows:

For purposes of harmonizing and clarifying the provisions of the statute sections published in the revised code of Washington, the code reviser may substitute words designating the department of transportation or the secretary of transportation, as appropriate, whenever necessary to effect the changes in meaning provided for in sections 22 and 23 of this 1977 amendatory act or any other act of the 1977 legislature.

NEW SECTION. Sec. 25. (1) The transportation commission through the secretary of transportation, and in conjunction with the legislative transportation committee and the house and senate transportation committees, shall immediately undertake a study of the proper funding of the department of transportation, the state transportation systems and the functions vested in the department. The study shall encompass alternative sources of funding of both highway and nonhighway functions of the department.

(2) The transportation commission through the secretary of transportation shall prepare a proposed budget for the operations of the department of transportation for the biennium ending June 30, 1979, and in connection therewith shall obtain such data relating to the needs of the state transportation systems and functions as may be necessary. The preliminary budget including proposed alternative sources of funding for the department of transportation for the remainder of the biennium ending June 30, 1979, shall be submitted to the house and senate transportation committees for review by November 15, 1977.

NEW SECTION. Sec. 26. The chief of the Washington state patrol, the director of the traffic safety commission, the administration engineer of the county road administration board, and the director of the department of motor vehicles are designated as official consultants to the transportation commission so that the goals and activities of their respective agencies which relate to transportation are fully coordinated with other related responsibilities of the department of transportation. In this capacity, the chief of the Washington state patrol, the director of the traffic safety commission, the administration engineer of the county road administration board, and the director of motor vehicles shall consult with the transportation commission and the secretary of transportation on the implications and impacts on the transportation related functions and duties of their respective agencies of any proposed comprehensive transportation plan, program, or policy.

In order to develop fully integrated, balanced, and coordinated transportation plans, programs, and budgets the chief of the Washington state patrol, the director of the traffic safety commission, the administration engineer of the county road administration board, and the director of motor vehicles shall consult with the secretary of transportation on the matter of relative priorities during the development of their respective agencies' plans, programs, and budgets as they pertain to transportation activities. The secretary

of transportation shall provide written comments to the governor and the legislature on the extent to which the state patrol's, the traffic safety commission's, the county road administration board's, and the department of motor vehicle's final plans, programs, and budgets are compatible with the priorities established in the department of transportation's final plans, programs, and budgets.

Sec. 27. Section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070 are each amended to read as follows:

In all situations wherein the director of highways, the director of aeronautics or any one of their designees, or any member of the highway commission, the toll bridge authority, the aeronautics commission, or the canal commission or any one of their designees was on ~~((July 1, 1954))~~ the effective date of this 1977 amendatory act, designated or serving as a member of any board, commission, committee, or authority, the ~~((state-highway commission))~~ the chairman of the transportation commission or the chairman's designee who shall be an employee of the department of transportation, shall hereafter determine who shall serve as such member.

Sec. 28. Section 7, chapter 74, Laws of 1967 and RCW 43.63A.070 are each amended to read as follows:

The planning and community affairs agency shall have the following planning functions and responsibilities:

(1) Provide technical assistance to the governor and the legislature in identifying long range goals for the state((:));

(2) Prepare a state comprehensive plan as the state's long range public declaration of intent in developmental policy, for programming its facilities and services and for guidance of private activities and public programs at all levels of government. Plan elements may include but shall not be limited to transportation, scenic highways, public facilities, recreation, open spaces, natural resources, patterns of urban and rural development, and quality of the natural and man-made environment((:)): PROVIDED, That plan elements relating to transportation shall be in accord with the state-wide transportation policies and plans developed by the transportation commission pursuant to section 7 of this 1977 amendatory act;

(3) Provide assistance and coordination to other state agencies for preparation of agency plans and programs((:));

(4) Provide general coordination and review of plans in functional areas of state government as may be necessary for receipt of federal or state funds((:));

(5) Participate with other states or subdivisions thereof in interstate planning, and assist cities, counties, municipal corporations, governmental conferences or councils, and regional planning commissions to participate with other states or their subdivisions in planning((:));

(6) Assist the ~~((central-budget agency))~~ office of program planning and fiscal management in capital improvement programming and other programming activities((:));

(7) Encourage educational and research programs that further planning and community development, and provide administrative and technical services therefor.

Sec. 29. Section 46.44.080, chapter 12, Laws of 1961 as amended by section 1, chapter 15, Laws of 1973 2nd ex. sess. and RCW 46.44.080 are each amended to read as follows:

Local authorities with respect to public highways under their jurisdiction may prohibit the operation thereon of motor trucks or other vehicles or may impose limits as to the weight thereof, or any other restrictions as may be deemed necessary, whenever any such public highway by reason of rain, snow, climatic or other conditions, will be seriously damaged or destroyed unless the operation of vehicles thereon be prohibited or restricted or the permissible weights thereof reduced: PROVIDED, That whenever a highway has been closed generally to vehicles or specified classes of vehicles, local authorities shall by general rule or by special permit authorize the operation thereon of school buses, emergency vehicles, and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under such weight and speed restrictions as the local authorities deem necessary to protect the highway from undue damage: PROVIDED FURTHER, That the governing authorities of incorporated cities and towns shall not prohibit the use of any city street designated by the ((state-highway)) transportation commission as forming a part of the route of any primary state highway through any such incorporated city or town by vehicles or any class of vehicles or impose any restrictions or reductions in permissible weights unless such restriction, limitation, or prohibition, or reduction in permissible weights be first approved in writing by the ((highway-commission)) department of transportation.

The local authorities imposing any such restrictions or limitations, or prohibiting any use or reducing the permissible weights shall do so by proper ordinance or resolution and shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution in each end of the portion of any public highway affected thereby, and no such ordinance or resolution shall be effective unless and until such signs are erected and maintained.

The ~~((highway commission))~~ department shall have the same authority as hereinabove granted to local authorities to prohibit or restrict the operation of vehicles upon state highways(~~((which rules shall be administered by the department of highways))~~). The department ~~((of highways))~~ shall give public notice of closure or restriction. The ~~((highway commission))~~ department may ~~((further authorize the department of highways to))~~ issue special permits for the operation of school buses and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under specified weight and speed restrictions as may be necessary to protect any state highway from undue damage.

Sec. 30. Section 46.44.090, chapter 12, Laws of 1961 as amended by section 13, chapter 64, Laws of 1975-76 2nd ex. sess. and RCW 46.44.090 are each amended to read as follows:

The (~~state-highway~~) department of transportation, pursuant to rules adopted by the transportation commission with respect to (~~primary and secondary~~) state highways and local authorities with respect to public highways under their jurisdiction may, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight of vehicle, or load exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter upon any public highway under the jurisdiction of the authority granting such permit and for the maintenance of which such authority is responsible.

Sec. 31. Section 46.44.091, chapter 12, Laws of 1961 as last amended by section 14, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.091 are each amended to read as follows:

(1) Except as otherwise provided in subsections (3) and (4) of this section, no special permit shall be issued for movement on any state highway or route of a state highway within the limits of any city or town where the gross weight, including load, exceeds the following limits:

(a) Twenty-two thousand pounds on a single axle or on dual axles with a wheelbase between the first and second axles of less than three feet six inches;

(b) Forty-three thousand pounds on dual axles having a wheelbase between the first and second axles of not less than three feet six inches but less than seven feet;

(c) On any group of axles or in the case of a vehicle employing two single axles with a wheel base between the first and last axle of not less than seven feet but less than ten feet, a weight in pounds determined by multiplying six thousand five hundred times the distance in feet between the center of the first axle and the center of the last axle of the group;

(d) On any group of axles with a wheel base between the first and last axle of not less than ten feet but less than thirty feet, a weight in pounds determined by multiplying two thousand two hundred times the sum of twenty and the distance in feet between the center of the first axle and the center of the last axle of the group;

(e) On any group of axles with a wheel base between the first and last axle of thirty feet or greater, a weight in pounds determined by multiplying one thousand six hundred times the sum of forty and the distance in feet between the center of the first axle and the center of the last axle of the group.

(2) The total weight of a vehicle or combination of vehicles allowable by special permit under subsection (1) of this section shall be governed by the lesser of the weights obtained by using the total number of axles as a group or any combination of axles as a group.

(3) The weight limitations pertaining to single axles may be exceeded to permit the movement of equipment operating upon single pneumatic tires having a rim width of twenty inches or more and a rim diameter of twenty-four inches or more or dual pneumatic tires having a rim width of sixteen inches or more and a rim diameter of twenty-four inches or more and specially designed vehicles manufactured and certified for special permits prior to July 1, 1975.

(4) Permits may be issued for weights in excess of the limitations contained in subsection (1) of this section on highways or sections of highways which have been designed and constructed for weights in excess of such limitations, or for any shipment duly certified as necessary by military officials, or by officials of public or private power facilities, or when in the opinion of the (~~highway-commission~~) department of transportation the movement or action is a necessary movement or action: PROVIDED, That in the judgment of the (~~highway-commission~~) department of transportation the structures and highway surfaces on the routes involved are capable of sustaining weights in excess of such limitations and it is not reasonable for economic or operational considerations to transport such excess weights by rail or water for any substantial distance of the total mileage applied for.

(5) Application shall be made in writing on special forms provided by the (~~highway-commission~~) department of transportation and shall be submitted at least thirty-six hours in advance of the proposed movement. An application for a special permit for a gross weight of any combination of vehicles exceeding two hundred thousand pounds shall be submitted in writing to the (~~highway-commission~~) department of transportation at least thirty days in advance of the proposed movement.

Sec. 32. Section 46.44.092, chapter 12, Laws of 1961 as last amended by section 15, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.092 are each amended to read as follows:

No special permit shall be issued for movement on any two lane state highway outside the limits of any city or town where the overall width of load exceeds fourteen feet, or on any multiple lane state highway where the overall width of load exceeds thirty-two feet; except that on multiple lane state highways where a physical barrier serving as a median divider separates the oncoming and opposing traffic lanes, no special permit shall be issued for width in excess of twenty feet: PROVIDED, That (1) in the case of buildings, the limitations referred to in this section for movement on any two lane state highway other than the national system of interstate and defense highways may be exceeded under the following conditions: (a) Controlled vehicular traffic shall be maintained in one direction at all times; (b) maximum distance of movement shall not exceed five miles; additional contiguous permits shall not be issued to exceed the five-mile limit: PROVIDED, That when (~~in the opinion of the highway-commission~~) the department of transportation, pursuant to general rules adopted by the transportation commission, determines a hardship would result, this limitation may be exceeded upon approval of the (~~commission~~) department of transportation; (c) prior to issuing a permit a qualified (~~highway~~) transportation department employee shall make a visual inspection of the building and route involved determining that the conditions listed herein shall be complied with and that structures or overhead obstructions may be cleared or moved in order to maintain a constant and uninterrupted movement of the building; (d) special escort or other precautions may be imposed to assure movement is made under the safest possible conditions, and the Washington state patrol shall be advised when

and where the movement is to be made; (2) permits may be issued for widths of vehicles in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for width in excess of such limitations; (3) these limitations may be rescinded when certification is made by military officials, or by officials of public or private power facilities, or when in the opinion of the ((highway commission)) department of transportation the movement or action is a necessary movement or action: PROVIDED FURTHER, That in the judgment of the ((highway commission)) department of transportation the structures and highway surfaces on the routes involved are capable of sustaining widths in excess of such limitation; (4) these limitations shall not apply to movement during daylight hours on any two lane state highway where the gross weight, including load, does not exceed forty-five thousand pounds and the overall width of load does not exceed sixteen feet: PROVIDED, That the minimum and maximum speed of such movements, prescribed routes of such movements, the times of such movements, limitation upon frequency of trips (which limitation shall be not less than one per week), and conditions to assure safety of traffic may be prescribed by the ((highway commission)) department of transportation or local authority issuing such special permit.

The applicant for any special permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular state highways for which permit to operate is requested and whether such permit is requested for a single trip or for continuous operation.

Sec. 33. Section 46.44.095, chapter 12, Laws of 1961 as last amended by section 17, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.095 are each amended to read as follows:

Until December 31, 1976, a combination of vehicles lawfully licensed to a total gross weight of seventy-two thousand pounds, and a three or more axle single unit vehicle lawfully licensed to a total gross weight of forty thousand pounds, and on January 1, 1977, and thereafter, when a combination of vehicles has been lawfully licensed to a total gross weight of eighty thousand pounds and when a three or more axle single unit vehicle has been lawfully licensed to a total gross weight of forty thousand pounds pursuant to provisions of RCW 46.44.041, a permit for additional gross weight may be issued by the ((state highway commission)) department of transportation upon the payment of thirty-seven dollars and fifty cents per year for each one thousand pounds or fraction thereof of such additional gross weight: PROVIDED, That the tire limits specified in RCW 46.44.042 shall apply, and the gross weight on any single axle shall not exceed twenty thousand pounds, and the gross load on any group of axles shall not exceed the limits set forth in RCW 46.44.041: PROVIDED FURTHER, That an additional two thousand pounds may be purchased for an amount not to exceed thirty dollars per thousand for the rear axle of a two-axle garbage truck. Such additional weight shall not be valid or permitted on any part of the federal interstate highway system where the maximum single axle load shall not exceed twenty thousand pounds.

The annual additional tonnage permits provided for in this section shall be issued ((under such rules and regulations and)) upon such terms and conditions as may be prescribed by the ((state highway)) department pursuant to general rules adopted by the transportation commission. Such permits shall entitle the permittee to carry such additional load in such an amount and upon such highways or sections of highways as may be determined by the ((state highway commission)) department of transportation to be capable of withstanding such increased gross load without undue injury to the highway: PROVIDED, That the permits shall not be valid on any highway where the use of such permits would deprive this state of federal funds for highway purposes.

The annual additional tonnage permits provided for in this section shall commence on the first of January of each year. The permits may be purchased at any time, and if they are purchased for less than a full year, the fee shall be one-twelfth of the full fee multiplied by the number of months, including any fraction thereof, covered by the permit. When the department issues a duplicate permit to replace a lost or destroyed permit and where the department transfers a permit from one vehicle to another a fee of five dollars shall be charged for each such duplicate issued or each such transfer. The ((state highway commission)) department of transportation shall issue such permits on a temporary basis for periods not less than five days at one dollar per day for each two thousands pounds or fraction thereof.

The fees levied in RCW 46.44.0941 and this section shall not apply to any vehicles owned and operated by the state of Washington, any county within the state or any city or town or metropolitan municipal corporation within the state, or by the federal government.

In the case of fleets prorating license fees under the provisions of chapter 46.85 RCW the fees provided for in this section shall be computed by the ((state highway commission)) department of transportation by applying the proportion of the Washington mileage of the fleet in question to the total mileage of the fleet as reported pursuant to chapter 46.85 RCW to the fees that would be required to purchase the additional weight allowance for all eligible vehicles or combinations of vehicles for which the extra weight allowance is requested.

The ((state highway commission)) department of transportation shall prorate the fees provided in this section only if the name of the operator or owner is submitted on official listings of authorized fleet operators furnished by the department of motor vehicles. Listings furnished shall also include the percentage of mileage operated in Washington which shall be the same percentage as determined by the department of motor vehicles, for purposes of prorating license fees.

Sec. 34. Section 2, chapter 16, Laws of 1963 as last amended by section 1, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.405 are each amended to read as follows:

Whenever the ((state highway commission)) secretary of transportation shall determine upon the basis of an engineering and traffic investigation that any maximum speed hereinbefore set forth is greater than is reasonable or safe with respect to a state highway under the conditions found to exist at any intersection or

upon any other part of the state highway system or at state ferry terminals, or that a general reduction of any maximum speed hereinbefore set forth would aid in the conservation of energy resources, (~~said commission~~) the secretary may determine and declare a reasonable and safe lower maximum limit or a lower maximum limit which will reasonably conserve energy resources, for any state highway, the entire state highway system, or any portion thereof, which shall be effective when appropriate signs giving notice thereof are erected. The (~~commission~~) secretary may also fix and regulate the speed of vehicles on any state highway within the maximum speed limit allowed by this chapter for special occasions including, but not limited to, local parades and other special events. Any such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the said signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective (a) when posted upon appropriate fixed or variable signs or (b) if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of RCW 46.61.410, as now or hereafter amended.

Sec. 35. Section 3, chapter 16, Laws of 1963 as last amended by section 2, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.410 are each amended to read as follows:

(1) Subject to subsection (2) below the (~~state highway commission~~) secretary may increase the maximum speed limit on any highway or portion thereof to not more than seventy miles per hour in accordance with the design speed thereof (taking into account all safety elements included therein), or whenever (~~said commission~~) the secretary determines upon the basis of an engineering and traffic investigation that such greater speed is reasonable and safe under the circumstances existing on such part of the highway. The greater maximum limit so determined shall be effective, when appropriate signs giving notice thereof are erected, or if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of this section.

Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon said signs or in the case of auto stages, as indicated in said written notice; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs or if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of this section.

(2) The maximum speed limit for vehicles over ten thousand pounds gross weight and vehicles in combination except auto stages shall not exceed sixty miles per hour and may be established at a lower limit by the (~~state highway commission~~) secretary as provided in RCW 46.61.405, as now or hereafter amended.

(3) The word 'trucks' used by the (~~state highway commission~~) department on signs giving notice of maximum speed limits shall mean vehicles over ten thousand pounds gross weight and all vehicles in combination except auto stages.

(4) Whenever the (~~state highway commission~~) secretary shall establish maximum speed limits for auto stages lower than the maximum limits for automobiles, the secretary (~~(of the state highway commission)~~) shall (~~mail~~) cause to be mailed notice thereof to each auto transportation company holding a certificate of public convenience and necessity issued by the Washington utilities and transportation commission. The notice shall be mailed to the chief place of business within the state of Washington of each auto transportation company or if none then its chief place of business without the state of Washington.

Sec. 36. Section 4, chapter 16, Laws of 1963 as amended by section 3, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.415 are each amended to read as follows:

(1) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under (~~this act~~) RCW 46.61.400 or 46.61.440 is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which

- (a) Decreases the limit at intersections; or
- (b) Increases the limit but not to more than sixty miles per hour; or
- (c) Decreases the limit but not to less than twenty miles per hour.

(2) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under RCW 46.61.400(2) but shall not exceed sixty miles per hour.

(3) The (~~state highway commission~~) secretary of transportation is authorized to establish speed limits on county roads and city and town streets as shall be necessary to conform with any federal requirements which are a prescribed condition for the allocation of federal funds to the state.

(4) Any altered limit established as hereinbefore authorized shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon such signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

(5) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the (~~state highway commission~~) secretary of transportation.

Sec. 37. Section 6, chapter 16, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1969 and RCW 46.61.425 are each amended to read as follows:

(1) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law: PROVIDED, That a person following a vehicle driving at less than the legal maximum speed and desiring to pass such vehicle may exceed the speed limit, subject to the provisions of RCW 46.61.120 on highways having only one lane of traffic in each direction, at only such a speed and for only such a distance as is necessary to complete the pass with a reasonable margin of safety.

(2) Whenever the ~~((state highway commission))~~ secretary of transportation or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway unreasonably impede the normal movement of traffic, the ~~((commission))~~ secretary or such local authority may determine and declare a minimum speed limit thereat which shall be effective when appropriate signs giving notice thereof are erected. No person shall drive a vehicle slower than such minimum speed limit except when necessary for safe operation or in compliance with law.

Sec. 38. Section 46.48.041, chapter 12, Laws of 1961 as amended by section 4, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.430 are each amended to read as follows:

Notwithstanding any law to the contrary or inconsistent herewith, the ~~((Washington state highway commission))~~ secretary of transportation shall have the power and the duty to fix and regulate the speed of vehicles within the maximum speed limit allowed by law for state highways, designated as limited access facilities, regardless of whether a portion of said highway is within the corporate limits of a city or town. No governing body or authority of such city or town or other political subdivision may have the power to pass or enforce any ordinance, rule, or regulation requiring a different rate of speed, and all such ordinances, rules, and regulations contrary to or inconsistent therewith now in force are void and of no effect.

Sec. 39. Section 46.48.080, chapter 12, Laws of 1961 and RCW 46.61.450 are each amended to read as follows:

It shall be unlawful for any person to operate a vehicle or any combination of vehicles over any bridge or other elevated structure or through any tunnel or underpass constituting a part of any public highway at a rate of speed or with a gross weight or of a size which is greater at any time than the maximum speed or maximum weight or size which can be maintained or carried with safety over any such bridge or structure or through any such tunnel or underpass when such bridge, structure, tunnel, or underpass is sign posted as hereinafter provided. The ~~((state highway commission))~~ secretary of transportation, if it be a bridge, structure, tunnel, or underpass upon a state highway, or the governing body or authorities of any county, city, or town, if it be upon roads or streets under their jurisdiction, may restrict the speed which may be maintained or the gross weight or size which may be operated upon or over any such bridge or elevated structure or through any such tunnel or underpass with safety thereto. The ~~((state highway commission))~~ secretary or the governing body or authorities of any county, city, or town having jurisdiction shall determine and declare the maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel, or underpass can withstand or accommodate and shall cause suitable signs stating such maximum speed or maximum gross weight, or size, or either, to be erected and maintained on the right hand side of such highway, road, or street and at a distance of not less than one hundred feet from each end of such bridge, structure, tunnel, or underpass and on the approach thereto: PROVIDED, That in the event that any such bridge, elevated structure, tunnel, or underpass is upon a city street designated by the ~~((state highway))~~ transportation commission as forming a part of the route of any state highway through any such incorporated city or town the determination of any maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel, or underpass can withstand or accommodate shall not be enforceable at any speed, weight, or size less than the maximum allowed by law, unless with the approval in writing of the ~~((state highway commission))~~ secretary. Upon the trial of any person charged with a violation of this section, proof of either violation of maximum speed or maximum weight, or size, or either, and the distance and location of such signs as are required, shall constitute conclusive evidence of the maximum speed or maximum weight, or size, or either, which can be maintained or carried with safety over such bridge or elevated structure or through such tunnel or underpass.

Sec. 40. Section 66, chapter 155, Laws of 1965 ex. sess. as amended by section 35, chapter 62, Laws of 1975 and RCW 46.61.570 are each amended to read as follows:

(1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(a) Stop, stand, or park a vehicle:

(i) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(ii) On a sidewalk or street planting strip;

(iii) Within an intersection;

(iv) On a crosswalk;

(v) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;

(vi) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(viii) On any railroad tracks;

(ix) In the area between roadways of a divided highway including crossovers; or

(x) At any place where official signs prohibit stopping.

(b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(i) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;

(ii) Within fifteen feet of a fire hydrant;

(iii) Within twenty feet of a crosswalk;

(iv) Within thirty feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;

(v) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly signposted; or

(vi) At any place where official signs prohibit standing.

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

(i) Within fifty feet of the nearest rail of a railroad crossing; or

(ii) At any place where official signs prohibit parking.

(2) Parking or standing shall be permitted in the manner provided by law at all other places except a time limit may be imposed or parking restricted at other places but such limitation and restriction shall be by city ordinance or county resolution or order of the ~~((state highway commission))~~ secretary of transportation upon highways under their respective jurisdictions.

(3) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

(4) It shall be unlawful for any person to reserve or attempt to reserve any portion of a highway for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right.

Sec. 41. Section 67, chapter 155, Laws of 1965 ex. sess. as amended by section 36, chapter 62, Laws of 1975 and RCW 46.61.575 are each amended to read as follows:

(1) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(2) Except when otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within twelve inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(3) Local authorities may by ordinance or resolution permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the ~~((state highway commission))~~ secretary of transportation has determined by ~~((resolution or))~~ order that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(4) The ~~((state highway commission))~~ secretary with respect to highways under ~~((its))~~ his or her jurisdiction may place official traffic control devices prohibiting, limiting, or restricting the stopping, standing, or parking of vehicles on any highway where ~~((in its opinion, as evidenced by resolution or))~~ the secretary has determined by order, such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. No person shall stop, stand, or park any vehicle in violation of the restrictions indicated by such devices.

Sec. 42. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 2, chapter 100, Laws of 1975 1st ex. sess. and RCW 46.68.120 are each amended to read as follows:

Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) One and one-half percent of such sums shall be deducted monthly as such sums accrue and set aside for the use of the ~~((state highway commission))~~ department of transportation and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof, including the supervision and administration of federal-aid programs for which the ~~((highway))~~ transportation commission has responsibility: PROVIDED, That any moneys so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) The balance remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, upon the basis of the following formula:

(a) Ten percent of such sum shall be divided equally among the several counties.

(b) Thirty percent shall be paid to each county in direct proportion that the sum of the total number of private automobiles and trucks licensed by registered owners residing in unincorporated areas and seven percent of the number of private automobiles and trucks licensed by registered owners residing in incorporated areas within each county bears to the total of such sums for all counties. The number of registered vehicles so used shall be as certified by the director of the department of motor vehicles for the year next preceding the date of calculation of the allocation amounts. The director of the department shall first supply such information not later than the fifteenth day of February, 1956, and on the fifteenth of February each two years thereafter.

(c) Thirty percent shall be paid to each county in direct proportion that the product of the county's trunk highway mileage and its prorated estimated annual cost per trunk mile as provided in subsection (e) is to the sum of such products for all counties. County trunk highways are defined as county roads regularly used by school buses and/or rural free delivery mail carriers of the United States post office department, but not foot carriers. Determination of the number of miles of county roads used in each county by school buses shall be based solely upon information supplied by the superintendent of public instruction who shall on October 1, 1955, and on October 1st of each odd-numbered year thereafter furnish the ((state-highway)) transportation commission with a map of each county upon which is indicated the county roads used by school buses at the close of the preceding school year, together with a detailed statement showing the total number of miles of county highway over which school buses operated in each county during such year. Determination of the number of miles of county roads used in each county by rural mail carriers on routes serviced by vehicles during the year shall be based solely upon information supplied by the United States postal department as of January 1st of the even-numbered years.

(d) Thirty percent of such sum shall be paid to each of the several counties in the direct proportion that the product of the trunk highway mileage of the county and its 'money need factor' as defined in subsection (f) is to the total of such products for all counties.

(e) Every four years, beginning with the 1958 allocation, the ((highway)) transportation commission and the legislative transportation committee shall reexamine or cause to be reexamined all the factors on which the estimated annual costs per trunk mile for the several counties have been based and shall make such adjustments as may be necessary. The following formula shall be used: One twenty-fifth of the estimated total county road replacement cost, plus the total annual maintenance cost, divided by the total miles of county road in such county, and multiplied by the result obtained from dividing the total miles of county road in said county by the total trunk road mileage in said county. For the purpose of allocating funds from the motor vehicle fund, a county road shall be defined as one established as such by resolution or order of establishment of the ((board-of)) county ((commissioners)) legislative authority. ((The first allocation of funds shall be based on the following prorated estimated annual costs per trunk mile for the several counties as follows:

Adams	\$1,227.00
Asotin	1,629.00
Benton	1,644.00
Chelan	2,224.00
Clallam	2,059.00
Clark	1,710.00
Columbia	1,391.00
Cowlitz	1,696.00
Douglas	1,603.00
Ferry	1,333.00
Franklin	1,612.00
Garfield	1,223.00
Grant	1,714.00
Grays Harbor	2,430.00
Island	1,153.00
Jefferson	2,453.00
King	2,843.00
Kitsap	1,938.00
Kittitas	1,565.00
Klickitat	1,376.00
Lewis	1,758.00
Lincoln	1,038.00
Mason	1,748.00
Okanogan	1,260.00
Pacific	2,607.00
Pend Oreille	1,753.00
Pierce	2,276.00
San Juan	1,295.00
Skagit	1,966.00
Skamania	2,023.00
Snohomish	2,269.00
Spokane	1,482.00
Stevens	1,068.00
Thurston	1,870.00
Wahkiakum	2,123.00
Walla Walla	1,729.00
Whatcom	1,738.00
Whitman	1,454.00
Yakima	1,584.00

PROVIDED, HOWEVER, That the prorated estimated annual costs per trunk mile in this subsection shall be adjusted every four years, beginning with the 1958 allocation by the highway commission on the basis of changes in the trunk and total county road mileage based on information supplied by the superintendent of public instruction, the United States postal department, and the annual reports of the county road departments:))

(f) The 'money need factor' for each of the several counties shall be the difference between the prorated estimated annual costs as ((~~listed above~~)) provided for in subsection (e) of this subsection and the sum of the following three amounts divided by the county trunk highway mileage:

(1) The equivalent of a two dollar and twenty-five cents per thousand dollars of assessed value tax levy on the valuation, as equalized by the state department of revenue for state purposes, of all taxable property in the county road districts;

(2) One-fourth the sum of all funds received by the county from the federal forest reserve fund during the two calendar years next preceding the date of the adjustment of the allocation amounts as certified by the state treasurer; and

(3) One-half the sum of motor vehicle license fees and motor vehicle fuel tax refunded to the county during the two calendar years next preceding the date of the adjustment of the allocation amounts as provided in RCW 46.68.080. These shall be as supplied to the ((~~highway~~)) transportation commission by the state treasurer for that purpose. The department of revenue and the state treasurer shall supply the information herein requested on or before January 1, 1956, and on said date each two years thereafter.

The following formula shall be used for the purpose of obtaining the 'money need factor' of the several counties: The prorated estimated annual cost per trunk mile multiplied by the trunk miles will equal the total need of the individual county. The total need minus the sum of the three resources set forth in subsection (f) shall equal the net need. The net need of the individual county divided by the total net needs for all counties shall equal the 'money need factor' for that county.

(g) The ((~~state highway~~)) transportation commission shall adjust the allocations of the several counties on March 1st of every even-numbered year based solely upon the sources of information hereinbefore required: **PROVIDED,** That the total allocation factor composed of the sum of the four factors defined in subsections (a), (b), (c), and (d) shall be held to a level not more than five percent above or five percent below the total allocation factor in use during the previous two year period.

(h) The ((~~highway~~)) transportation commission and the legislative transportation committee shall relog or cause to be relogged the total road mileages upon which the prorated estimated annual costs per trunk mile are based and shall recalculate such costs on the basis of such relogging and shall report their findings and recommendations to the legislature at its next regular session.

(i) The ((~~highway~~)) transportation commission and the legislative transportation committee shall study and report their findings and recommendations to the legislature concerning the following problems as they affect the allocation of 'motor vehicle fund' funds to counties:

- (1) Comparative costs per trunk mile based on federal aid contracts versus those herein advocated((:));
- (2) Average costs per trunk mile((:));
- (3) The advisability of using either 'trunk mileage' or 'county road' mileage exclusively as the criterion instead of both as in this plan adopted((:));
- (4) Reassessment of bridge costs based on current information and relogging of bridges((:));
- (5) The items in the list of resources used in determining the 'need factor'((:));
- (6) The development of a uniform accounting system for counties with regard to road and bridge construction and maintenance costs((:));
- (7) A redefinition of rural and urban vehicles which better reflects the use of said vehicles on county roads.

Sec. 43. Section 2, chapter 173, Laws of 1963 as amended by section 2, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.020 are each amended to read as follows:

The ((~~state highway commission~~)) department of transportation is hereby directed to conduct periodic analyses of the entire state highway system, and based thereon, to subdivide and classify according to their function and importance all designated state highways and those added from time to time other than the national system of interstate and defense highways and periodically review and revise the classifications, into the following additional four functional classes:

- (1) The 'principal state highway system' which shall comprise not to exceed twenty percent of the total state highway mileage other than the interstate system((:));
- (2) The 'major state highway system' which shall comprise not to exceed thirty-five percent of the total state highway mileage other than the interstate system((:));
- (3) The 'collector state highway system' which shall comprise not to exceed thirty-five percent of the total state highway mileage other than the interstate system((:));
- (4) The 'other state highway system'.

In making such functional classification the ((~~highway commission~~)) department shall be governed by reasonable ((~~rules and regulations~~)) policies adopted by the commission, and give consideration to the following criteria:

- (a) Urban population centers within and without the state stratified and ranked according to size;
- (b) Important traffic generating economic activities, including but not limited to recreation, agriculture, government, business, and industry;
- (c) Feasibility of route, including availability of alternate routes within and without the state;
- (d) Directness of travel and distance between points of economic importance;

- (e) Length of trips;
- (f) Character and volume of traffic;
- (g) Preferential consideration for multiple service;
- (h) Reasonable spacing depending upon population density; and
- (i) System continuity, except for the 'other' system.

Sec. 44. Section 3, chapter 173, Laws of 1963 as last amended by section 1, chapter 143, Laws of 1975 1st ex. sess. and RCW 47.05.030 are each amended to read as follows:

The (~~state-highway commission~~) department of transportation shall adopt and periodically revise in accordance with policies established by the transportation commission and after consultation with the legislative transportation committee and senate and house transportation (~~and-utilities~~) committees a long range plan for highway improvements, specifying highway planning objectives for each of the highway categories, 'A', 'B', and 'C', defined in this section, based upon needs for the ensuing fourteen year advance planning period, and within the framework of revenue estimates for such period. The plan shall be based upon the improvement needs for state highways as determined by the (~~highway commission~~) department from time to time.

With such reasonable deviations as may be required to effectively utilize the available funds and to adjust to unanticipated delays in programmed projects, the (~~highway commission~~) department shall allocate the estimated available funds among the following described categories of highway improvements, so as to carry out the (~~commission's~~) department's highway planning objectives within a fourteen year advance planning period:

(1) Category A shall consist of those improvements necessary to sustain the structural, safety, and operational integrity of the existing state highway system (other than improvements to the interstate system to be funded with federal aid at the regular interstate rate under federal law and regulations).

(2) Category B shall consist of improvements for the continued development of the interstate system to be funded with federal aid at the regular interstate rate under federal law and regulations.

(3) Category C shall consist of the development of major transportation improvements (other than improvements to the interstate system to be funded with federal aid at the regular interstate rate under federal law and regulations) including designated but unconstructed highways which are vital to the state-wide transportation network.

Sec. 45. Section 7, chapter 173, Laws of 1963 as amended by section 7, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.070 are each amended to read as follows:

The (~~state-highway~~) transportation commission, with the assistance of the department, shall (~~prepare~~) approve and present to the governor and to the legislature (at the time of) prior to its convening, a recommended budget for the ensuing biennium. The biennial budget shall include details of proposed expenditures, performance and public service criteria for construction, maintenance, and planning activities in consonance with the six-year comprehensive program and financial plan adopted under provisions of RCW 47.05.040.

Sec. 46. Section 47.12.010, chapter 13, Laws of 1961 as amended by section 4, chapter 108, Laws of 1967 and RCW 47.12.010 are each amended to read as follows:

Whenever it is necessary to secure any lands or interests in land for a right of way for any state highway, or for the drainage thereof or construction of a protection therefor or so as to afford unobstructed vision therefor toward any railroad crossing or another public highway crossing or any point of danger to public travel or to provide a visual or sound buffer between highways and adjacent properties or for the purpose of acquiring sand pits, gravel pits, borrow pits, stone quarries, or any other land for the extraction of materials for construction or maintenance or both, or for any site for the erection upon and use as a maintenance camp, of any state highway, or any site for other necessary structures or for structures for the health and accommodation of persons traveling or stopping upon the state highways of this state, or any site for the construction and maintenance of structures and facilities adjacent to, under, upon, within, or above the right of way of any state highway for exclusive or nonexclusive use by an urban public transportation system, or for any other highway purpose, together with right of way to reach such property and gain access thereto, the (~~highway commission~~) department of transportation is authorized to acquire such lands or interests in land in behalf of the state by gift, purchase, or condemnation. In case of condemnation to secure such lands or interests in land, the action shall be brought in the name of the state of Washington in the manner provided for the acquiring of property for the public uses of the state, and in such action the selection of the lands or interests in land by the (~~highway commission~~) secretary of transportation shall, in the absence of bad faith, arbitrary, capricious, or fraudulent action, be conclusive upon the court and judge before which the action is brought that said lands or interests in land are necessary for public use for the purposes sought. The cost and expense of such lands or interests in land may be paid as a part of the cost of the state highway for which such right of way, drainage, unobstructed vision, sand pits, gravel pits, borrow pits, stone quarries, maintenance camp sites, and structure sites or other lands are acquired.

Sec. 47. Section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060 are each amended to read as follows:

When a state highway is relocated and the old route is abandoned, and the new route crosses land owned by a person who owns land abutting on the old route, the (~~Washington state highway commission~~) department may agree with the owner to convey to (~~him~~) that person title to the old route or a part thereof as all or part consideration for (~~his~~) such land to be taken for the new route.

Whenever the state has abandoned any highway rights of way, pit sites, or stock pile sites or owns land not needed for highway purposes, the (~~Washington state highway commission~~) department may sell same

to abutting owners for the fair market value or exchange with any person as a consideration or part consideration for lands or property rights needed by the state, or may sell same by public auction whenever it is deemed in the public interest to do so.

The (~~Washington state highway commission shall certify the agreement to the governor with a description of the property to be conveyed, and the governor may execute and the secretary of state shall attest~~) secretary of transportation shall execute the deed, which shall be duly acknowledged, and deliver it to the grantee.

Sec. 48. Section 47.12.070, chapter 13, Laws of 1961 as last amended by section 2, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.070 are each amended to read as follows:

If the (~~Washington state highway commission~~) department deems that any land is no longer required for state highway purposes and that it is in the public interest so to do, (~~said highway commission~~) the department may negotiate for the sale of the land to a city or county of the state. (~~The state highway commission shall certify the agreement for the sale to the director of highways, with a description of the land and the terms of the sale, and the director of highways~~) If a sale is agreed to, the secretary of transportation shall execute the deed, which shall be duly acknowledged, and deliver it to the grantee.

Any moneys received pursuant to the provisions of this section shall be deposited in the motor vehicle fund.

Sec. 49. Section 47.12.080, chapter 13, Laws of 1961 as amended by section 3, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.080 are each amended to read as follows:

Whenever in the construction, reconstruction, location, or improvement of any state highway it may become necessary to transfer and convey to the United States, its agencies or instrumentalities, to any municipal subdivision of this state, or to any public utility company, any unused state highway right of way or real property, and in the judgment of the (~~highway commission~~) secretary of transportation and the attorney general, such transfer and conveyance is consistent with public interest, the (~~highway commission~~) secretary may enter into agreements accordingly. Whenever the (~~highway commission~~) secretary shall make any such agreement for any such transfer or conveyance, and (~~together with~~) the attorney general concurs therein, ((certifies to the director of highways that such agreement has been made setting forth in such certification a description of the lands or premises involved, the director of highways)) the secretary shall execute and deliver unto the United States government, or its agencies or instrumentalities, unto any municipal subdivision of this state, or unto any public utility company, a deed of conveyance, easement, or other instrument, duly acknowledged, as shall be necessary to fulfill the terms of the aforesaid agreement. All moneys paid to the state of Washington under any of the provisions hereof shall be deposited in the motor vehicle fund.

Sec. 50. Section 47.12.120, chapter 13, Laws of 1961 as amended by section 1, chapter 91, Laws of 1969 and RCW 47.12.120 are each amended to read as follows:

The (~~highway commission~~) department is authorized, subject to the provisions and requirements of zoning ordinances of political subdivisions of government, to rent or lease any lands, improvements, or air space above or below any lands, including those used or to be used for both limited access and conventional highways which are held for highway purposes but are not presently needed, upon such terms and conditions as the (~~highway commission~~) department may determine.

Sec. 51. Section 47.12.130, chapter 13, Laws of 1961 as amended by section 4, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.130 are each amended to read as follows:

Whenever the (~~state~~) department (~~of highways~~) shall have title to any parcel of land acquired for highway purposes which the (~~state highway commission~~) secretary of transportation shall determine is not necessary for highway purposes, the (~~commission~~) secretary of transportation is authorized to (~~cause~~) deed such land (~~to be deeded~~) to the owner of land abutting upon such parcel in consideration, or partial consideration, for other lands owned by such property owner which the (~~highway commission~~) department deems to be necessary for highway purposes. (~~The director of highways shall execute the conveyances, which shall be duly acknowledged, necessary to carry out such exchange.~~)

Sec. 52. Section 47.12.140, chapter 13, Laws of 1961 and RCW 47.12.140 are each amended to read as follows:

Whenever the (~~state highway~~) department shall have acquired any lands for highway purposes, except state granted lands, upon which are located any structures, timber, or other thing of value attached to the land, which the (~~state highway commission~~) department shall deem it best to sever from the land and sell as personal property, the same may be sold by the department (~~of highways~~) at public auction after due notice thereof shall have been given in accordance with general regulations (~~prescribed~~) adopted by the (~~state highway commission~~) secretary. The (~~state highway commission~~) department may set minimum prices that will be accepted for any item offered for sale at public auction as herein provided and may prescribe terms or conditions of sale and, in the event that any item shall be offered for sale at such auction and for which no satisfactory bids shall be received or for which the amount bid shall be less than the minimum set by the (~~commission~~) department, it shall be lawful for the (~~commission~~) department to sell such item at private sale for the best price which it deems obtainable but at not less than the highest price bid at the public auction. The proceeds of all sales under this section shall be placed in the motor vehicle fund.

Sec. 53. Section 47.12.150, chapter 13, Laws of 1961 as amended by section 5, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.150 are each amended to read as follows:

Whenever the (~~highway commission~~) department shall need for highway purposes land or property rights belonging to the United States government or any municipality or political subdivision of the state, or which shall be a part of the right of way of any public utility having authority to exercise powers of eminent

domain, when the acquisition of such property by the state will result in the displacement of any existing right of way or facility, the ~~((state-highway-commission))~~ department is authorized to acquire by condemnation or otherwise such lands and property rights as shall be needed to relocate such right of way or facilities so displaced and to exchange lands or property rights so acquired in consideration or partial consideration for the land or property rights needed for highway purposes. The ~~((director-of-highways, at the request of the state-highway-commission,))~~ secretary of transportation shall execute each conveyance, which shall be duly acknowledged, necessary to accomplish such exchange.

Sec. 54. Section 2, chapter 281, Laws of 1961 and RCW 47.12.190 are each amended to read as follows:

The ~~((Washington-state-highway-commission))~~ department, in addition to its other powers and duties as provided by law, is authorized to purchase or condemn any real property or property rights therein which it deems will be necessary for the improvements of routes on the state highway system by the method provided in RCW 47.12.180 through 47.12.240. Condemnation actions brought hereunder shall be brought in the name of the state as provided for acquiring property for the public uses of the state, and in such actions selection of the property and property rights by the ~~((highway-commission))~~ secretary of transportation is conclusive that they are necessary for the purposes sought, in the absence of bad faith, or arbitrary, capricious, or fraudulent action.

Sec. 55. Section 3, chapter 281, Laws of 1961 as amended by section 2, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.200 are each amended to read as follows:

The ~~((highway))~~ transportation commission may enter into agreements with the state finance committee for financing the acquisition, by purchase or condemnation, of real property together with engineering costs that the ~~((highway))~~ transportation commission deems will be necessary for the improvement of the state highway system. Such agreements may provide for the acquisition of an individual parcel or for the acquisition of any number of parcels within the limits of a contemplated highway project.

Sec. 56. Section 5, chapter 281, Laws of 1961 as amended by section 4, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.220 are each amended to read as follows:

Each such agreement shall include, but shall not be limited to the following:

(1) A provision stating the term of the agreement which shall not extend more than seven years from the effective date of the agreement~~((:));~~

(2) A designation of the specific fund or funds to be used to carry out such agreement~~((:));~~

(3) A provision that the ~~((highway-commission))~~ department of transportation may redeem warrants purchased by the state finance committee at any time prior to the letting of a highway improvement contract utilizing the property; and further, during the effective period of each such agreement the ~~((highway-commission))~~ department of transportation shall redeem such warrants whenever such a highway improvement contract is let, or upon the expiration of such agreement, whichever date is earlier~~((:));~~

(4) A provision stating the rate of interest such warrants shall bear commencing at the time of purchase by the state finance committee~~((:));~~

(5) Any additional provisions agreed upon by the ~~((highway))~~ transportation commission and the state finance committee which are necessary to carry out the purposes of such agreement as indicated by RCW 47.12.180 through 47.12.240, as now or hereafter amended.

Sec. 57. Section 47.24.010, chapter 13, Laws of 1961 as amended by section 3, chapter 95, Laws of 1973 and RCW 47.24.010 are each amended to read as follows:

The ~~((state-highway))~~ transportation commission shall determine what streets, together with bridges thereon and wharves necessary for use for ferrage of motor vehicle traffic in connection with such streets, if any, in any incorporated cities and towns shall form a part of the route of state highways and between the first and fifteenth days of July of any year the ~~((state-highway-commission))~~ department of transportation shall certify to the clerk of each city or town, by brief description, the streets, together with the bridges thereon and wharves, if any, in such city or town which are designated as forming a part of the route of any state highway; and all such streets, including curbs and gutters and street intersections and such bridges and wharves, shall thereafter be a part of the state highway system and as such shall be constructed and maintained by the ~~((state-highway-commission))~~ department of transportation from any state funds available therefor: PROVIDED, That the responsibility for the construction and maintenance of any such street together with its appurtenances may be returned to a city or a town upon certification by the ~~((state-highway-commission))~~ department of transportation to the state auditor and to the clerk of any city or town that such street, or portion thereof, is no longer required as a part of the state highway system: PROVIDED FURTHER, That any such certification that a street, or portion thereof, is no longer required as a part of the state highway system shall be made between the first and fifteenth of July following the determination by the ~~((state-highway-commission))~~ department that such street or portion thereof is no longer required as a part of the state highway system, but this shall not prevent the ~~((state-highway-commission))~~ department and any city or town from entering into an agreement that a city or town will accept responsibility for such a street or portion thereof at some time other than between the first and fifteenth of July of any year.

Sec. 58. Section 20, chapter 83, Laws of 1967 ex. sess. as last amended by section 140, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 47.26.140 are each amended to read as follows:

The ~~((assistant-director-of-highways-for-state-aid))~~ department of transportation shall furnish necessary staff services and facilities required by the urban arterial board. The cost of such services, together with travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, of the members and all other lawful expenses of the board, shall be paid from the urban arterial trust account in the motor vehicle fund. The urban arterial board may appoint an executive secretary who shall serve at its

pleasure and whose salary shall be set by the board and paid from the urban arterial trust account in the motor vehicle fund.

Sec. 59. Section 47.28.010, chapter 13, Laws of 1961 and RCW 47.28.010 are each amended to read as follows:

Whenever the general route of any state highway shall be designated and laid out as running to or by way of certain designated points, without specifying the particular route to be followed to or by way of such points, the ((highway)) transportation commission shall determine the particular route to be followed by said state highway to or by way of said designated points, and shall be at liberty to select and adopt as a part of such state highway, the whole or any part of any existing public highway previously designated as a county road, primary road, or secondary road or now or hereafter classified as a county road. The ((highway)) commission need not select and adopt the entire routes for such state highways at one time, but may select and adopt parts of such routes from time to time as it deems advisable. Where a state highway is designated as passing by way of a certain point, this shall not require the ((highway)) commission to cause such state highway to pass through or touch such point but such designation is directional only and may be complied with by location in the general vicinity. The ((highway-commission)) department of transportation is empowered to construct as a part of any state highway as designated and in addition to any portion meeting the limits of any incorporated city or town a bypass section either through or around any such incorporated city or town.

Sec. 60. Section 47.36.020, chapter 13, Laws of 1961 and RCW 47.36.020 are each amended to read as follows:

The ((highway-commission)) secretary of transportation shall adopt specifications for a uniform system of traffic control signals consistent with the provisions of this title for use upon public highways within this state. Such uniform system shall correlate with and so far as possible conform to the system current as approved by the American Association of State Highway Officials and as set out in the manual of uniform traffic control devices for streets and highways.

Sec. 61. Section 47.36.030, chapter 13, Laws of 1961 and RCW 47.36.030 are each amended to read as follows:

The ((highway-commission)) secretary of transportation shall have the power and it shall be its duty to adopt and designate a uniform state standard for the manufacture, display, erection, and location of all signs, signals, signboards, guideposts, and other traffic devices erected or to be erected upon the state highways of the state of Washington for the purpose of furnishing information to persons traveling upon such state highways regarding traffic regulations, directions, distances, points of danger, and conditions requiring caution, and for the purpose of imposing restrictions upon persons operating vehicles thereon. Such signs shall conform as nearly as practicable to the manual of specifications for the manufacture, display, and erection of uniform traffic control devices for streets and highways and all amendments, corrections, and additions thereto. The ((highway-commission)) department of transportation shall prepare plans and specifications of the uniform state standard of traffic devices so adopted and designated, showing the materials, colors, and designs thereof, and shall upon the issuance of any such plans and specifications or revisions thereof and upon request, furnish to the boards of county commissioners and the governing body of any incorporated city or town, a copy thereof. Signs, signals, signboards, guideposts, and other traffic devices erected on county roads shall conform in all respects to the specifications of color, design, and location ((devised)) approved by the ((highway-commission)) secretary. Traffic devices hereafter erected within incorporated cities and towns shall conform to such uniform state standard of traffic devices so far as is practicable.

Sec. 62. Section 47.52.027, chapter 13, Laws of 1961 and RCW 47.52.027 are each amended to read as follows:

The ((state-highway-commission)) secretary of transportation may adopt design standards, rules, and regulations relating to construction, maintenance, and control of access of the national system of interstate and defense highways within this state as it deems advisable to properly control access thereto, to preserve the traffic-carrying capacity of such highways, and to provide the maximum degree of safety to users thereof. In adopting such standards, rules, and regulations the ((commission)) secretary shall take into account the policies, rules, and regulations of the United States secretary of commerce and the ((bureau-of-public-roads)) federal highway administration relating to the construction, maintenance, and operation of the system of interstate and defense highways. The standards, rules, and regulations so adopted by the ((commission)) secretary shall constitute the public policy of this state and shall have the force and effect of law.

Sec. 63. Section 5, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.139 are each amended to read as follows:

Upon receipt of the findings and order adopting a plan, the county, city, or town may notify the ((state-highway-commission)) department of transportation of its approval of such plan in writing, in which event such plan shall be final.

In the event that a county, city, or town does not approve the plan, the county, city, or town shall file its disapproval in writing with the ((state-highway-commission)) secretary of transportation within thirty days after the mailing thereof to such mayor or county commissioner. Along with the written disapproval shall be filed a written request for a hearing before a board of review, hereinafter referred to as the board. The request for hearing shall set forth the portions of the plan of the ((state-highway-commission)) department to which the county, city, or town objects, and shall include every issue to be considered by the board. The

hearing before a board of review shall be governed by RCW 47.52.150 through 47.52.190, as now or here-after amended.

Sec. 64. Section 47.52.150, chapter 13, Laws of 1961 as amended by section 3, chapter 103, Laws of 1963 and RCW 47.52.150 are each amended to read as follows:

Upon request for a hearing before the board by any county, city, or town, a board consisting of five members shall be appointed as follows: The mayor or the county commissioners, as the case may be shall appoint two members of the board, of which one shall be a duly elected official of the city, county, or legislative district, except that of the legislative body of the county, city, or town requesting the hearing, subject to confirmation by the legislative body of the city or town; the ((state-highway-commission)) secretary of transportation shall appoint two members of the board ((who shall not be members of such commission)); and one member shall be selected by the four members thus appointed. Such fifth member shall be a licensed civil engineer or a recognized professional city or town planner, who shall be chairman of the board. In the case both the county and an included city or town request a hearing, the board shall consist of nine members appointed as follows: The mayor and the county commission shall each appoint two members from the elective officials of their respective jurisdictions, and of the four thus selected no more than two thereof may be members of a legislative body of the county, city, or town. The ((state-highway-commission)) secretary of transportation shall appoint four members of the board ((who shall not be members of such commission)). One member shall be selected by the members thus selected, and such ninth member shall be a licensed civil engineer or a recognized city or town planner, who shall be chairman of the board. Such boards as are provided by this section shall be appointed within thirty days after ((the next meeting of the state-highway commission immediately following)) the receipt of such a request by the ((commission)) secretary. In the event the ((state-highway-commission)) secretary or a county, city, or town shall not appoint members of the board or members thus appointed fail to appoint a fifth or ninth member of the board, as the case may be, either the ((state-highway-commission)) secretary or the county, city, or town may apply to the superior court of the county in which the county, city, or town is situated to appoint the member or members of the board in accordance with the provisions of this chapter.

Sec. 65. Section 47.52.180, chapter 13, Laws of 1961 as amended by section 3, chapter 77, Laws of 1977 and RCW 47.52.180 are each amended to read as follows:

At the conclusion of such hearing, the board shall consider the evidence taken and shall make specific findings with respect to the objections and issues within thirty days after the hearing, which findings shall approve, disapprove, or modify the proposed plan of the ((state-highway-commission)) department of transportation. Such findings shall be final and binding upon both parties. Any modification of the proposed plan of the ((highway-commission)) department of transportation made by the board of review may thereafter be modified by stipulation of the parties.

Sec. 66. 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 are each amended to read as follows:

The ((state-highway-commission)) department of transportation shall have full charge of the construction of all toll bridges and other toll facilities including the Washington state ferries ((that may be authorized by the Washington toll-bridge authority)), and the operation and maintenance thereof ((and the collection of tolls and charges thereon)). The transportation commission shall determine and establish the tolls and charges thereon, and shall perform all duties and exercise all powers relating to the financing, refinancing, and fiscal management of all toll bridges and other toll facilities including the Washington state ferries, and bonded indebtedness in the manner provided by law. The ((commission)) department shall have full charge of design of all toll facilities. The ((commission)) department shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The ((highway-commission)) department is authorized to negotiate contracts for any amount without bid in order to make repairs to ferries or ferry terminal facilities or removal of such facilities whenever continued use of ferries or ferry terminal facilities constitutes a real or immediate danger to the traveling public or precludes prudent use of such ferries or facilities.

Sec. 67. Section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070 are each amended to read as follows:

The ((authority)) department of transportation may, with the approval of the transportation commission, provide for the establishment, construction, and operation of toll tunnels, toll roads, and other facilities necessary for their construction and connection with public highways of the state. It may cause surveys to be made to determine the propriety of their establishment, construction, and operation, and may acquire rights of way and other facilities necessary to carry out the provisions hereof; and may issue, sell, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction thereof; carry insurance thereon; and handle any other matters pertaining thereto, all of which shall be conducted in the same manner and under the same procedure as provided for the establishing, constructing, operating, and maintaining of toll bridges by the ((authority)) department, insofar as reasonably consistent and applicable. No toll facility, toll bridge, toll road, or toll tunnel, shall be combined with any other toll facility for the purpose of financing unless such facilities form a continuous project, to the end that each such facility or project be self-liquidating and self-sustaining ((- PROVIDED, That no toll road shall be constructed, obligations for the construction thereof entered into, or right-of-way acquired without prior approval of the location, plans and specifications by the Washington state highway commission)).

Sec. 68. Section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080 are each amended to read as follows:

Whenever in the judgment of the ((highway)) transportation commission it is considered in the best interest of the public highways of the state that any new toll bridge or bridges be constructed upon any public highway and across any stream, body of water, gulch, navigable water, swamp, or other topographical formation and operated by the state the ((highway)) commission shall ((submit its recommendation to that effect to the Washington toll bridge authority together with preliminary estimates of the cost of such construction and an estimate of the amount necessary to be raised for such purpose by the issuance of revenue bonds, and a statement of the probable amount of money, property, materials or labor to be contributed from other sources in aid of any such construction. If the Washington toll bridge authority concurs in the recommendation of the highway commission or on its own motion determines to construct any toll bridge or toll bridges, the Washington toll bridge authority shall)) adopt a resolution declaring that public interest and necessity require the construction of such toll bridge or bridges and authorizing the issuance of revenue bonds for the purpose of obtaining funds in an amount not in excess of that estimated to be required for such construction. The issuance of bonds as provided in this chapter for the construction of more than one toll bridge may at the discretion of the ((Washington toll bridge authority)) commission be included in the same authority and issue of bonds.

Sec. 69. Section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090 are each amended to read as follows:

~~((Whenever the Washington toll bridge authority shall authorize and direct the highway commission to construct a toll bridge the highway commission))~~ The department of transportation is empowered to secure right of way ((therefor)) for toll bridges and for approaches thereto by gift or purchase, or by condemnation in the manner provided by law for the taking of private property for public highway purposes.

Sec. 70. Section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120 are each amended to read as follows:

In the event that the ((Washington toll bridge authority)) transportation commission should determine that any toll bridge should be constructed ((under its authority it shall authorize and direct the highway commission to construct such toll bridge. In the event the highway commission is authorized and directed to construct such toll bridge)), all cost thereof including right of way, survey, and engineering shall be paid out of any funds available for payment of the cost of such toll bridge under this chapter.

Sec. 71. Section 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250 are each amended to read as follows:

Whenever a proposed toll bridge, toll road, toll tunnel, or any other toll facility of any sort is to be constructed, any city, county, or other political subdivision located in relation to such facility so as to benefit directly or indirectly thereby, may, either jointly or separately, at the request of the ((Washington state highway commission or the authority)) transportation commission advance or contribute money, or bonds, rights of way, labor, materials, and other property toward the expense of building the toll facility, and for preliminary surveys and the preparation of plans and estimates of cost therefor and other preliminary expenses. Any such city, county, or other political subdivision may, either jointly or separately, at the request of the transportation commission ((or the authority)) advance or contribute money or bonds for the purpose of guaranteeing the payment of interest or principal on the bonds issued by the ((authority)) commission to finance the toll facility. Appropriations for such purposes may be made from any funds available, including county road funds received from or credited by the state, or funds obtained by excess tax levies made pursuant to law or the issuance of general obligation bonds for this purpose. General obligation bonds issued by a city, county, or political subdivision may with the consent of the ((state highway)) commission ((or the authority)) be placed with the ((Washington toll bridge authority)) department of transportation to be sold by the ((authority)) department to provide funds for such purpose. Money, or bonds, or property so advanced or contributed may be immediately transferred or delivered to the ((authority)) department to be used for the purpose for which contribution was made. The ((authority)) commission may enter into an agreement with a city, county, or other political subdivision to repay any money, or bonds or the value of a right of way, labor, materials, or other property so advanced or contributed. The ((authority)) commission may make such repayment to a city, county, or other political subdivision and reimburse the state for any expenditures made by it in connection with the toll facility out of tolls and other revenues for the use of the toll facility.

Sec. 72. Section 3, chapter 257, Laws of 1961 as amended by section 3, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.56.254 are each amended to read as follows:

If the ((authority)) secretary of transportation determines that any real property (including lands, improvements thereon, and any interests or estates) held by the ((authority)) department is no longer required for purposes of the ((authority)) department, the ((authority)) department shall offer it for sale as authorized by RCW 47.56.252 or ((in the manner and with the authority authorized to the state highway commission by)) RCW 47.12.280. The ((authority)) department may adopt rules further implementing this section ((as granted to the highway commission by RCW 47.12.280)).

Sec. 73. Section 1, chapter 18, Laws of 1935 as amended by section 58, chapter 292, Laws of 1971 ex. sess. and RCW 88.16.010 are each amended to read as follows:

(1) The board of pilotage commissioners of the state of Washington is hereby created and shall consist of ~~((the director of labor and industries of the state of Washington, ex officio, who shall be chairman of the board, and of four))~~ six members appointed by the governor and confirmed by the senate, and the secretary of the state department of transportation, or the secretary's designee who shall be an employee of the department of transportation, who shall be chairperson. Each of said appointed members shall be appointed for a term of four years from the date of ((his)) said member's commission. No person shall be eligible for

appointment to said board unless ~~((he))~~ such person be at the time of ~~((his))~~ appointment eighteen years of age or over and a citizen of the United States and of the state of Washington. Two of said appointed commissioners shall be pilots licensed under this chapter and actively engaged in piloting upon the waters covered by this chapter for at least three years immediately preceding the time of their appointment. Two of said appointive commissioners shall be actively engaged in the ownership, operation ~~((or))~~, and management of deep sea cargo and/or passenger carrying vessels for at least three years immediately preceding the time of their appointment. One of said ~~((shipping-men))~~ commissioners shall be a representative of American and one of ~~((them-for))~~ foreign shipping. The remaining appointed commissioners shall be persons interested in and concerned with pilotage, maritime safety, and marine affairs, with broad experience related to the maritime industry exclusive of experience as either a state licensed pilot or as a shipping representative.

(2) Pilotage commissioners holding commissions on July 1, 1977, shall continue to hold their office subject to reappointment by the governor and confirmation by the senate. The appointive commissioners shall hold office for the period for which they are appointed and until their successors are appointed and qualified, ~~((and))~~ except that the governor when first appointing commissioners after July 1, 1977, shall appoint the pilot representatives to terms of two and three years respectively, the shipping representatives to terms of two and three years respectively, and the remaining commissioners to terms of three and four years respectively. Any vacancy in an appointive position on the board shall be filled by the governor for a term of four years, subject to confirmation by the senate.

(3) Five members of the board shall constitute a quorum and five votes for or against any measure shall be needed to transact business. All commissioners and the chairperson shall have a vote.

Sec. 74. Section 2, chapter 18, Laws of 1935 as last amended by section 178, chapter 34, Laws of 1975-'76 2d ex. sess. and RCW 88.16.020 are each amended to read as follows:

The office of the department of ~~((labor-and-industries))~~ transportation of the state of Washington shall be the office of the board and all records of the board shall be kept in said office. Each pilotage commissioner other than the secretary or the secretary's designee shall receive the sum of ~~((twenty-five))~~ forty dollars per day for each day actually engaged in the conduct of the business of the board, together with travel expenses, in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, to be paid out of the pilotage account on vouchers approved by the chairman of said board.

Sec. 75. Section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050 are each amended to read as follows:

((The commission)) In its capacity as successor to the canal commission, the department of transportation may:

(1) ~~((Shall))~~ Adopt rules and regulations necessary to carry out the purposes of this chapter.

(2) ~~((Shall meet not less than once every three months, and keep a complete record of all its proceedings. Special meetings may be called by the chairman of the commission, or by three members of the commission, by personal delivery of written notice thereof, or by delivery to their place of residence or business. Three members of the commission shall constitute a quorum to transact the business of the commission at either special or regular meetings:))~~

~~((3) Shall employ a director and such other employees as are necessary to carry out functions of the commission. The attorney general shall be legal adviser for the commission.~~

~~((4) Shall))~~ Make such investigations, surveys, and studies it deems necessary to determine the feasibility of the development of a navigation canal, or systems of navigation canals within the state of Washington.

~~((5) May))~~ (3) Construct, maintain, and/or operate any navigation canal, or navigation canal systems deemed feasible by the ~~((commission))~~ department of transportation.

~~((6) May))~~ (4) Acquire by gift, purchase, or condemnation from any person, municipal, public, or private corporation, or the state of Washington, or lease from the United States of America, any lands, rights of way, easements, or property rights in, over, or across lands or waters necessary for the construction, operation, or maintenance of any navigation canal, or navigation canal system. The acquisition of such rights is for a public use. The exercise of the right of eminent domain shall be in the manner provided by chapter 8.04 RCW, and all actions initiated thereunder shall be brought in the name of the ~~((canal commission))~~ department of transportation.

~~((7) May))~~ (5) Hold public hearings. Prior to a determination of feasibility for any proposed project, the ~~((commission))~~ department shall hold a public hearing so that members of the public may present their views thereon.

~~((8) May))~~ (6) Accept and expend moneys appropriated by the legislature or received from any public or private source, including the federal government, in carrying out the purposes of this chapter.

~~((9) May))~~ (7) Negotiate and cooperate with the United States of America for the purpose of inducing the United States to undertake the construction, operation, or maintenance of any navigation canal, or navigation canal system provided for in this chapter.

~~((10) Is authorized))~~ (8) As a local sponsor ~~((to))~~ cooperate, contract, and otherwise fully participate on behalf of the state of Washington with the United States of America, in any study relating to a determination of feasibility of a navigation canal or navigation canal system, and in any project relating to the construction, operation, or maintenance of a navigation canal, or navigation canal system to be undertaken by the United States of America.

The authority granted herein includes, but is not limited to, contributing such moneys to the United States of America as may be required and appropriated for that purpose by the legislature and furnishing

without cost to the United States of America all lands, easements, and rights of way ((and perform)), performing all necessary alterations to utilities arising from any project, and holding the United States of America free from any claims for damages arising out of the construction of any project.

NEW SECTION. Sec. 76. There is added to Title 47 RCW a new section to read as follows:

If any part of this title or any section of this 1977 amendatory act is ruled to be in conflict with federal requirements which are a prescribed condition of the allocation of federal funds to the state, or to any department or agencies thereof, such conflicting part or section is declared to be inoperative solely to the extent of the conflict. No such ruling shall affect the operation of the remainder of the act. Any internal reorganization carried out under the terms of this title or any section of this 1977 amendatory act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 77. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 78. The rule of strict construction shall have no application to this title, and it shall be liberally construed in order to carry out the objectives for which it is designed. Any ambiguities arising from its interpretation should be resolved consistently with the broad purposes set forth in section 1 of this 1977 amendatory act.

NEW SECTION. Sec. 79. Title 47 RCW, presently titled "Public Highways" shall, upon the implementation of this 1977 amendatory act, be known and referred to as "Public Highways and Transportation". Chapters 14.04 and 91.12 RCW shall be recodified as part of Title 47 RCW.

NEW SECTION. Sec. 80. The following acts or parts of acts are each repealed:

- (1) Section 3, chapter 165, Laws of 1947, section 1, chapter 68, Laws of 1967, section 9, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 14.04.030;
- (2) Section 4, chapter 165, Laws of 1947, section 1, chapter 289, Laws of 1961, section 2, chapter 68, Laws of 1967, section 10, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 14.04.040;
- (3) Section 5, chapter 165, Laws of 1947, section 5, chapter 75, Laws of 1977 and RCW 14.04.050;
- (4) Section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010;
- (5) Section 47.01.020, chapter 13, Laws of 1961 and RCW 47.01.020;
- (6) Section 47.01.030, chapter 13, Laws of 1961, section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030;
- (7) Section 47.01.040, chapter 13, Laws of 1961, section 31, chapter 170, Laws of 1965 ex. sess., section 138, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 47.01.040;
- (8) Section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050;
- (9) Section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060;
- (10) Section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080;
- (11) Section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090;
- (12) Section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100;
- (13) Section 47.01.110, chapter 13, Laws of 1961 and RCW 47.01.110;
- (14) Section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120;
- (15) Section 47.01.130, chapter 13, Laws of 1961, section 10, chapter 307, Laws of 1961 and RCW 47.01.130;
- (16) Section 1, chapter 29, Laws of 1974 ex. sess. and RCW 47.01.160;
- (17) Section 10, chapter 278, Laws of 1961, section 30, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.034;
- (18) Section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020;
- (19) Section 3, chapter 123, Laws of 1965 ex. sess., section 1, chapter 36, Laws of 1967, section 181, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 91.12.030; and
- (20) Section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040.

NEW SECTION. Sec. 81. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect on July 1, 1977."

In line 1 of the title, after "transportation;" strike the remainder of the title, and insert "creating a department of transportation and prescribing its general structure, personnel, powers, duties, and functions; transferring to the jurisdiction of the department of transportation and/or the secretary of transportation certain powers, duties, and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the planning and community affairs agency, and the canal commission; transferring to the jurisdiction of the secretary of transportation certain powers, duties, and functions of certain state officials, boards, and commissions; providing the procedure for the aforesaid transfers; saving certain rights; abolishing certain state agencies and offices; renaming Title 47 RCW and adding certain code chapters thereto; amending section 1, chapter 7, Laws of 1977 and RCW 43.17.010; amending section 2, chapter 7, Laws of 1977 and RCW 43.17.020; amending section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070; amending section 7, chapter 74, Laws of 1967 and RCW 43.63A.070; amending section 46.44.080, chapter 12, Laws of 1961 as amended by section 1, chapter 15, Laws of 1973 2nd ex. sess. and RCW 46.44.080; amending section 46.44.090, chapter 12, Laws of 1961 as amended by section 13, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.090; amending section 46.44.091, chapter 12, Laws of 1961 as last amended by section 14, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.091; amending section 46.44.092, chapter 12, Laws of 1961 as last amended by section 15, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.092; amending section 46.44.095, chapter 12, Laws of 1961 as last

amended by section 17, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.095; amending section 2, chapter 16, Laws of 1963 as last amended by section 1, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.405; amending section 3, chapter 16, Laws of 1963 as last amended by section 2, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.410; amending section 4, chapter 16, Laws of 1963 as amended by section 3, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.415; amending section 6, chapter 16, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1969 and RCW 46.61.425; amending section 46.48.041, chapter 12, Laws of 1961 as amended by section 4, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.430; amending section 46.48.080, chapter 12, Laws of 1961 and RCW 46.61.450; amending section 66, chapter 155, Laws of 1965 ex. sess. as amended by section 35, chapter 62, Laws of 1975 and RCW 46.61.570; amending section 67, chapter 155, Laws of 1965 ex. sess. as amended by section 36, chapter 62, Laws of 1975 and RCW 46.61.575; amending section 46.68.120, chapter 12, Laws of 1961 as last amended by section 2, chapter 100, Laws of 1975 1st ex. sess. and RCW 46.68.120; amending section 2, chapter 173, Laws of 1963 as amended by section 2, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.020; amending section 3, chapter 173, Laws of 1963 as last amended by section 1, chapter 143, Laws of 1975 1st ex. sess. and RCW 47.05.030; amending section 7, chapter 173, Laws of 1963 as amended by section 7, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.070; amending section 47.12.010, chapter 13, Laws of 1961 as amended by section 4, chapter 108, Laws of 1967 and RCW 47.12.010; amending section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060; amending section 47.12.070, chapter 13, Laws of 1961 as last amended by section 2, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.070; amending section 47.12-.080, chapter 13, Laws of 1961 as amended by section 3, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.080; amending section 47.12.120, chapter 13, Laws of 1961 as amended by section 1, chapter 91, Laws of 1969 and RCW 47.12.120; amending section 47.12.130, chapter 13, Laws of 1961 as amended by section 4, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.130; amending section 47.12.140, chapter 13, Laws of 1961 and RCW 47.12.140; amending section 47.12.150, chapter 13, Laws of 1961 as amended by section 5, chapter 96, Laws of 1975 1st ex. sess. and RCW 47.12.150; amending section 2, chapter 281, Laws of 1961 and RCW 47.12.190; amending section 3, chapter 281, Laws of 1961 as amended by section 2, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.200; amending section 5, chapter 281, Laws of 1961 as amended by section 4, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.220; amending section 47.24-.010, chapter 13, Laws of 1961 as amended by section 3, chapter 95, Laws of 1973 and RCW 47.24.010; amending section 20, chapter 83, Laws of 1967 ex. sess. as last amended by section 140, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 47.26.140; amending section 47.28.010, chapter 13, Laws of 1961 and RCW 47.28.010; amending section 47.36.020, chapter 13, Laws of 1961 and RCW 47.36.020; amending section 47.36.030, chapter 13, Laws of 1961 and RCW 47.36.030; amending section 47.52.027, chapter 13, Laws of 1961 and RCW 47.52.027; amending section 5, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.139; amending section 47.52.150, chapter 13, Laws of 1961 as amended by section 3, chapter 103, Laws of 1963 and RCW 47.52.150; amending section 47.52.180, chapter 13, Laws of 1961 as amended by section 3, chapter 77, Laws of 1977 and RCW 47.52.180; 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 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250; amending section 3, chapter 257, Laws of 1961 as amended by section 3, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.56.254; amending section 1, chapter 18, Laws of 1935 as amended by section 58, chapter 292, Laws of 1971 ex. sess. and RCW 88.16-.010; amending section 2, chapter 18, Laws of 1935 as last amended by section 178, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 88.16.020; amending section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; adding a new section to chapter 1.08 RCW; adding a new section to chapter 14.04 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.01 RCW; adding new sections to Title 47 RCW; creating new sections; repealing section 3, chapter 165, Laws of 1947, section 1, chapter 68, Laws of 1967, section 9, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 14.04.030; repealing section 4, chapter 165, Laws of 1947, section 1, chapter 289, Laws of 1961, section 2, chapter 68, Laws of 1967, section 10, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 14.04.040; repealing section 5, chapter 165, Laws of 1947, section 5, chapter 75, Laws of 1977 and RCW 14.04.050; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing section 47.01.020, chapter 13, Laws of 1961 and RCW 47.01.020; repealing section 47.01.030, chapter 13, Laws of 1961, section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; repealing section 47.01.040, chapter 13, Laws of 1961, section 31, chapter 170, Laws of 1965 ex. sess., section 138, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 47.01.040; repealing section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; repealing section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; repealing section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080; repealing section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090; 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, section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 1, chapter 29, Laws of 1974 ex. sess. and RCW 47.01.160; repealing section 10, chapter 278, Laws of 1961, section 30, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.034; 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., section 1, chapter 36, Laws of 1967, section 181, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 91.12.030;

repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; declaring an emergency; and providing an effective date."

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Clayton, Clemente, Gallagher, Grier, McCormick, Patterson, Wilson.

To Committee on Rules for second reading.

April 21, 1977

ENGROSSED SENATE BILL NO. 3019, Prime Sponsor: Senator Odegaard, making an appropriation to the superintendent of public instruction for disbursement to certain school districts. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Amen, Bauer, Chandler, Ehlers, Hawkins, Hughes, Keller, Lee, Maxie, Taller, Valle, Vrooman, Zimmerman.

MOTIONS

On motion of Mr. King, the rules were suspended and Engrossed Senate Bill No. 3019 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3019 was placed on final passage.

Mr. Enbody spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3019, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greeno, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Owen, Smith, Walk, Whiteside.

Engrossed Senate Bill No. 3019, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SECOND READING

HOUSE BILL NO. 67, by Representatives Sommers, Nelson (Gary), McKibbin and Douthwaite:

Transferring authority for nuclear energy development from the department of commerce and economic development to the state energy office.

The bill was read the second time.

On motion of Mr. Lysen, Second Substitute House Bill No. 67 was substituted for House Bill No. 67, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 67 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 67 was placed on final passage.

Mr. Lysen spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Nelson (Dick).

Mr. Nelson (Dick): "Representative Lysen, my reading of this bill indicates that it goes farther than just transferring powers. Section 3 allows the director the powers of acquiring,

managing, leasing and subleasing real or personal property for disposal of radioactive waste. My question is, does that power then allow for the acquisition of land that is not on federal reservations, mainly the Hanford reservation, but off that reservation, for the purpose of disposing of radioactive waste? What kind of disposal is contemplated by this bill? Is it disposal of low level waste, high level waste? Is it waste from the reprocessing of fossil fuels?"

Mr. Lysen: "The answer to the first part of your question is, yes, a director could find land outside the Hanford reservation, but it's strictly low level waste disposal. The high level waste is all regulated by the federal agencies and comes under their jurisdiction. This is just low level waste material."

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 67, and the bill passed the House by the following vote: Yeas, 80; nays, 9; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Tilly, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Flanagan, Hughes, Hurley G. S., Lux, Nelson D., Pruitt, Thompson, Valle.

Not voting: Representatives Bauer, Bond, Ehlers, Enbody, Leckenby, Owen, Smith, Walk, Whiteside.

Second Substitute House Bill No. 67, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 448, by Representatives Warnke, Greengo and Polk (by Department of Motor Vehicles request):

Authorizing the director of motor vehicles to issue cease and desist orders to real estate salesmen and making the order violation a ground for license suspension or revocation.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Salatino spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 448, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Owen, Smith, Walk, Whiteside.

House Bill No. 448, having received the 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. 474, by Representatives Lux, Charnley and Berentson:

Allowing payment in full of retainage in contracts.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 474 was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 474, and the bill passed the House by the following vote: Yeas, 83; nays, 2; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Pardini, Williams.

Not voting: Representatives Bauer, Blair, Bond, Ehlers, Fortson, Gallagher, Kreidler, Leckenby, Lee, Owen, Smith, Walk, Whiteside.

House Bill No. 474, having received the 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. 477, by Representatives Heck, Zimmerman, Gaines, Clemente, Warnke, Valle, Whiteside and Grimm:

Providing for the expunging of pupil learning/language disabilities from school reports.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 477 was placed on final passage.

Representatives Zimmerman and Heck spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 477, and the bill passed the House by the following vote: Yeas, 79; nays, 10; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Boldt, Burns, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Chandler, Charette, Craswell, Dunlap, Hawkins, Knedlik, Oliver, Pardini, Valle.

Not voting: Representatives Bauer, Bond, Ehlers, Hansen, Leckenby, Owen, Smith, Walk, Whiteside.

House Bill No. 477, having received the 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. 649, by Representatives McCormick, Warnke, Whiteside, Pearsall, Hughes, Tilly, Knowles, Adams, Erickson and Gaines:

Implementing law relating to cosmetology.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 649 was placed on final passage.

Mrs. McCormick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 649, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Clemente, Ehlers, Leckenby, Pardini, Salatino, Smith, Walk, Whiteside.

House Bill No. 649, having received the 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. 653, by Representatives Warnke, Greengo and Charnley (by Department of Motor Vehicles request):

Safeguarding the purchaser's contribution of money toward construction, completion, or maintenance of improvements to a land development.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 653 was placed on final passage.

Mr. Salatino spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 653, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bauer, Bond, Deccio, Ehlers, Leckenby, Newhouse, Smith, Walk, Whiteside, Zimmerman.

House Bill No. 653, having received the 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. 704, by Representatives Warnke, Owen, Taller, Haley, Erickson, King and Adams:

Allowing optometrists, physicians, and psychologists to form one professional service corporation.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 704 was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 704, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Whiteside.

House Bill No. 704, having received the 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. 710, by Representatives Hansen, Flanagan and Tilly:

Increasing the limit above which a PUD must contract for equipment or supplies.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 710 was substituted for House Bill No. 710, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 710 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 710 was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 710, and the bill passed the House by the following vote: Yeas, 85; nays, 4; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Embody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Chandler, Lee, Williams.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, McKibbin, Salatino, Smith, Walk, Whiteside.

Substitute House Bill No. 710, having received the 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. 732, by Representatives Fischer and Pardini:

Modifying dates for filing of financial statements by industrial loan companies.

The bill was read the second time.

On motion of Mr. Eng, Substitute House Bill No. 732 was substituted for House Bill No. 732, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 732 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 732 was placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 732, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Embody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Charette.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Lux, Nelson G. A., Smith, Walk, Whiteside, Wilson.

Substitute House Bill No. 732, having received the 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. 737, by Representatives Bauer, Whiteside and Warnke:

Allowing school districts to pay for insurance for students in interdistrict activities.

On motion of Mr. Clemente, Substitute House Bill No. 737 was substituted for House Bill No. 737, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 737 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 737 was placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Blair.

Mr. Blair: "Representative Clemente, in the event that a student was covered by a comprehensive policy for disability or injury, either by the policy holder or by their parents, would that meet the requirements of the school district for that coverage or would they be required to pay for a redundant coverage?"

Mr. Clemente: "I think for the intent of the district, so long as they were covered by insurance, whether that were a separate coverage or it was being handled by the district, it would be strictly discretionary and allows that waiver."

Mr. Blair: "Is that the legislative intent then, that if they have their own coverage they are allowed to have a waiver from the group policy?"

Mr. Clemente: "I would think so, yes."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 737, and the bill passed the House by the following vote: Yeas, 80; nays, 9; not voting, 9.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoeh, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Chandler, Flanagan, Knedlik, Lee, Lysen, Polk, Tilly.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Newhouse, Patterson, Smith, Walk, Whiteside.

Substitute House Bill No. 737, having received the 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. 753, by Representative Knowles:

Authorizing sewer district removal of pollutants from nearby waters.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 25th Day ex. sess., April 4, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

House Bill No. 753 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 753 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 753, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoeh, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Flanagan.

Not voting: Representatives Bauer, Bond, Clayton, Ehlers, Gruger, Leckenby, Newhouse, Smith, Walk, Whiteside.

Engrossed House Bill No. 753, having received the 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. 825, by Representatives Hansen and Conner:

Revising county road administration procedures relating to certificates of good practice.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 825, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Whiteside.

House Bill No. 825, having received the 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. 838, by Representatives Blair and Warnke:

Excluding baby sitting referral services from the definition of employment agencies.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal, 21st Day ex. sess., March 31, 1977.)

On motion of Mr. Blair, the committee amendment was adopted.

House Bill No. 838 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 838 was placed on final passage.

Mr. Blair spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 838, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Erak, Leckenby, Smith, Walk, Whiteside.

Engrossed House Bill No. 838, having received the 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. 877, by Representatives Keller, Monohon and Charnley:

Requiring notice to certain property owners before city land is rezoned.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 33rd Day ex. sess., April 12, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

House Bill No. 877 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 877 was placed on final passage.

Mr. Keller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 877, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kroidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, Flanagan, Fuller.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Whiteside.

Engrossed House Bill No. 877, having received the 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. 908, by Representative Warnke:

Establishing a select joint committee to investigate business inspections.

The bill was read the second time.

On motion of Mr. Salatino, Substitute House Bill No. 908 was substituted for House Bill No. 908, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 908 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 908 was placed on final passage.

Mr. Salatino spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 908, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kroidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Dunlap, Ehlers, Leckenby, Smith, Tilly, Walk, Whiteside.

Substitute House Bill No. 908, having received the 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. 1021, by Representative Ehlers:

Relating to state government.

On motion of Ms. Becker, Substitute House Bill No. 1021 was substituted for House Bill No. 1021, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1021 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1021 was placed on final passage.

Mr. Taller spoke in favor of passage of the bill, and Mr. Greengo spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1021, and the bill passed the House by the following vote: Yeas, 71; nays, 18; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Clayton, Deccio, Fuller, Gilleland, Greengo, Gruger, Haley, Knedlik, Lee, Oliver, Owen, Pardini, Paris, Patterson, Shinoda, Struthers, Tilly.

Not voting: Representatives Bauer, Bond, Craswell, Ehlers, Leckenby, Newhouse, Smith, Walk, Whiteside.

Substitute House Bill No. 1021, having received the 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. 1263, by Representatives Lysen, Thompson and Dunlap:

Deleting references in the law to the state power commission.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 20th Day ex. sess., March 30, 1977.)

On motion of Mr. Lysen, the committee amendment to page 2, line 27 was adopted.

On motion of Mr. Lysen, the committee amendment to page 8, line 11 was not adopted.

On motion of Mr. Lysen, the following amendment by Representatives Dunlap and Lysen was adopted:

On page 8, line 11 after "director of" strike "conservation" and insert "((conservation)) the department of ecology"

On motion of Mr. Dunlap, the following amendment was adopted:

On page 11, line 19 after "director of" insert "the department of"

House Bill No. 1263 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1263 was placed on final passage.

Mr. Lysen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1263, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Charette.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Whiteside.

Engrossed House Bill No. 1263, having received the 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. 1266, by Representative Eng:

Authorizing the director of general administration to deputize an assistant as supervisor of division of savings and loan associations to perform the supervisor's functions in his absence.

On motion of Mr. Eng, Substitute House Bill No. 1266 was substituted for House Bill No. 1266, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1266 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1266 was placed on final passage.

Mr. Eng spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1266, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Whiteside.

Substitute House Bill No. 1266, having received the 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. 1267, by Representatives Eng and Pardini:

Authorizing the investment of bank and trust company reserve funds.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 1267 was placed on final passage.

Mr. Eng spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1267, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Whiteside.

House Bill No. 1267, having received the 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. 15, by Representatives Bond, Lysen, Dunlap, McCormick, Oliver, Struthers, Sanders, Chandler, Hansen, Walk, Clayton and Polk:

Memorializing the President of the United States and several sister states to meet in conference on rising British Columbia gas prices.

The memorial was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 39th Day ex. sess., April 19, 1977.)

On motion of Mr. Lysen, the committee amendment was adopted.

House Joint Memorial No. 15 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Joint Memorial No. 15 was placed on final passage.

Representatives Lysen and Valle spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 15, and the memorial passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Whiteside.

Engrossed House Joint Memorial No. 15, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 351, by Committee on Commerce (Originally sponsored by Representatives Gaines, Gallagher, Fischer, Boldt, Warnke and Charnley):

Giving insured persons the right to have damaged vehicles repaired in shop of own choice.

The bill was read the third time and placed on final passage.

Mr. Gaines 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. 351, and the bill passed the House by the following vote: Yeas, 84; nays, 6; not voting, 8.

Voting yea: Representatives Adams, Amen, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Douthwaite, Flanagan, Newhouse, Polk, Zimmerman.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Lux, Smith, Walk, Whiteside.

Engrossed Substitute House Bill No. 351, having received the 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. 703, by Representatives Conner, Gallagher and Berentson (by Department of Motor Vehicles request):

Revising the laws regulating motor vehicle wreckers.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 703, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Grimm, Heck, Kreidler, Leckenby, Smith, Tilly, Walk, Whiteside.

House Bill No. 703, having received the 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. 733, by Representatives Conner, Gallagher and Gilleland (by Department of Motor Vehicles request):

Prescribing penalties for misuse of transporter plates.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 733, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Gilleland, Leckenby, Pardini, Smith, Taller, Walk, Whiteside.

House Bill No. 733, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1169, by Representatives Adams, Kreidler, Hanna and Haley:

Modifying restrictions on marriage.

The bill was read the third time and placed on final passage.

Mr. Adams spoke in favor of passage of the bill, and Mr. Struthers spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1169, and the bill passed the House by the following vote: Yeas, 61; nays, 29; not voting, 8.

Voting yea: Representatives Adams, Becker, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Erickson, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bender, Berentson, Clayton, Deccio, Dunlap, Fancher, Fischer, Flanagan, Gilleland, Greengo, Hurley M., Lee, Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Schmitt, Shinoda, Sommers, Struthers, Taller, Tilly, Zimmerman.

Not voting: Representatives Bauer, Bond, Craswell, Ehlers, Leckenby, Smith, Walk, Whiteside.

Engrossed House Bill No. 1169, having received the 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

April 22, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 928 with the following amendments:

Strike everything after the enacting clause and insert:

*Section 1. Section 15, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.010 are each amended to read as follows:

The legislature finds that energy in various forms is increasingly subject to possible shortages and supply disruptions, to the point that there may be foreseen an emergency situation, and that without the ability to institute appropriate emergency measures to ((reduce and/or allocate the usage)) regulate the production, distribution, and use of energy ((through a program of mandatory usage curtailment and/or allocation)), a severe impact on the public health, safety, and general welfare of our state's citizens may occur. The prevention or mitigation ((of the effects)) of such energy shortages or disruptions and their effects is necessary for preservation of the public health, safety, and general welfare of the citizens of this state.

It is the intent of this chapter to:

(1) Establish necessary ((energy)) emergency powers for the governor and define the ((conditions)) situations under which such powers are to be exercised;

(2) Provide penalties for violations of this chapter.

It is further the intent of the legislature that in developing proposed orders under the powers granted in RCW 43.21G.040 as now or hereafter amended the governor may utilize, on a temporary or ad hoc basis, the knowledge and expertise of persons experienced in the technical aspects of energy supply, distribution, or use. Such utilization shall be in addition to support received by the governor from the state energy office under RCW 43.21F.050 and 43.21F.070 and from other state agencies.

Sec. 2. Section 16, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.020 are each amended as follows:

As used in this chapter:

(1) 'Energy supply facility' means a facility which produces, extracts, converts, transports, or stores energy.

(2) 'Energy' means any of the following, individually or in combination: Petroleum ((or)) fuels; other liquid fuels; natural or synthetic fuel gas; solid carbonaceous fuels; fissionable nuclear material, or electricity.

(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, joint operating agency or any other entity, public or private, however organized.

(4) (('Council' means the energy advisory council created by section 8 of this 1976 amendatory act:)) 'Committee' means the joint committee on energy and utilities created by RCW 44.39.010 as now or hereafter amended.

(5) 'Distributor' means any person, private corporation, partnership, individual proprietorship, utility, including investor-owned utilities, joint operating agencies, municipal utility, public utility district, or cooperative, which engages in or ((are)) is authorized to engage in the activity of generating, transmitting, or distributing energy in this state.

(6) 'Regulated distributor' means a public service company as defined in chapter 80.04 RCW which engages in or is authorized to engage in the activity of generating, transmitting, or distributing energy in this state.

(7) 'Energy supply alert' means a situation which threatens to disrupt or diminish the supply of energy to the extent that the public health, safety, and general welfare may be jeopardized.

(8) 'Energy emergency' means a situation in which the unavailability or disruption of the supply of energy poses a clear and foreseeable danger to the public health, safety, and general welfare.

(9) 'State or local governmental agency' means any county, city, town, municipal corporation, political subdivision of the state, or state agency.

Sec. 3. Section 17, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.030 are each amended to read as follows:

It is the intent of the legislature that the governor ((and the council)) shall, in developing ((provisions)) plans for the production, allocation, ((conservation:)) and consumption of energy, give ((due consideration)) high priority to supplying vital public services ((such as)) including, but not limited to, essential governmental operations, public health and safety functions, emergency services, public mass transportation systems, fish production, food production and processing facilities, including the provision of water to irrigated agriculture, and energy supply facilities, during a condition^(s) of ((an)) energy supply alert or energy emergency. In developing any ((energy allocation)) such ((programs)) plans, provisions should be made for the equitable distribution of energy among the geographic areas of the state.

It is further the intent of the legislature that the governor shall, to the extent possible, encourage and rely upon voluntary programs and local and regional programs for the production, allocation, and consumption of energy and that involvement of energy users and producers be secured in implementing such programs.

Sec. 4. Section 18, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.040 are each amended to read as follows:

~~((In addition to his existing powers and duties, the governor shall have the following duties and special energy emergency powers subject to the definitions and limitations in this chapter:-))~~

~~(1) The governor may((-upon finding that a situation exists which threatens to seriously disrupt or diminish energy supplies to the extent that life, health, or property may be jeopardized, declare a condition or state of 'energy supply alert', at which time all of the general and specific)) subject to the definitions and limitations provided in this chapter:~~

~~(a) Upon finding that an energy supply alert exists within this state or any part thereof, declare a condition of energy supply alert; or~~

~~(b) Upon finding that an energy emergency exists within this state or any part thereof, declare a condition of energy emergency. A declaration of condition of energy emergency shall be null and void unless simultaneously with such declaration, the governor convene the legislature in accordance with Article III, paragraph 7 of the constitution of the state of Washington, or the legislature is in session at the time of such declaration by the governor. The governor may not declare more than one such condition in any twelve month period without the prior approval of the committee.~~

~~Upon the declaration of a condition of energy supply alert or energy emergency, the governor shall present to the committee any proposed plans for programs, controls, standards, and priorities for the production, allocation, and consumption of energy during any current or anticipated condition of energy emergency, any proposed plans for the suspension or modification of existing rules of the Washington Administrative Code, and any other relevant matters the governor deems desirable. The governor shall review any recommendations of the committee concerning such plans and matters.~~

~~Upon the declaration of a condition of energy supply alert or energy emergency, the emergency powers ((further enumerated)) as set forth in this ((section)) chapter shall become effective only within the area described in the declaration. ((Concurrent with such declaration the governor shall convene the council which shall then meet within five days of the declaration of the alert, if it is not already in session:-))~~

~~(2) A condition of energy supply alert shall terminate after sixty consecutive days unless:~~

~~(a) Extended by the governor for an additional sixty consecutive days upon issuing a finding that the energy supply alert continues to exist, and with prior approval of such an extension by the committee; or~~

~~(b) Extended by the governor based on a declaration by the president of the United States of a national state of emergency in regard to energy supply; or~~

~~(c) Extended by declaration of the legislature by concurrent resolution of a continuing energy supply alert.~~

~~A condition of energy supply alert may be extended after the initial sixty day extension provided in subsection (2)(a) of this section if extended by declaration of the legislature by concurrent resolution of a continuing energy supply alert.~~

~~(3) ((The)) A condition of ((('))energy ((supply alert')) emergency shall terminate after ((sixty)) thirty consecutive days unless ((a continuing condition of 'energy supply alert' exists, which shall be defined as the occurrence of either of the following: (a) Extension):~~

~~(a) Extended by the governor for an additional thirty consecutive days upon issuing a finding that the energy emergency continues to exist, and with prior approval of such an extension by the committee; or~~

~~(b) Extended by the governor based on a declaration by the president of the United States of a national state of emergency in regard to energy supply((-)); or~~

~~((b)) (c) Extended by declaration of the legislature by concurrent resolution of a continuing ((condition-))energy ((supply alert')) emergency.~~

~~A condition of energy emergency may be extended after the initial thirty day extension provided in subsection (3)(a) of this section if extended by declaration of the legislature by concurrent resolution of a continuing energy emergency.~~

~~((3) The conditions)) (4) A condition of ((an)) energy supply alert or energy emergency shall ((alternatively)) cease to exist upon a declaration to that effect by either of the following: (a) The governor; or (b) the legislature, by concurrent resolution, if in regular or extraordinary session: PROVIDED, That the governor shall terminate a condition of energy supply alert or energy emergency when the energy supply situation upon which the declaration of a condition of energy supply alert or energy emergency was based no longer exists.~~

~~(5) In a condition of energy supply alert, the governor may, as deemed necessary to preserve and protect the public health, safety, and general welfare, and to minimize, to the extent possible, the injurious economic, social, and environmental consequences of such energy supply alert, issue orders to: (a) Suspend or modify existing rules of the Washington Administrative Code of any state agency relating to the consumption of energy by such agency or to the production of energy, and (b) direct any state or local governmental agency to implement programs relating to the consumption of energy by the agency which have been developed by the governor or the agency and reviewed by the committee.~~

~~((4)) (6) In a ((declared state)) condition of energy ((supply alert)) emergency, the governor may, ((upon recommendation or approval of the energy advisory council:-)) as deemed necessary to preserve and protect the public health, safety, and general welfare, and to minimize, to the fullest extent possible, the injurious economic, social, and environmental consequences of such an emergency, issue orders to: (a) Implement ((such)) programs, controls, standards, and priorities((-and quotes)) for the production, allocation, ((conservation:-)) and consumption of energy; (b) suspend and modify existing pollution control standards and requirements or any other standards or requirements affecting or affected by the use of energy, including those relating to air or water quality control; and (c) establish and implement regional programs~~

and agreements for the purposes of coordinating the energy programs and actions of the state with those of the federal government and of other states and localities.

The governor shall immediately transmit the declaration of a condition of energy supply alert or energy emergency and the findings upon which the declaration is based and any orders issued under the powers granted in this chapter to the committee.

Nothing in this chapter shall be construed to mean that any program, control, standard, priority ~~((quota:))~~ or other policy created under the authority of the emergency powers authorized by this chapter shall have any continuing legal effect after the cessation of ~~((a-declared-state))~~ the condition of energy supply alert or energy emergency.

If any provision of this chapter is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state, including, but not limited to, chapter 34.04 RCW, this chapter shall govern and control, and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this chapter.

Because of the emergency nature of this chapter, all actions authorized or required hereunder, or taken pursuant to any order issued by the governor, shall be exempted from any and all requirements and provisions of the state environmental policy act of 1971, chapter 43.21C RCW, including, but not limited to, the requirement for environmental impact statements.

Except as provided in this section nothing in this chapter shall exempt a person from compliance with the provisions of any other law, rule, or directive unless specifically ordered by the governor. The emergency powers granted to the governor in this chapter shall expire on June 30, 1980.

Sec. 5. Section 19, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.050 are each amended to read as follows:

To protect the public welfare during ~~((conditions))~~ a condition of energy ~~((alerts or emergencies))~~ supply alert or energy emergency, the ~~((chief))~~ executive authority of each ~~((political subdivision of the state and each state agency))~~ state or local governmental agency is hereby authorized and directed to ~~((carry out in his jurisdiction the energy supply alert or energy emergency measures as may be ordered by the governor))~~ take action to carry out the orders issued by the governor pursuant to this chapter as now or hereafter amended.

Sec. 6. Section 20, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.060 are each amended to read as follows:

In order to attain uniformity, as far as is practicable throughout the ~~((country))~~ United States, in measures taken to aid in energy crisis management, all action taken under this chapter as now or hereafter amended, and all orders and rules made pursuant hereto, shall be taken or made with due consideration for and consistent when practicable with the orders, rules, regulations, actions, recommendations, and requests of federal authorities.

Sec. 7. Section 21, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.070 are each amended to read as follows:

Notwithstanding any provision of law or contract to the contrary, all persons who are affected by an order issued or action taken pursuant to this chapter as now or hereafter amended shall comply therewith immediately.

Sec. 8. Section 22, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.080 are each amended to read as follows:

The governor may order any distributor to take such action on his behalf as may be required to implement orders issued pursuant to this chapter as now or hereafter amended, ~~((and no distributor shall be liable for actions taken in accordance with such order))~~: PROVIDED, That orders to regulated distributors shall be issued by the Washington utilities and transportation commission in conformance with orders of the governor. No distributor shall be liable for actions taken in accordance with such orders issued by the governor or the Washington utilities and transportation commission.

All allocations of energy from one distributor to another distributor pursuant to orders issued or as a result of actions taken under this chapter as now or hereafter amended are subject to fair and just reimbursement. Such reimbursement for any allocation of energy between regulated distributors shall be subject to the approval of the Washington utilities and transportation commission. A distributor is authorized to enter into agreements with another distributor for the purpose of determining financial or commodity reimbursement.

Sec. 9. Section 23, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.090 are each amended to read as follows:

(1) Any person aggrieved by an order issued or action taken pursuant to this chapter as now or hereafter amended may petition the governor and request an exception from or modification of such order or action. The governor may grant, modify, or deny such petition as the public interest may require.

(2) An appeal from any order issued or action taken pursuant to this chapter as now or hereafter amended may be taken to the state supreme court. Such an appeal shall take the form of a petition for a writ of mandamus or prohibition under Article IV, section 4 of the state Constitution, and the supreme court shall have exclusive jurisdiction to hear and act upon such an appeal. Notwithstanding the provisions of chapter 7.16 RCW, or any other applicable statute, the superior courts of this state shall have no jurisdiction to entertain an action or suit relating to any order issued ~~((for))~~ or action taken pursuant to this chapter as now or hereafter amended, nor to hear and determine any appeal from any such order. The provisions of ~~((Rule on Appeal 1-58))~~ Rule 16.2, Rules of Appellate Procedure, shall apply to any proceedings in the supreme court brought pursuant to this chapter as now or hereafter amended.

Sec. 10. Section 43.06.010, chapter 8, Laws of 1965 as last amended by section 25, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.06.010 are each amended to read as follows:

(1) In addition to those duties prescribed by the Constitution, the governor ((may exercise the powers and)) shall perform the duties prescribed in this ((and the following sections)) subsection:

((1)) He shall supervise the conduct of all executive and ministerial offices;

(2) He shall see that all offices are filled, and the duties thereof performed, or in default thereof, apply such remedy as the law allows; and if the remedy is imperfect, acquaint the legislature therewith at its next session;

(3) He shall make the appointments and supply the vacancies mentioned in this title;

(4) He is the sole official organ of communication between the government of this state and the government of any other state or territory, or of the United States;

(5) Whenever any suit or legal proceeding is pending against this state, or which may affect the title of this state to any property, or which may result in any claim against the state, he may direct the attorney general to appear on behalf of the state, and report the same to him, or to any grand jury designated by him, or to the legislature when next in session;

(6) He may require the attorney general or any prosecuting attorney to inquire into the affairs or management of any corporation existing under the laws of this state, or doing business in this state, and report the same to him, or to any grand jury designated by him, or to the legislature when next in session;

(7) He may require the attorney general to aid any prosecuting attorney in the discharge of his duties;

(8) He may offer rewards, not exceeding one thousand dollars in each case, payable out of the state treasury, for the apprehension of any person convicted of a felony who has escaped from the state prison or of any person who has committed or is charged with the commission of a felony;

(9) He shall perform such duties respecting fugitives from justice as are prescribed by law;

(10) He shall issue and transmit election proclamations as prescribed by law;

(11) He may require any officer or board to make, upon demand, special reports to him, in writing;

(12) He may, after finding that a public disorder, disaster, energy emergency, or riot exists within this state or any part thereof which affects life, health, property or the public peace, proclaim a state of emergency in the area affected and the powers granted him during a state of emergency shall be effective only within the area described in the proclamation.))

(a) Supervision of the conduct of all executive and ministerial offices;

(b) Seeing that all offices are filled, and the duties thereof performed, or in default thereof, apply such remedy as the law allows; and if the remedy is imperfect, acquaint the legislature therewith at its next session;

(c) Make the appointments and supply the vacancies mentioned in this title;

(d) Be the sole official organ of communication between the government of this state and the government of any other state or territory, or of the United States;

(e) Perform such duties respecting fugitives from justice as are prescribed by law;

(f) Issue and transmit election proclamations prescribed by law.

(2) In addition to those powers prescribed by the Constitution, the governor may exercise the powers prescribed in this subsection:

(a) Direct the attorney general to appear on behalf of the state whenever any suit or legal proceeding is pending against this state, or whenever any suit or legal proceeding may affect the title of this state to any property, or may result in any claim against the state, and report the same to the governor, or to any grand jury designated by the governor, or to the legislature when next in session;

(b) Require the attorney general or any prosecuting attorney to inquire into the affairs or management of any corporation existing under the laws of this state, or doing business in this state, and issue reports concerning the inquiry to the governor, or to any grand jury designated by the governor, or to the legislature when next in session;

(c) Require the attorney general to aid any prosecuting attorney in the discharge of his duties;

(d) Offer rewards, not exceeding one thousand dollars in each case, payable out of the state treasury, for the apprehension of any person convicted of a felony who has escaped from the state prison or of any person who has committed or is charged with the commission of a felony;

(e) Require any officer or board to make, upon demand, special reports to the governor, in writing;

(f) After finding that a public disorder, disaster, or riot exists within this state or any part thereof which affects life, health, property, or the public peace, proclaim a state of emergency in the area affected and the powers granted during a state of emergency shall be effective only within the area described in the proclamation.

Sec. 11. Section 1, chapter 186, Laws of 1969 ex. sess. as amended by section 26, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.06.200 are each amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in RCW 43.06.010, and 43.06.200 through 43.06.270 each as now or hereafter amended shall have the following meaning:

'State of emergency' means an emergency proclaimed as such by the governor pursuant to RCW 43.06.010 as now or hereafter amended.

('Energy emergency' means a condition in which the unavailability or disruption of energy supply poses an immediate and grave threat to life, health, property, or the public peace in the area in which such condition is declared to exist. 'Energy' shall include the following: (1) Petroleum and other liquid fuels; (2) natural or synthetic fuel gas; (3) solid carbonaceous fuels; (4) fissionable nuclear material; and (5) electricity.))

'Governor' means the governor of this state or, in case of his removal, death, resignation or inability to discharge the powers and duties of his office, then the person who may exercise the powers of governor pursuant to the Constitution and laws of this state relating to succession in office.

'Criminal offense' means any prohibited act for which any criminal penalty is imposed by law and includes any misdemeanor, gross misdemeanor, or felony.

Sec. 12. Section 2, chapter 186, Laws of 1969 ex. sess. as amended by section 27, chapter 108, Laws of 1975-76 2nd ex. sess. and RCW 43.06.210 are each amended to read as follows:

The proclamation of a state of emergency and other proclamations or orders issued by the governor pursuant to RCW 43.06.010, and 43.06.200 through 43.06.270 as now or hereafter amended shall be in writing and shall be signed by the governor and shall then be filed with the secretary of state. The governor shall give as much public notice as practical through the news media of the issuance of proclamations or orders pursuant to RCW 43.06.010, and 43.06.200 through 43.06.270 as now or hereafter amended. The state of emergency shall cease to exist upon the issuance of a proclamation of the governor declaring its termination: PROVIDED, That the governor must terminate said state of emergency proclamation when order has been restored in the area affected (~~PROVIDED, FURTHER, That the condition of a state of emergency declared upon a finding that an emergency exists shall terminate after thirty consecutive days unless a continuing condition of state of emergency exists, which shall be defined as the occurrence of any of the following: (1) Extension by the governor based on a declaration by the president of the United States of a national emergency; or (2) declaration of the legislature by concurrent resolution of a continuing condition of a state of emergency).~~)

Sec. 13. Section 1, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.010 are each amended to read as follows:

There is hereby created the joint committee on ~~((nuclear))~~ energy and utilities of the legislature of the state of Washington.

Sec. 14. Section 2, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.015 are each amended to read as follows:

The committee shall consist of four senators and four representatives who shall be selected biennially as follows:

(1) The president of the senate shall nominate four members from the energy and utilities committee, including the chairman, two members being from each major political party, to serve on the committee, and shall submit the list of nominees to the senate for confirmation. Upon confirmation, the senators shall be deemed installed as members.

(2) The speaker of the house shall nominate four members from the energy and utilities committee, including the chairman, two members being from each major political party, to serve on the committee, and shall submit the list of nominees to the house of representatives for confirmation. Upon confirmation, the representatives shall be deemed installed as members. The chairman of the committee shall be elected by the members of the committee and shall serve for a one year term. The committee may utilize members of the legislative staff to assist the committee in performance of authorized activities.

Sec. 15. Section 3, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.020 are each amended to read as follows:

Members shall serve until their successors are installed as provided in RCW 44.39.015, as now or hereafter amended, at the next succeeding regular session of the legislature, or until they are no longer members of the legislature, whichever is sooner.

Sec. 16. Section 4, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.025 are each amended to read as follows:

The ~~((committee))~~ presiding officer of the appropriate legislative chamber shall fill any vacancies occurring on the committee by appointment from the same political party ~~((and legislative chamber))~~ as the departing member. Notwithstanding the provisions of RCW 44.39.015 as now or hereafter amended, any such appointee shall be deemed installed as a member upon appointment. Members filling vacancies shall serve until they or their successors are installed as provided in RCW 44.39.015, as now or hereafter amended, or until they are no longer members of the legislature, whichever is sooner.

NEW SECTION. Sec. 17. There is added to chapter 260, Laws of 1969 ex. sess. and to chapter 44.39 RCW a new section to read as follows:

In the discharge of any duty imposed by this chapter, the committee or any personnel acting under its direction shall have the authority to examine and inspect all properties, equipment, facilities, files, records, and accounts of any state office, department, institution, board, committee, commission, or agency; to administer oaths; and to issue subpoenas, upon approval of a majority of the members of the house or senate rules committee, to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony, and to cause the deposition of witnesses, either residing within or without the state, to be taken in the manner prescribed by law for taking depositions in civil actions in the superior courts.

In case of the failure of any person to comply with any subpoena issued in behalf of the committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the superior court of any county, or of the judge thereof, on application of the committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

Each witness who appears before the committee by its order, other than a state official or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record,

which shall be audited and paid upon the presentation of proper vouchers signed by such witness and approved by the chairman of the committee.

NEW SECTION. Sec. 18. There is added to chapter 260, Laws of 1969 ex. sess. and to chapter 44.39 RCW a new section to read as follows:

The committee shall only meet and function during a condition of energy supply alert or energy emergency. Upon the declaration by the governor of a condition of energy supply alert or energy emergency, the committee on energy and utilities shall meet to receive any plans proposed by the governor for programs, controls, standards, and priorities for the production, allocation, and consumption of energy during any current or anticipated condition of energy supply alert or energy emergency, any proposed plans for the suspension or modification of existing rules of the Washington Administrative Code, and any other relevant matters the governor deems desirable. The committee shall review such plans and matters and shall transmit its recommendations to the governor for review. The committee shall review any voluntary programs or local or regional programs for the production, allocation, or consumption of energy which have been submitted to the committee.

The committee shall receive any request from the governor for the approval of a declaration of a condition of energy emergency as provided in RCW 43.21G.040 as now or hereafter amended and shall either approve or disapprove such request.

During a condition of energy supply alert, the committee shall receive any request from the governor for an extension of the initial condition of energy supply alert for an additional sixty consecutive days and the findings upon which such request is based and shall either approve or disapprove such request.

During a condition of energy emergency the committee shall receive any request from the governor for an extension of the initial condition of energy emergency for an additional thirty consecutive days and the finding upon which any such request is based and shall either approve or disapprove such request.

NEW SECTION. Sec. 19. The following acts or parts of acts are each hereby repealed:

- (1) Section 5, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.030;
- (2) Section 6, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.035; and
- (3) Section 7, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.040.

NEW SECTION. Sec. 20. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 21. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In the title, strike everything after "AN ACT" and insert "Relating to energy; amending section 15, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.010; amending section 16, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.020; amending section 17, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.030; amending section 18, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.040; amending section 19, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.050; amending section 20, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.060; amending section 21, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.070; amending section 22, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.080; amending section 23, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.090; amending section 43.06.010, chapter 8, Laws of 1965 as last amended by section 25, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.06.010; amending section 1, chapter 186, Laws of 1969 ex. sess. as amended by section 26, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.06.200; amending section 2, chapter 186, Laws of 1969 ex. sess. as amended by section 27, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.06.210; amending section 1, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.010; amending section 2, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.015; amending section 3, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.020; amending section 4, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.025; adding new sections to chapter 260, Laws of 1969 ex. sess. and to chapter 44.39 RCW; repealing section 5, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.030; repealing section 6, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.035; repealing section 7, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.040; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Lysen, the House refused to concur in the Senate amendments to Substitute House Bill No. 928, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Lysen, Martinis and Dunlap as conferees on Substitute House Bill No. 928.

The Speaker resumed the Chair.

RESOLUTIONS

HOUSE RESOLUTION NO. 77-23, by Representatives Nelson (Dick), Whiteside, Clayton, Burns, Boldt, Kilbury and Deccio:

WHEREAS, Eastern Washington's drought could result in a substantial decrease in farm production, and the loss of many thousands of jobs; and

WHEREAS, We have not, in the past, prepared for sudden downturns in the economy, such as resulted from the rapid loss of jobs in the Washington aerospace industry during 1969, 1970 and 1971; and

WHEREAS, No national or state contingency plan exists; and

WHEREAS, Those most likely to be first affected and impacted by these problems and sudden changes are the unemployed, the older worker, the elderly, the youth and the disabled;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the 45th State Legislature urges the Department of Emergency Services to immediately develop and coordinate a contingency plan and Task Force in consort with the Department of Social and Health Services, Employment Security, Natural Resources, Ecology, Agriculture, Fisheries, Commerce and Economic Development and other public and private agencies, institutions and allied community leaders to deal with the employment, food, energy, housing and relocation and health needs of Eastern Washington to serve as a model for wherever there are such sudden and/or long-enduring declines in the economy; and that these recommendations for a contingency plan be reported back to the Governor, Legislature and/or appropriate legislative committees within six months of the adoption of this resolution; and

BE IT FURTHER RESOLVED, That the above named departments fulfill this charge without requesting additional funds or employees above those included in their 1977-79 budget request.

Mr. Nelson (Dick) moved adoption of the resolution and spoke in favor of it.

The resolution was adopted.

HOUSE RESOLUTION NO. 77-24, by Representatives Gruger and Pardini:

WHEREAS, The YMCA sponsored Youth Legislature has convened in legislative chambers on the occasion of its thirtieth year of assisting high school-aged citizens in their study and demonstration of the workings of the democratic governmental structure; and

WHEREAS, Their delegates, 400 in number, have prepared themselves by preliminary sessions in their own communities involving more than 1500 of such citizens with statewide elections of executive and leadership officers; and

WHEREAS, These elected officers and legislative representatives have comported themselves with dignity and masterful competence inspirational to the members of this House;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives do commend Steve Clark, Youth Governor; Mike Duran, Lt. Governor; Brian Rolfson, Speaker of the House; April McGandy, Attorney General; Betsy Stahler, President Pro Tem of the Senate; Dave Waller, Speaker Pro Tem of the House of Representatives; and each of the Youth Representatives and Senators for their service to the other citizens of this state in demonstrating the competence of Youth. We solicit your continued efforts to participate and encourage others to participate in the governmental process with the initial goal of causing each of your associates to immediately register to vote upon attainment of their 18th birthdays and a future goal of ably succeeding us as members of this legislature.

BE IT FURTHER RESOLVED, That copies of this resolution be furnished to each person in the Youth Legislature.

On motion of Ms. Gruger, the resolution was adopted.

HOUSE RESOLUTION NO. 77-25, by Representatives Boldt and Bender:

WHEREAS, The efficient functioning of modern society is largely dependent upon effective communication, and the modern methods of communication have come more and more to rest in the hands of secretaries; and

WHEREAS, The increasing amount of communications inherent, in our complex society has made it necessary for today's secretary to acquire technical skills and to assume the responsibility for countless details in the operation of a business; and

WHEREAS, Today's secretary must have at command tact, diplomacy, increasing business and economic knowledge, and decision-making ability in the greater role the secretary is performing as a member of the management team; and

WHEREAS, The important contribution made by secretaries in business, government, and the professions of our country has been recognized;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests the governor to proclaim the last week in April as Secretaries Week and Wednesday, April 27, 1977, as Secretaries Day;

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House to the Honorable Governor Dixy Lee Ray and to The National Secretaries Association.

On motion of Mr. Boldt, the resolution was adopted.

AMENDMENT TO HOUSE RULES

Mr. Pardini moved adoption of the following amendment to House Rule 66:

On page 2, after "used," strike "no" and insert "the machine shall be covered by a curtain. After all members have voted, the speaker shall lock the machine and the vote shall be recorded. Simultaneously with the locking of the electric roll call machine the curtain shall be opened and the vote made visible. No"

Representatives Pardini, Polk and Hurley (Margaret) spoke in favor of the amendment, and Mr. King spoke against it.

Ms. Becker demanded an electric roll call and the demand was sustained.

Mr. Berentson spoke in favor of the amendment, and Representatives Knedlik and Hurley (George) spoke against it.

Mr. Pardini spoke again in favor of the amendment.

Mr. King demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to House Rule 66, and the amendment was not adopted by the following vote: Yeas, 38; nays, 52; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Lee, May, Nelson D., Nelson G.A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G.S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Williams, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Warnke, Whiteside.

MOTIONS

On motion of Mr. Charnley, SENATE BILL NO. 2444 was rereferred from Committee on Social and Health Services to Committee on Institutions.

On motion of Mr. King, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 798, by Representative O'Brien:

Expanding the right to be free from discrimination.

The bill was read the second time.

On motion of Mr. Salatino, Substitute House Bill No. 798 was substituted for House Bill No. 798, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 798 was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 2, line 7 after "relationship" strike all material down through and including "practices" on line 10.

Representatives Polk, Flanagan and Greengo spoke in favor of the amendment, and Representatives Charette, O'Brien and Lux spoke against it.

Mr. Polk spoke again in favor of the amendment.

Mr. Boldt demanded an electric roll call, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to Substitute House Bill No. 798, and the amendment was not adopted by the following vote: Yeas, 34; nays, 54; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hughes, Hurley M., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Sommers, Struthers, Teller, Tilly, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Shinpoch, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Lee, Sherman, Smith, Walk, Whiteside, Winsley.

Substitute House Bill No. 798 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1252, by Representatives Shinpoch, Blair and Thompson:

Authorizing bonds for certain detention and correction facilities.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 32nd Day ex. sess., April 11, 1977.)

On motion of Mr. Shinpoch, the committee amendments were adopted.

House Bill No. 1252 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 30, by Representatives O'Brien, Lux, Eng, Thompson, Douthwaite, Burns, Teller, Zimmerman, Sommers, Maxie, Berentson and Charnley:

Amending the Constitution to permit the property taxes from increased property values attributable to development or redevelopment projects to be used to support such projects.

The resolution was read the second time.

On motion of Ms. Sommers, Substitute House Joint Resolution No. 30 was substituted for House Joint Resolution No. 30, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 30 was read the second time.

MOTION

On motion of Mr. Boldt, further consideration of Substitute House Joint Resolution No. 30 was deferred, and the resolution was ordered held for Monday's second reading calendar.

HOUSE BILL NO. 334, by Representatives Kreidler, Whiteside, Adams, Lux, Pruitt and Fischer:

Establishing a sexually transmitted disease clinic at University of Washington.

The bill was read the second time.

On motion of Mr. Adams, Second Substitute House Bill No. 334 was substituted for House Bill No. 334, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 334 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 673, by Representatives Smith, Fortson, Chandler, Charnley, Monohon, Berentson, Wilson and Salatino:

Specifying rest and travel time for ship's pilots.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 673 was substituted for House Bill No. 673, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 673 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1343, by Representatives North, Erickson, Nelson (Gary), Ehlers, Fortson and Blair:

Adding two lay members to the state veterinary board of governors.

The bill was read the second time.

On motion of Mrs. North, Substitute House Bill No. 1343 was substituted for House Bill No. 1343, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1343 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1343 was placed on final passage.

Mrs. North spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1343, and the bill passed the House by the following vote: Yeas, 83; nays, 7; not voting, 8.

Voting yea: Representatives Adams, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Greengo, Newhouse, Pardini, Patterson, Struthers, Zimmerman.

Not voting: Representatives Bauer, Bond, Ehlers, Keller, Leckenby, Smith, Walk, Whiteside.

Substitute House Bill No. 1343, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Charette to preside.

HOUSE BILL NO. 451, by Representatives Kilbury and Lux:

Requiring reflectors at railroad crossings.

The bill was read the second time.

On motion of Mr. Conner, Substitute House Bill No. 451 was substituted for House Bill No. 451, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 451 was read the second time.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 451 was deferred, and the bill was ordered placed on the second reading calendar immediately following House Bill No. 162.

HOUSE BILL NO. 1184, by Representatives Martinis, Moreau, Kilbury, Smith, Boldt, Owen, Vrooman, Grier, Adams, Burns, Schmitt, Taller, Wilson, Zimmerman, Haley, Greengo, Lux, Fortson, Walk, Knedlik, Becker and Berentson (by Executive request of Governor Ray):

Authorizing salmon enhancement facilities bonds.

On motion of Mr. Martinis, Substitute House Bill No. 1184 was substituted for House Bill No. 1184, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1184 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1184 was placed on final passage.

Representatives Martinis and Wilson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Flanagan.

Mr. Flanagan: "I'd like to know what the revenue package is and I'd like to know if these bonds can be issued without the revenue that's supposed to pay these bonds—the bills being passed—if it will make this revenue available to repay the debt service on these bonds?"

Mr. Martinis: "Representative Flanagan, I'll take the first question and I would defer the second question to the Appropriations Committee Chairman. The revenue package is House Bill No. 1188 which will follow House Bill No. 1184 and the capital budget. Nothing goes unless the revenue package goes. Everything is tied to the revenue package. The revenue package is a personal use salmon license, a sport license; it is a doubling to tripling of certain user licenses. It's a quadrupling of the charter boat licenses. It's a hundred dollar increase for the troll fishermen and the net fishermen. Also, it's a twenty-five percent increase in the landing and privileges taxes which have been combined together. They go from a four percent to a five percent on Chinook and Coho, and on the Chum it goes from two to five percent tax. That is the revenue package, but I would assure you, Representative Flanagan, that the bonds will not be sold without the appropriation and the revenue package."

Mr. Shinpoch: "Representative Flanagan, if you'll read section 11 on the bottom of page 3, it precludes the sale of these bonds until such time as the Director of Fisheries has certified, based upon reasonable estimates, that the data provided the Department of Revenue will be available to meet the requirements during the life of the bonds. If we look at House Bill No. 1188 it will not only pay for these bonds, but it pays for the majority of the maintenance and operations of the facilities, also. I'm not sure that really should be a requirement of the revenue package, but that's the manner in which it is drawn. I think section 11 gives you full protection relative to your question on the sale of the bonds."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1184, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hawkins.

Not voting: Representatives Bauer, Bond, Ehlers, Leckenby, Smith, Walk, Whiteside.

Substitute House Bill No. 1184, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 12, by Representative Lysen:

Memorializing the President and Congress to terminate airline mutual aid pacts.

The memorial was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 25 after "dispute;" insert a new paragraph as follows:

"WHEREAS, The Civil Aeronautics Board has upheld the legality of the Mutual Aid Agreement, as amended, four times in the past fifteen years; and

WHEREAS, Airlines have had the highest rate of increase in employment costs of any U.S. business in the last fifteen years; and

WHEREAS, The Mutual Aid Pact is justified due to the increased traffic and revenue accruing to nonstruck airlines during a strike;"

Representatives Tilly and Greengo spoke in favor of the amendment, and Mr. Lysen spoke against it.

Mr. Tilly spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to House Joint Memorial No. 12, and the amendment was not adopted by the following vote: Yeas, 27; nays, 60; not voting, 11.

Voting yea: Representatives Amen, Barr, Berentson, Chandler, Clayton, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Lee, Nelson G. A., Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Struthers, Tilly, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Bauer, Blair, Bond, Ehlers, Hurley G. S., Leckenby, O'Brien, Smith, Taller, Walk, Whiteside.

The Clerk read the following amendment by Representative Tilly:
On page 1, line 27 strike "terminate the" and insert "commend the airlines"

With the consent of the House, Mr. Tilly withdrew the amendment.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and House Joint Memorial No. 12 be placed on final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance House Joint Memorial No. 12 to third reading and final passage, and the motion failed to receive the mandatory two-thirds majority vote by the following vote: Yeas, 56; nays, 32; not voting, 10.

Voting yea: Representatives Adams, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Lee, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tilly, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bauer, Blair, Bond, Ehlers, Leckenby, O'Brien, Smith, Taller, Walk, Whiteside.

House Joint Memorial No. 12 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 162, by Representatives Valle, Flanagan, Gruger, Charnley, Douthwaite, Grimm, Hawkins, Burns, Thompson, Nelson (Dick), Fischer, Hughes, Lux, Paris and Pruitt:

Directing enforcement of no smoking rules and providing penalties for their violation.

On motion of Mr. Knowles, Second Substitute House Bill No. 162 was substituted for House Bill No. 162, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 162 was read the second time.

Representative Hurley (Margaret) moved adoption of the following amendment:
On page 1, line 30 after "(2)" and before "all" insert "enclosed areas of"

Representative Hurley (Margaret) spoke in favor of the amendment, and Mrs. Valle spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) to Second Substitute House Bill No. 162, and the amendment was not adopted by the following vote: Yeas, 43; nays, 43; not voting, 12.

Voting yea: Representatives Adams, Barr, Berentson, Chandler, Clayton, Clemente, Craswell, Deccio, Enbody, Erak, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Haley, Hurley M., Keller, Knedlik, Knowles, Lee, Martinis, May, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Owen,

Pardini, Patterson, Polk, Salatino, Sanders, Schmitten, Shinoda, Struthers, Vrooman, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Becker, Boldt, Burns, Charette, Charnley, Conner, Douthwaite, Dunlap, Eng, Erickson, Fischer, Fortson, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Kreidler, Lux, Lysen, Maxie, McKibbin, Nelson D., North, Paris, Pearsall, Pruitt, Sherman, Shinpoch, Sommers, Thompson, Tilly, Valle, Warnke, Williams.

Not voting: Representatives Amen, Bauer, Bender, Blair, Bond, Ehlers, Leckenby, O'Brien, Smith, Taller, Walk, Whiteside.

On motion of Mr. King, further consideration of Second Substitute House Bill No. 162 was deferred, and the bill was ordered held for the second reading calendar, Monday, April 25, 1977.

MOTIONS

On motion of Mr. King, the House advanced to the eighth order of business.

On motion of Mr. Boldt, HOUSE BILL NO. 1257 was rereferred from Committee on Rules to Committee on Revenue.

On motion of Mr. King, the House adjourned until 9:30 a.m., Monday, April 25, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 25, 1977.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Enbody, Eng and Lee. Representative Lee was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Terry Moore and Dennis Manka. Prayer was offered by Reverend David Kratz 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 CONCURRENT RESOLUTION NO. 32, by Representatives King and Berentson:

Adopting joint rules for the Forty-fifth Legislature.

MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 32 was advanced to second reading and read the second time in full.

On motion of Mr. King, further consideration of House Concurrent Resolution No. 32 was deferred, and the resolution was ordered placed at the top of tomorrow's second reading calendar.

REPORTS OF STANDING COMMITTEES

April 21, 1977

HOUSE BILL NO. 93, Prime Sponsor: Representative Gaines, providing reduced utility costs to low income persons. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Lux, May, Pearsall, Schmitt.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 360, Prime Sponsor: Representative Sherman, providing for solar easements. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Conner, Grimm, Kilbury, Martinis, McKibbin, Williams.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 363, Prime Sponsor: Representative Sherman, exempting solar energy devices from sales and use taxes. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Conner, Grimm, Kilbury, Martinis, McCormick, McKibbin, Pearsall, Williams, Wilson.

MOTION

On motion of Mr. King, House Bill No. 363 was rereferred to Committee on Revenue.

April 22, 1977

HOUSE BILL NO. 366, Prime Sponsor: Representative Lysen, providing property tax credits for installation of energy savings devices in single and multiple family dwelling. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Conner, Grimm, Kilbury, Martinis, McCormick, McKibbin, Williams, Wilson.

MOTION

On motion of Mr. King, House Bill No. 366 was rereferred to Committee on Revenue.

April 22, 1977

HOUSE BILL NO. 387, Prime Sponsor: Representative Douthwaite, restricting reinsurance with insurer not authorized to insure in this state. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Blair, Erak, Erickson, Knedlik, Sanders, Taller.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 388, Prime Sponsor: Representative McKibbin, exempting from property taxation up to two thousand dollars of valuation of property equipped with a solar energy heating or cooling system. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Conner, Grimm, Kilbury, Martinis, McCormick, McKibbin, Williams, Wilson.

MOTION

On motion of Mr. King, House Bill No. 388 was rereferred to Committee on Revenue.

April 22, 1977

HOUSE BILL NO. 683, Prime Sponsor: Representative Douthwaite, modifying the insurance law on fraternal benefit societies. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Haley, Ranking Minority Member; Barnes, Erak, Erickson, Knedlik, Sanders, Taller.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 684, Prime Sponsor: Representative Fischer, allowing pharmacists to obtain nonpracticing licenses. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Gruger, Lux, Pearsall, Schmitten.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 688, Prime Sponsor: Representative Gruger, providing continuing general assistance for unemployed employable persons under certain conditions. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Blair, Ranking Minority Member; Becker, Charette, Ehlers, Heck, Keller, Lee, Maxie, Pardini, Thompson, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 916, Prime Sponsor: Representative Kilbury, exempting library districts from the 106 percent property tax limitation. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Eng, Erickson, Flanagan, Hurley (George), Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1191, Prime Sponsor: Representative Charnley, providing for the creation and management of a scenic river system. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with amendments and the amendments by the Committee on Ecology be adopted:

On page 7 add a new section following section 9 as follows:

"NEW SECTION. Sec. 10. There is hereby appropriated to the department of game, from the general fund for the biennium ending June 30, 1979, the sum of one hundred thirty-two thousand dollars."

Remember the remaining sections consecutively.

On page 1, line 2 of the title after "79 RCW" insert "; and making an appropriation"

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Chandler, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 1255, Prime Sponsor: Representative Gaines, making general revisions in the laws relating to liquor. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 18 after line 14 insert:

"Sec. 12. Section 36-A, added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 245, Laws of 1943 and RCW 66.44.310 are each amended to read as follows:

(1) It shall be a misdemeanor,

(a) To serve or allow to remain on the premises of any tavern any person under the age of twenty-one years;

(b) For any person under the age of twenty-one years to enter or remain on the premises of any tavern;

(c) For any person under the age of twenty-one years to represent his age as being twenty-one or more years for the purpose of securing admission to or remaining on the premises of any tavern.

(2) The Washington state liquor control board shall have the power and it shall be its duty to classify the various licensees, as taverns or otherwise, within the meaning of this title, except bona fide restaurants, dining rooms and cafes serving commercial food to the public shall not be classified as taverns during the hours such food service is made available to the public.

(3) Notwithstanding the provisions of this section and the provisions of RCW 26.28.080 as now or hereafter amended, it is lawful for a person under the age of twenty-one years to be and remain on the licensed premises when accompanied by the licensee or his agent during the hours the licensed premises are not open for the sale of alcoholic beverages.

On page 1, on line 24 of the title after "RCW 66.28.090;" delete "and"

On page 1, line 27 of the title after "66.44.010" and before the period insert "; and amending section 36-A, added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 245, Laws of 1943 and RCW 66.44.310"

Signed by Representatives Warnke, Chairman; Fancher, Gallagher, Hansen, Hawkins, Owen, Shinoda, Struthers.

To Committee on Rules for second reading.

April 21, 1977

HOUSE CONCURRENT RESOLUTION NO. 30, Prime Sponsor: Representative Shinoda, proposing start of electoral and fiscal biennia in alternate years. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Chandler, Hawkins, Heck, Hughes, Keller, Lee, Taller, Thompson, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 21, 1977

ENGROSSED SENATE BILL NO. 2069, Prime Sponsor: Senator Goltz, establishing a youth service corps to promote youth employment and service to local communities. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with amendments (and the amendments previously adopted by the House be stricken):

On page 1, strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. The legislature finds and declares that:

(1) A high percentage of the young men and women of the state are left idle by unemployment and denied the opportunities for career exploration and development that should accompany entry into the labor force.

(2) The talent and energy of Washington's young people are a significant resource for the enhancement of human and community services and the conservation and development of natural resources in our state of Washington.

(3) Existing programs do not adequately meet the needs of such young people for meaningful work and self-development.

(4) The program for youth service of the department of employment security offers an alternative to unemployment to its young people which challenges their abilities and commitment while extending the services of local governmental and private agencies and organizations in meeting social and environmental needs.

Now, therefore, the legislature finds it necessary and in the public interest to hereby establish the program for youth service as a permanent activity of the department of employment security and to hereby provide for its operation through this youth service corps act of 1977.

NEW SECTION. Sec. 2. (1) There is hereby created and established the youth service corps within the employment security department which shall include the program for youth service. The commissioner shall assign thereto such supervisory and clerical personnel as may be necessary to carry out the purposes of this chapter.

(2) The commissioner of the employment security department is hereby authorized to establish the program for youth service in which the services of full time enrollees from fourteen to twenty-four years of age, inclusive, will be mobilized to serve the needs of citizens and to resolve environmental problems through contracts with state and local governmental units and private nonprofit agencies. Such contracts shall include a component of regular performance evaluation leading to a work experience credential for the enrollee.

NEW SECTION. Sec. 3. The commissioner is authorized to select and enroll in the program for youth service, any person who is over fourteen years of age or who has not yet reached his or her twenty-fifth birthday, who is a resident of the state of Washington, and who is not for medical, legal, or psychological reasons incapable of a full year of service. The commissioner may prescribe such additional standards and procedures for selection of enrollees as may be necessary and in conformance with the provisions of this chapter.

NEW SECTION. Sec. 4. Placements in the program for youth service shall include those assignments which provide for dealing with social and environmental problems, and conservation and development of our natural resources.

The commissioner is authorized to establish standards for the development of placements for program for youth service enrollees with state and local units of government and private nonprofit agencies and organizations, and to assign enrollees to such placements in accordance with those standards.

A subsistence living allowance and comprehensive medical insurance shall be paid by the commissioner in accordance with the standards and limitations of the funding appropriation.

NEW SECTION. Sec. 5. A 'program for youth service enrollee' is defined as a person who has completed enrollment forms and entered into a program for youth service contract as approved by the director of the program for youth service and who has entered service and is receiving a subsistence living allowance from the employment security department. Prior to placement of the program for youth service enrollee, the commissioner shall secure a written agreement from the state or local government unit, or private nonprofit agency and the enrollee which specifies in detail the purpose, objectives, and activities to be performed by the enrollee. It shall include assurances that the conditions of this chapter are met as well as an agreement that neither party will request nor receive compensation of any form other than the minimal living allowance, listed benefits, and actual expenses incurred by the enrollee in line with his or her assignment. All parties shall agree that they will not discriminate in the providing of any of its services on the basis of race, creed, ethnic origin, sex, age, or political affiliation.

NEW SECTION. Sec. 6. If the employment security department finds that there is an opportunity for the placement of youth in a training program that will, in the opinion of the director, assist in the development of skills and talents as set forth in section 1 of this act, then the director is hereby authorized to enter into any contract with any employer in the state that offers such training program or opportunities. Contracts entered into with employers other than local governmental and private nonprofit agencies shall not be exempted from the minimum wage laws of this state, but the director shall be empowered to reimburse the employer an amount not to exceed the amount that would have been paid under section 5 of this act. The director shall only be authorized to make said payments for a maximum period of one year.

The director shall report back to the legislature by January 15, 1978, the number of contracts entered into and the number of youth employed under this section and under section 5 of this act.

NEW SECTION. Sec. 7. Program for youth service enrollees shall be eligible for the benefits under Title 51 RCW, as now or hereafter amended, relating to industrial insurance.

The employment security department shall be deemed the employer and pay all premiums, including the worker's share. The employment security department will give notice of coverage under industrial insurance of all of its program for youth service enrollees to the director of the department of labor and industries prior to the occurrence of the injury or contraction of an occupational disease by any program for youth service enrollees.

NEW SECTION. Sec. 8. The assignment of program for youth service enrollees shall not result in the displacement of currently employed workers, including partial displacement such as a reduction in hours of non-overtime work, wages, or other employment benefits.

State and local governments and private nonprofit agencies that participate in the program may not terminate, lay off, or reduce the working hours of any employee for the purpose of utilizing an enrollee with funds available under this chapter.

NEW SECTION. Sec. 9. The provisions of chapter 49.46 RCW, the state Minimum Wage Act, shall not apply to any program for youth service enrollee serving under a youth service contract approved pursuant to the provisions of this chapter.

NEW SECTION. Sec. 10. In addition to any other power, duty, or function prescribed by law or regulation, the employment security department, through the youth service corps, shall be authorized to accept federal funds and grants and implement federal programs relating to youth services or employment programs, and is further authorized to enter into agreements respecting such funds or grants.

If any part of this chapter shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this chapter is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this chapter; the rules and regulations under this chapter shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 11. The provisions of this chapter shall expire on December 31, 1981.

NEW SECTION. Sec. 12. Sections 1 through 11 of this act shall constitute a new chapter in Title 50 RCW.*

In line 1 of the title, following "corps" strike all the material through "service;" in line 2 and insert "and the program for youth service; providing an expiration date;"

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Chandler, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Taller, Thompson, Valle, Vrooman.

To Committee on Rules for second reading.

April 21, 1977

ENGROSSED SENATE BILL NO. 2241, Prime Sponsor: Senator Day, permitting use of Laetrile. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert:

***NEW SECTION. Section 1.** There is added to chapter 70.54 RCW a new section to read as follows:

It is the intent of the legislature that passage of this act shall not constitute any endorsement whatever of the efficacy of amygdalin (Laetrile) in the treatment of cancer, but represents only the legislature's endorsement of a patient's freedom of choice, so long as the patient has been given sufficient information in writing to make an informed decision regarding his/her treatment and the substance is not proven to be directly detrimental to health.

NEW SECTION. Sec. 2. There is added to chapter 70.54 RCW a new section to read as follows:

No hospital or health facility may interfere with the physician/patient relationship by restricting or forbidding the use of amygdalin (Laetrile) when prescribed or administered by a physician licensed pursuant to chapter 18.57 or 18.71 RCW and requested by a patient under his/her care who has requested the substance after having been given sufficient information in writing to make an informed decision.

For the purposes of this act, the state board of pharmacy shall provide for the certification as to the identity of amygdalin (Laetrile) by random sample testing or other testing procedures, and shall promulgate rules and regulations necessary to implement and enforce its authority under this section.

NEW SECTION. Sec. 3. There is added to chapter 70.54 RCW a new section to read as follows:

No physician may be subject to disciplinary action by any entity of either the state of Washington or a professional association for prescribing or administering amygdalin (Laetrile) to a patient under his/her care who has requested the substance after having been given sufficient information in writing to make an informed decision.

It is not the intent of this section to shield a physician from acts or omissions which otherwise would constitute unprofessional conduct as defined in RCW 18.57.170 and 18.72.030.*

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Haley, Lux, May, Pearsall, Schmitten.

To Committee on Rules for second reading.

The Speaker declared the House to be at ease.
The Speaker called the House to order.

MESSAGE FROM THE SENATE

April 25, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3019,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3019.

REPORTS OF STANDING COMMITTEES

April 23, 1977

HOUSE BILL NO. 367, Prime Sponsor: Representative Boldt, authorizing recheck inspections and reinspections of jobsites where industrial safety violation found. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Clayton, Fischer, King, Nelson (Dick), Pruitt.

To Committee on Rules for second reading.

April 23, 1977

HOUSE BILL NO. 563, Prime Sponsor: Representative King, extending the labor dispute disqualification for unemployment benefits. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Lux, Chairman; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 685, Prime Sponsor: Representative Fischer, authorizing electronic transfer of funds for store customers. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Fischer, Vice Chairman; Deccio, Ranking Minority Member; Gaines, Kreidler, Lux, Nelson (Gary), Pardini, Polk.

To Committee on Rules for second reading.

April 22, 1977

HOUSE BILL NO. 861, Prime Sponsor: Representative Nelson (Dick), requiring the department of revenue and county assessors to publicize the retired persons' property tax exemption and deferral laws. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Erickson, Hurley (George), Kilbury, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

April 23, 1977

HOUSE BILL NO. 1327, Prime Sponsor: Representative King, establishing standards for governmental ethics. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Grimm, Heck, Hurley (Margaret).

MOTION

On motion of Mr. King, House Bill No. 1327 was rereferred to Committee on Appropriations.

JOINT SESSION

The Sergeant at Arms announced the arrival of the Senate at the bar of the House.

The Speaker requested the Sergeants at Arms of the Senate and the House to escort the President of the Senate John Cherberg, President Pro Tem Al Henry and Vice President Pro Tem James Keefe to seats on the rostrum, and the Speaker invited the Senators to seats within the bar of the House.

The Speaker presented the gavel to the President of the Senate.

The Secretary of the Senate called the roll of the Senate and all members were present except Senator Scott, who was excused.

The Clerk of the House called the roll of the House and all members were present except Representatives Enbody, Eng and Lee, who were excused.

The President of the Senate appointed Representatives Valle, Salatino, Taller and Owen, and Senators Odegaard, Sellar and Ridder to escort the elected state officials to seats within the bar of the House.

The President appointed Representatives Kreidler, Keller and Patterson and Senators Donohue, Pullen and Grant to escort Governor Dixy Lee Ray to a seat on the rostrum.

The President appointed Representatives King, Polk and Berentson, and Senators Bottiger, Buffington and Beck to escort Governor Jay Hammond and Attorney General Avrum Gross of the State of Alaska to seats on the rostrum.

The President: "Governor Ray, Governor Hammond, General Gross, Mr. Speaker, members of the Legislature, ladies and gentlemen: The purpose of the Joint Session is to receive a message from His Excellency The Honorable Jay Hammond, Governor of the State of Alaska. The members of the Senate, members of the House, all of the people of our state, the state elected officials, join in extending a very warm welcome to our illustrious and distinguished guest. The President this morning has the great pleasure of presenting to you at this time the Honorable Dixy Lee Ray, Governor of the State of Washington, who will in turn introduce Governor Hammond. Governor Ray."

Governor Ray: "Thank you very much. President Cherberg, Mr. Speaker, members of the Legislature, ladies and gentlemen: It's all too rare that we can host the governor and elected officials or legislative people from other states during the time that our own Legislature is in session, but we have had that opportunity these last couple of days and it has been a rare one. Contact and exchanges of information with our neighboring states are very valuable as we seek to solve reasonably some of the many problems that we face and to reinforce both economical and social ties that bind us together. In the case of Governor Hammond of the State of Alaska, we are, here in the state of Washington, very much aware of our mutual interests and we have always devoted the necessary time to develop them. When I visited Alaska last December, Governor Hammond and I agreed that although our two states are separated geographically we have perhaps more in common than any two other states in the union. We share interests and mutual concerns in both economic and environmental areas and in the very special areas of resources, of energy, of fisheries, timbers, conservation, and we are devoted to the same kind of open and positive, careful, responsible development and utilization of those resources.

"Obviously the matter of Alaskan oil is of primary concern and our two states are deeply involved in the transportation of that valuable commodity. We were very happy therefore yesterday at a meeting of regional governors and legislators to find that we mutually agree that this valuable commodity should be utilized in the United States and that we have an important role to play in the transportation. We also have other ties educationally, and I would like us to refer to the most important development that's taken place between our two states in the utilization of satellite communications for advanced instruction in the medical profession. As a result we have had a nine hundred percent increase in medical students in our medical schools in the State of Alaska. Our ties in the so-called money programs are bringing us closer and closer together and we hope that will enlarge and extend to other fields of education as well.

"More than anything else it's a pleasure for me to welcome and introduce Governor Jay Hammond of the State of Alaska as a friend and a colleague and because, as he has so

graciously said on a number of occasions, he owes to me what he is today—the only Republican Governor in the West. Thank you, Governor Hammond."

Governor Hammond: "Governor Ray, members of the Legislature, distinguished guests: I'm deeply honored by your invitation to address this body. Having been twelve years myself a legislative member, it might be expected the Alaska Legislature and I share a certain warm regard for one another. As a matter of fact, sometimes it gets downright hot.

"I don't know exactly what happens when one departs the legislative scene and assumes the chores of the executive. Moving up the one required floor in our State Capitol Building shouldn't really make much difference; however one's viewpoint certainly does refocus. I recall that when in the Legislature, I was dismayed at the arbitrary powers permitted the executive. Now, curiously, I'm dismayed at the great frustration imposed upon my exercise of office through the small inconvenience of the legislative process. Is it possible that the rarer atmosphere of higher public office could so fuzzy up one's thinking, or is it because, though our objectives may be the same, like two people peering through opposite ends of the same telescope, we observe a distorted image of the other guy standing between ourselves and our objectives? I suspect we'd all be better off if governors and legislative bodies would stop peering apprehensively at one another through such fractured focus, we should look past those myopic misperceptions that we've conjured up and recognize such images are but ephemeral while those objectives which we jointly share will long endure after we've all heard that last hurrah.

"The Governor stole one of my lines. I'd intended to say that while her very gracious introduction was unduly generous, unfortunately, modestly, she omitted one important fact of which you may not be aware, and that being that in her defeat of John Spellman as Dan Evans' gubernatorial successor, your own Governor Dixy Lee has done more than anyone else to help make me what I am today, and that is the entire Republican contingency of the Western Governor's Conference, to say nothing of the only Western Governor who is inclined to wear a beard.

"Speaking of beards, you may wonder about the political liability of a set of whiskers. I know my campaign staff certainly did. In their efforts two years ago to sort of sanitize the Hammond image, they urged me to shave it off. I reflected on the matter, but I concluded that, by golly, if I didn't deserve to be governor with a beard, I certainly didn't deserve to be governor without one. Besides I was in a store one day when a clerk looked up and told me, 'Say, didn't I see you on television? By George, you've got my vote. Any guy that's got guts enough to wear a beard and run for governor has got to be different. The rest of those fellows are all clean-shaven and trying to convey the impression of honesty and integrity and we know they're crooks.' Incidentally, after I'd won the primary I told my campaign people that I'd shave the beard and they said I didn't dare, so you see, I'm stuck with what most have finally concluded to be more a political asset than liability. Eat your heart out, Governor Ray. I'm afraid you're just going to have to make it all alone on talent.

"Alaska and Washington, of course, have common bonds of interest which stretch back almost a century. Washington was the launching port for legions of gold-seekers, many of whom planted family roots in Alaskan soil. Our fishing industries were, for the most part, founded with Washington know-how and hard cash. As Alaska tourism, transportation and most other enterprise flourishes or flounders in Alaska, reverberations are felt in the width and breadth of Washington. Thus I can appreciate the interest in, and perhaps the apprehension, over that which you read and hear about Alaska and just what mischief we might be up to there. For example, are we opposed to more development as some might try to tell you? Or, as some others might assert, are we intent on rapidly exploiting our resource wealth as if there is no tomorrow? Let me first try to put my own views into perspective.

"There are some in Alaska who would brand me an environmentalist. That's a charge to which I happily plead guilty. Of course I'm an environmentalist. I'm concerned however about the economic and the social as well as the physical environment. Are there any neanderthals yet left who are unconcerned? If not, then I presume that an environmentalist is the only proper thing to be. Unfortunately, in usage labels take on a certain taint and tend to polarize, thus we find many politicians, who, while acknowledging a concern for the environment, are quick to point out they are not extremists by stating that, 'Of course, I'm a conservationist, but.' Somehow this seems to make that acknowledgement respectable. I suspect that I'm somewhat guilty in reverse. I've tried to mute the extremist charge and modify the perception of my own proclivities by professing that, of course, I'm a developer, but—my point being that neither end of the spectrum has a market cornered on extremists, just as there are some crackpot conservationists who would stop everything, there are crackpot developers who would rip-

off and run roughshod over anyone and anything in their exploit of greed. Proper balance, of course, is what we should aspire to. I sometimes believe that I've achieved that balance for half the time the Chamber of Commerce is disgusted with me and half the time the conservationists are thumping me. I must admit that I've brought some of that abuse on myself. Long before I ever thought of running for this office I delighted in making irreverent statements, some of which have surfaced since to haunt me. For example, I once told a local Chamber of Commerce that I was well aware that some of their membership was apprehensive that as a conservationist I was inclined to thwart their interests. I said I wanted to alleviate their fears, and assured them that contrary to what some might try to tell them there was no truth whatsoever to the rumor that given all his druthers Hammond might put a fence around Alaska and make it into one huge national park. I told them that's a ridiculous charge, after all, your community doesn't deserve park status; that it had already degenerated beneath acceptable eligibility requirements. You can imagine why some members of that business community didn't sleep too well when I was first elected. However, I believe that many of those apprehensions have since been alleviated. Most Alaskans have to come to realize that I will support sound development, insisting only that it not do undue violence to the environment and is capable of paying its own way rather than compelling us to subsidize. Actually when you get right down to it that is what most Alaskans would ask of each prospective developmental project. The problem is that they phrase it in somewhat different terms. For example, I can go to the Chamber of Commerce and make points by stating that I favor and will promote any development which is environmentally sound and pays its own way and they like that. On the other hand, I can go before the Sierra Club and win applause by stating that I'm going to oppose any development that is not environmentally sound, and does not pay for its way. In both cases, of course, I've said the same thing, but heaven help me if someone should ever switch my slips.

"Most Alaskans aspire to the same thing people elsewhere do. It's simply that we've had time and some options that are not as yet foreclosed. Alaska is especially blessed with what remains in large measure the last place on earth where we can do things right the first time.

"Most Alaskans share a fundamental vision of what the future of Alaska should and possibly can be. Alaskans want the freedom to choose a lifestyle designed to one's own blueprint; a natural environment that facilitates this lifestyle and inspires rather than immerses either one's surroundings or one's spirit. Yet, also, most Alaskans want a healthy, stable economic environment which is rewarding to and controlled by the people whom it most affects.

"Alaskans recognize our oil wealth is but ephemeral. Thus, most believe Alaska's long-term future lies with increased dependence on renewable resources: Fisheries, timber, agriculture and tourism. Accordingly, it is our intent to use our oil wealth to invest heavily in the enhancement of these activities.

"In order to assure that our depleting nonrenewable, 'nest-egg' inheritance wealth from oil will not be simply used to further expand government or squandered through gigantic subsidies, the Alaskan voters recently adopted a constitutional amendment creating a permanent fund savings account into which a portion of our oil wealth must go. It is our intent to use the capital wealth itself for sound investments and permit only interest earnings from this fund to be used for recurring government expenses. We realize full well that moneys from depleting nonrenewable resources belong not only to this generation of Alaskans, but to those who will come behind us. Thus, the creation of the permanent fund indicates that we have learned some lessons from the past and are determined to buy a piece of tomorrow for our children. Had we instead continued the past practice which permitted those of us in public office to pump such 'nest-egg' moneys into a ballooning bureaucracy, I fear that we might find at the rainbow's end naught but the pot, the gold would have gone into government.

"To an alarming degree, Alaska's current economic situation is dependent upon our rich petroleum reserves. Oil from the largest individual pool yet discovered on our continent, in Prudhoe Bay will begin its journey to the marketplace this summer. That historic occasion, as well as the prospective routing of our natural gas, are items which I know are of great interest to Washingtonians.

"Regarding oil transport, from the first I believed that an oil pipeline could be constructed which was reasonably failsafe. My prime concern has ever been the transportation of petroleum. From what I hear some of you share this concern as well. My concerns in this regard were somewhat modified in the wake of assurances emanating from the Coast Guard and other federal agencies during the Trans-Alaska oil pipeline route debate. At that time we were repeatedly assured that tanker standards would be upgraded substantially. Since that time, however, we've seen indications that such commitments may have been relaxed. Accordingly,

we have done our best to remind respective federal agencies that tanker standards must be upgraded. While we've come some way towards accomplishing that objective, we have yet a way to go.

"Starting in 1977, shipments of more than one million barrels of oil a day will depart from Alaska's Port of Valdez by tanker. These tankers will then move down our coast through some of the most biologically productive waters in the world. The waters off your coast share this distinction and attendant vulnerability.

"Research has led us to conclude that most oil pollution can be prevented if standards for construction and operation of tankers are upgraded to the changes we've proposed. To minimize spill potential, we are asking for improved navigation and communications equipment on all tankers. This would consist of standby radar, electronic position locating equipment and collision avoidance systems. We are asking for segregated ballast tanks. We are asking for double bottoms on the largest tankers. We are asking for fuel tank gas inerting systems to prevent explosions. We believe these are reasonable requests in terms of the unreasonable risks involved. From the twelve or so tanker incidents occurring in the past few months, those risks are evident. From them we've had a tremendous amount of pollution, loss of life and, of course, huge financial loss as well. Virtually all of these particular incidents could have been avoided had the tankers been equipped as proposed by our list of standards.

"This, of course, is not simply an Alaskan issue but one national in scope. Accordingly, I'm pleased to report that at the recent Governor's Conference virtually all the nation's governors supported the above proposals.

"Another major issue in which we have common interest is the prospective gas pipeline route designed to take north slope gas to market. My administration strongly supports the so-called All-Alaskan route. We believe there are some key advantages to all in this system. First, it could deliver gas much sooner to the nation than the other routes proposed. Second, it provides capability for expansion and delivery of additional Alaskan gas reserves. Moreover, the construction of the necessary cryogenic tanker fleet to haul the liquefied natural gas would permit development of reserves in areas where economic considerations precluded construction of a pipeline. Third, there is no exposure to foreign taxation and jurisdictional uncertainties which attend routes which would traverse a foreign country. Fourth, there is minimal environmental disturbance insofar as this route follows the already established oil pipeline route. Fifth, it provides thousands of jobs to U.S. citizens both on the line and in the shipyards. It also adds an estimated \$10.5 billion dollars to the U.S. economy and a highly favorable impact upon our balance of payments. Sixth, there is no exposure to the uncertainty of decisions of a foreign nation.

"The major consideration in opposition to either one of the two Canadian alternatives is the probability of prolonged delay presented by the yet unresolved issue of the Canadian native lands question. Those of us in Alaska who watched our own oil pipeline high-center until this issue was resolved, believe it may be by far the most important consideration.

"Regarding the time schedule for decisions on the gas pipeline route: On February 1, administrative law Judge Litt of the Federal Power Commission recommended approval of a Trans-Canada natural gas pipeline system. This recommendation, of course, is only the first step in the F.P.C. consideration of the matter. The full commission is now reviewing Judge Litt's action and will make a recommendation to the President by May 1 this year. The President then will make a decision regarding the route no later than September 1. After that, Congress will have 60 days to approve his choice. I would hope that in your studies on this issue you have concluded that there are advantages to Washington in the All-Alaskan route. I know that many of your constituents have already reached that conclusion from what they have conveyed to me. Should you concur, a resolution to that effect might be helpful if conveyed to the President and Congress.

"Another issue of perhaps even greater implication for the future of Alaska goes by the cryptic designation of D-2. Most Alaskans have learned that D-2 stands not for the latest version of a supersonic bomber nor one of the highest peaks in the Karakoram Mountains, but rather the manner in which federal lands within Alaska will be managed in the future. The term D-2 actually stands for a section in the Alaska native Claims Settlement Act which authorizes Congress to set aside up to 80 million acres of so-called national interest lands, to be managed by one of four federal agencies—National Parks, Refuges, Forest Service, or the Bureau of Outdoor Recreation.

"Many in Alaska, both conservationist and developer alike, have become convinced that we should look at something different than the traditional approach which would set up in some cases federal enclaves providing for 100 percent protection for certain national interests,

say, fish or game habitat, which on adjacent state or private lands would be exposed to virtual desecration depending upon the whim of state or private owner. Thus, we have proposed a new approach which would, in return for greater utilization of those federal lands, improve the likelihood of a broadly comprehensive and rational cooperative land use plan being applied to much more acreage. The need for such a plan became self-evident to me some years ago when I looked at what the feds proposed to do to a lake on which I have a homestead. Under the so-called Morton Bill, one end of that lake is proposed to go into a national park, the other end into an ecological reserve while through the middle there would be a strip of land completely open to accommodate some mining interests and throughout the shoreline would be interspersed lands in native ownership or other private holdings. It seemed obvious that under such scattered ownership nothing but a chaotic land use pattern could possibly emerge. Such could serve neither the best interest of rational 'conservationists' or 'developers' nor Congress. There are many such situations in Alaska which could be remedied only through cooperative management. Such, of course, requires all parties to make a few concessions in return for more flexibility and rational land planning.

Thus many, including our congressional delegation and myself, encourage the creation of a joint federal state land use planning commission which would attempt to establish a voluntary cooperative management plan for Alaska's variegated landowners. Membership on this commission would be comprised of four persons appointed by the governor and four appointed by the President. Federal lands not going immediately into one of the four systems but on which there were clearly national interest values would be placed in what might be termed a holding pattern. Should these lands be matched acre for acre with state and private lands, they would be eligible for cooperative management. Private owners of undeveloped lands dedicated in this fashion would receive an exemption from state and local property taxes as long as their lands were managed under the commission's guidelines. All owners would have an incentive to commit lands to cooperative management, for without such commitment neighboring landowners could go their own way to the possible detriment of adjoining land values or the possible exclusion of uses beneficial to the area as a whole. Your Senator Henry Jackson will have a great influence on the final outcome of the D-2 issue. I met with him recently in Washington to discuss this concept. I am pleased that he expressed substantial interest. However, it will be an uphill battle particularly to persuade conservationists that there are benefits for them in this alternative proposal. As a conservationist, I am convinced there are. As a developer, I am equally convinced that in return for greater utilization of those national lands most Alaskans are prepared to allow the federal government at least a voice in formulating plans which impact our lands as well. Should we not be able to work out our differences, we could, of course, then go our separate ways. However, I hope we at least have the chance to try.

"In conclusion, let me remedy a common misperception. Contrary to the views of many, Alaska at this moment is on very shaky financial ground, indeed. Not only are we currently forced to borrow some \$200 million annually from prospective future oil revenues, but from the standpoint of sound financial practice, we are in worse shape than we were back in 1960. Shocking as that may seem to some, let me prove that case. In 1960 the state's recurrent annual income per capita was more than the per capita cost of state services. Thus, we were clearly "paying our way." We didn't go very far, but we paid our fare out of pocket. Yet the year this administration entered office, the state was spending almost twice as much per citizen as it gleaned from him in taxes. This unhealthy situation crept up almost unnoticed.

The fact that we had long since stopped "paying our way" was obscured behind a stack of cold hard cash 900 million dollars high which we received in 1969 for selling leases on the north slope. Now, unfortunately, that stack has dwindled down and more and more Alaskans can clearly see some disturbing cold hard facts. One of the most alarming is that if the government is permitted to expand at the average annual rate it has since statehood, come 1985 the costs of government could outstrip expected revenues, from all sources, by about \$1 billion dollars. These disturbing revelations prompted me to cut past average annual government growth by almost half. To do so required me to exercise my veto power to excise more than ten times the money from the budget than had all other Alaskan governors combined. Moreover, to my dismay, I found that despite our apparent oil wealth, financial prudence suggested increasing consumer and other taxes rather than reducing them. Thus, I have proposed a multitude of tax increases. Frankly, I almost wish I had not ferreted out the data which convinced me of those facts for they are not platform plans suitable for constructing pads from which successful reelection bids are launched.

"There is, of course, only one reason why a politician will fly in the face of politics—he's either right or stupid. Since you may presume the latter or share misperceptions as to Alaska's affluence, permit me to briefly open up our books for your inspection.

"Whereas in 1960 our state budget was funded totally from recurring tax revenues, this year our state budget will require that 61% of it or \$477 million come from nonrenewable resource 'nest egg wealth' which, once gone, will never come to us again. Only 39% of our current costs of government are being paid for from recurring taxes. Almost everybody and every industry in Alaska is being subsidized by our depleting wealth from oil. The dangers of continuing this practice should be painfully apparent. Yet this situation crept up on us insidiously and with little pain. Where we erred was permitting state salaries and services to escalate beyond the point the citizen was willing to pay for them through appropriate tax revenues. By injecting massive amounts of 'nest egg' oil wealth into expanding government, we lived in a politician's paradise. We could provide all sorts of wondrous new programs and not charge recipients one more cent in taxes. Were I concerned primarily with reelection, I might ignore this fact and continue as before because there really is no need to do anything about it until our nonrenewable resources exhaust some years from now. Meanwhile, I could bask in the warm glow of popularity by increasing services while reducing taxes. Instead, I intend to turn down that thermostat for what we have done is akin to keeping the home fires burning by feeding it the home. Certainly, one can stay warm and comfortable for quite awhile by throwing on first the floorboards and then the siding and the studs, but, inevitably, someday in the future the roof caves in.

"How can Alaska kick the habit of injecting massive amounts of our 'nest egg' wealth into the day-by-day bloodstream of state government? Certainly we have become so hooked that we cannot quit cold turkey. However, I believe there is a way through which we might ease withdrawal pangs. To blunt the pain of shifting to appropriate tax schedules now while we yet can, we could provide that a portion of the earnings from our permanent fund investments be given directly to Alaskans in cash dividends. Such would offset the net impact of appropriate new taxes and, thus, might elicit their necessary political support. Moreover, by giving Alaskan stockholders an actual dividend we might suppress the unhealthy growth of government. Constraints would be more popular if every time we politicians wished to expand the cost of government we had to recoup these dividend dollars from the citizen in the form of taxes. It seems clear that the government bureaucracy will continue to balloon until there is a string tied from that balloon directly to the pocket of the citizen. The citizen in turn should require that those of us in public office twitch that string every time his money is used to expand government. Unfortunately for Alaska, as long as the public demand for services can be met in such a way that the public feels little pain, I fear we will continue to take the easy course and let that balloon float ever upward assuring that someday our children will come crashing down to earth when the last oil lease is sold and our 'nest egg' wealth is scrambled.

"Alaska, of course, can have a wondrous future, but we must chart our course carefully and program ourselves if we would ever find it. To do so requires that we must nurture our depleting 'nest egg' oil wealth and use much of it to enhance those renewable resources upon which we ultimately must depend. I would like to see an economy which would provide steady jobs for a population not much larger than we have now for once our nonrenewable resources exhaust, as they surely will, our renewable resources must be able to absorb those who would remain in Alaska.

"I would like to see sufficient oil and gas refined in Alaska to meet our needs if such can also reduce our costs, but to compel, despite the cost, refining to be done within our state or to greatly expand our petrochemical complex would simply increase the number of people who were dependent upon our depleting nonrenewable resources, and certainly it's unlikely that once our oil is gone, oil from the lower 48 will be sent back up our pipeline to keep those plants in operation.

"Most Alaskans wish to concentrate instead on permanent renewable resources industries. Accordingly, they imposed upon themselves a \$30 million bond issue for the enhancement and rehabilitation of our fisheries. Moreover, expansion into fisheries not previously exploited by Alaskans is being ardently explored and shows much promise.

"Alaskans would like to see a healthy timber industry, however most do not believe this requires a commitment of all forest lands in order to sustain it.

"Alaskans would like to see a state in which a variety of lifestyles could exist harmoniously. One where those who opt for the simple subsistence style of the bush will not be overrun by the exploiters, but a clear vision of Alaska's future is not possible until we thin the haze of red ink with which some governmental practices have served to cloud our awareness of our

past, our present and what could be our future. Moreover, until we achieve the high ground of a sane and sound economical environment, our concerns for other physical and social environmental needs are likely to be set aside. Until we start paying as we go for government and support only that government—or private sector—growth which does not demand subsidy, we'll find we simply cannot afford the luxury of taking the time or money necessary to assure we do things right. Instead, we will ever be engaged in a monstrous game of exploitive catch-up which we are sure to lose.

"Some of my environmental friends have expressed distress with me for overemphasizing economics. However, I point out to them that like the string which holds intact a diamond necklace, basic financial practices thread through not only present circumstances, but all options for the future. Those practices, while to many uninteresting or indetectable, are as functionally imperative as that necklace string and unless such is of solid substance, it will inevitably unravel, scattering all sorts of bright hopes into dark corners.

The discovery of Prudhoe Bay's fantastic pool of stored sunlight has ushered Alaska into a new era. Our challenge is to successfully navigate that transition with a sensitivity that embraces the old and anticipates the new. That challenge we intend to meet with the help of many, including those of you from this great state, for I am confident that we, together, can best meet it. Thus I am pleased to have had this opportunity to convey some of my thoughts, aspirations, concerns and hopes to you. More appropriately, perhaps I should have listened to your questions rather than doing all the talking. As a matter of fact you'd think I might have learned my lesson. Just recently I had it brought home to me dramatically that one can get into a great deal of trouble by talking when he should be listening. Just prior to the Presidential inauguration, I had my secretary place a call to the then Governor Carter. When she announced over the intercom that the Governor was on the line, I picked up the receiver and heard him say, 'Hello.' I responded, 'Hello Governor, or is it Mr. President-elect, or just what does protocol dictate that I call you?' The answer was, 'You can call me the operator. I'll go get the Governor for you.' With that I had better sit down and say no more lest you come to realize that I share an affliction all too common to those of us in public office and that's the inability to confine ones' self to ten words when 10,000 words will do. If you'll grant me but two more, let me simply say, thank you."

(Applause)

The President: "Governor Hammond, on behalf of the members of the Legislature and the people of our state, I thank you very much for your most instructive and informative address. Your remarks gain even more significance when we realize that you are the first governor from another state who has ever addressed the Washington State Legislature, and we are honored and proud that you are the one to be first. As a result of your being here today, we are all sure that the friendly ties that exist between our two states are even stronger. We hope this is the first of many that you and your colleagues will make to the state of Washington."

The President introduced Mr. Avrum Gross, Attorney General of Alaska to the members of the Legislature.

The President requested the special committees to escort Governor Hammond, Governor Ray and Attorney General Gross from the House Chamber.

The President requested the committee to escort the state elected officials from the House Chamber.

MOTION

On motion of Mr. King, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker of the House of Representatives.

The Speaker instructed the Sergeants at Arms of the House and the Senate to escort President of the Senate John Cherberg, President Pro Tem Al Henry and Vice President Pro Tem James Keefe, and the members of the Washington State Senate from the House Chamber.

MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Tuesday, April 26, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 26, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Lee and Maxie, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cori Stipek and Rod Pearsall. Prayer was offered by Reverend David Kratz of the United Churches of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 25, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2840,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2840, by Committee on Ways and Means (Originally sponsored by Senators Marsh, Donohue, Scott, Buffington, Henry, Wojahn, Day, Bottiger, Gaspard, Jones and Odegaard):

Modifying income requirements for retired persons' tax exemptions and increasing exempt property valuation.

To Committee on Revenue

REPORTS OF STANDING COMMITTEES

April 25, 1977

SENATE BILL NO. 2014, Prime Sponsor: Senator Wilson, removing obsolete provisions of laws relating to Indians. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 25, 1977

SENATE BILL NO. 2055, Prime Sponsor: Senator Odegaard, disestablishing the anti-monopoly board. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 9 after "of)" insert "call on the state treasurer and the state auditor who shall jointly"

On page 3, line 12 strike "the ((board)) court" and insert "((the board)) they"

On page 3, line 18 strike "the ((said anti-monopoly board)) court" and insert "((the said anti-monopoly board)) they"

On page 3, line 21 after "then" strike "((-if said finding is approved by the court,))" and insert ", if said finding is approved by the court."

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

April 25, 1977

ENGROSSED SENATE BILL NO. 2081, Prime Sponsor: Senator Francis, creating warrant server positions for municipal courts of large cities. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 25, 1977

ENGROSSED SENATE BILL NO. 2221, Prime Sponsor: Senator Francis, increasing the number of King county superior court judges. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 25, 1977

ENGROSSED SENATE BILL NO. 2254, Prime Sponsor: Senator Hayner, permitting the use in evidence of blood sample reports of the state toxicologist. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 25, 1977

ENGROSSED SENATE BILL NO. 2416, Prime Sponsor: Senator Walgren, providing a forfeiture hearing before the seizing agency to a person whose property has been seized under the controlled substances act. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

April 25, 1977

SUBSTITUTE SENATE BILL NO. 2489, Prime Sponsor: Senator Washington, revising the procedures by which a PUD may contract for certain purchases. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Fancher, Gilleland, Keller, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 25, 1977

SUBSTITUTE SENATE BILL NO. 2558, Prime Sponsor: Senator von Reichbauer, renaming the department of motor vehicles. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Burns, Erak, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

April 25, 1977

SENATE BILL NO. 2747, Prime Sponsor: Senator Rasmussen, providing for disposal of surplus property. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 13 after "and" strike "libraries serving for free" and insert "public libraries serving"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

SECOND READING

SENATE BILL NO. 2029, by Senators Beck and Washington (by American Revolution Bicentennial Commission request):

Abolishing the American revolution bicentennial commission of the state of Washington.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day ex. sess., April 12, 1977.)

On motion of Mr. Ehlers, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2029 as amended by the House was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2029 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 0; not voting, 39.

Voting yea: Representatives Amen, Barnes, Bauer, Bender, Berentson, Boldt, Charette, Charnley, Clayton, Clemente, Conner, Dunlap, Ehlers, Enbody, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hawkins, Hughes, Kilbury, King, Knedlik, Leckenby, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barr, Becker, Blair, Bond, Burns, Chandler, Craswell, Deccio, Douthwaite, Eng, Erak, Erickson, Grier, Grimm, Gruger, Hanna, Heck, Hurley G. S., Hurley M., Keller, Knowles, Kreidler, Lee, Martinis, Maxie, Moreau, Nelson G. A., Oliver, Owen, Pearsall, Schmitt, Shinoda, Sommers, Valle, Vrooman, Walk, Wilson, Winsley.

Senate Bill No. 2029 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish the record to show that I wished to vote "Yea" on Senate Bill No. 2029.

GARY NELSON, 21st District.

MESSAGE FROM THE SENATE

April 26, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 928, and the President has appointed as Senate conferees thereon: Senators Bottiger, Bausch, Matson.

Sidney R. Snyder, Secretary.

SUBSTITUTE SENATE BILL NO. 2052, by Committee on Transportation (Originally sponsored by Senators Odegaard, Wilson, Clarke and Guess):

Providing for highway permits and property taxes on mobile homes.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 11th Day ex. sess., March 21, 1977.)

On motion of Mr. Knedlik, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2052 as amended by the House was placed on final passage.

Mr. Knedlik spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2052 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 0; not voting, 22.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Kreidler, Leckenby, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Tally, Tilly, Valle, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Burns, Conner, Enbody, Grimm, Hanna, Keller, Knowles, Lee, Martinis, Maxie, Moreau, Newhouse, Owen, Shinoda, Sommers, Struthers, Thompson, Vrooman, Walk, Whiteside.

Substitute Senate Bill No. 2052 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. 2097, by Senators Bausch, Woody and Murray (by Legislative Budget Committee request):

Deleting an obsolete restriction on employment of aliens.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2097 was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2097, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Adams, Grimm, Hanna, Lee, Maxie, Owen, Sommers, Walk, Wilson.

Senate Bill No. 2097, having received the 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. 2208, by Senators Gaspard, Wilson and Benitz:

Amending miscellaneous agricultural laws relating to weeds, seeds, marketing agreements, horticultural districts, and weights and measures.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 59th Day, March 9, 1977.)

On motion of Mr. Kilbury, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2208 as amended by the House was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "On page 5, there is reference to the fact that this adopts by reference, Handbook 44. Do you see that as an authority that you think is proper as far as our delegation

of authority by picking up that reference to that handbook, and all future changes to that handbook?"

Mr. Kilbury: "Yes."

Mr. Zimmerman: "Do you, Representative Kilbury, then feel that the position that we can only change it by having to call a hearing, and soon, is a proper method?"

Mr. Kilbury: "Yes, I think so."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2208 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Zimmerman.

Not voting: Representatives Adams, Gruger, Hanna, Lee, Maxie, Oliver, Owen.

Senate Bill No. 2208 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. 2258, by Senators Rasmussen, Newschwander and Bailey (by State Treasurer request):

Allowing state, county, and municipal treasurers to transfer public funds electronically.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2258 was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2258, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Blair, Gruger, Lee, Maxie, Owen, Patterson, Polk, Tilly.

Engrossed Senate Bill No. 2258, having received the 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. 2478, by Senators Sandison, McDermott and Guess:

Allowing institutions of higher education to collect certain debt charges if provided for in the agreement signed by the debtor.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2478 was placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Erickson yielded to question by Mr. May.

Mr. May: "The bill is authorizing the public and private state institutions of higher education to collect bad bills. This is something they evidently have been doing and then all of a sudden there's a \$200,000 bill to go with it. Who knows how much they are going to collect—if they're going to collect this much? That's the thing I'm concerned with."

Ms. Erickson: "Representative May, this bill simply allows the money, instead of being taken out of the original amount and reducing that, it adds an amount on the outside to it. The standard collection fee is what they have done—the standard amount, whatever that might be, from the collection agency. This has been done as a usual concept, but that money has not been taken from that initial amount so that the repayment is less and can be retained for future loans. I think there is some control on this. We did ask that the institutions do it themselves, but they said they were unable to do it and we've had to go to outside agencies."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2478, and the bill passed the House by the following vote: Yeas, 85; nays, 5; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lux, Martinis, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Erak, May, Thompson, Williams.

Not voting: Representatives Adams, Eng, Heck, Kreidler, Lee, Lysen, Maxie, Wilson.

Senate Bill No. 2478, having received the 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

April 21, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 98 with the following amendments:

On page 1, beginning on line 19 after "occupancy," strike all of the material down through the period on line 22 and insert "as the term 'dwellings not intended for year round occupancy' is defined by the county legislative authority."

On page 3, line 13 after "total" insert "structural"

On page 3, line 14 after "total" and before "heat" insert "structural"

On page 3, line 16 after "chapter" and before the period insert ": PROVIDED, That compliance with these provisions shall be deemed conclusive when certified to by a registered architect or registered mechanical engineer"

On page 3, line 22 after "of" and before "shall" strike "these regulations" and insert "this 1977 amendatory act"

On page 4, line 28 after "thermal" and before "is" strike "performance" and insert "insulation"

On page 5, line 3 after "than" and before "of" strike "35%" and insert "thirty-five percent"

On page 5, line 17 after "Spaces." strike all of the material down through "floors" on line 18 and insert "Insulation shall be required in floor sections over unheated spaces with a maximum 'U' value 0.08 and minimum insulation 'R' value 9: PROVIDED, That insulation shall not be required in floor sections"

On page 5, line 29 after "or" and before "downward" insert ", alternatively,"

On page 8, line 16 after "overall" and before "heat" insert "structural"

On page 8, add a new section following section 12 as follows:

"NEW SECTION, Sec. 13. The senate and house committees on energy and utilities shall make continuing studies of the state building code as it relates to energy consumption, conservation and retention and shall submit their recommendations concerning such to the legislature periodically."

Renumber the remaining sections consecutively.
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Bauer moved that the House concur in the Senate amendments to Engrossed House Bill No. 98.

Representatives Bauer and Dunlap spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 98 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 98 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Newhouse, Pardini.

Not voting: Representatives Adams, Lee, Maxie.

Engrossed House Bill No. 98 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 226, by Committee on Appropriations (Originally sponsored by Representatives Fortson, Clemente, Dunlap, Bauer, Lux, Hurley [George], Haley, North, Hughes, Vrooman, Enbody, Fischer, Gaines, Lysen and McCormick):

Implementing mandatory common school testing program.

The bill was read the third time and placed on final passage.

Representatives Fortson, Hurley (Margaret), Dunlap and Bauer spoke in favor of passage of the bill, and Representatives Ehlers, Barnes and Charnley spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 226, and the bill failed to pass the House by the following vote: Yeas, 49; nays, 46; not voting, 3.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Bond, Burns, Charette, Clemente, Conner, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Grier, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knowles, Leckenby, Lux, Lysen, McCormick, McKibbin, Moreau, North, O'Brien, Owen, Pearsall, Sanders, Schmitt, Shinpoch, Sommers, Valle, Vrooman, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Chandler, Charnley, Clayton, Craswell, Ehlers, Erak, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hawkins, Keller, King, Knedlik, Kreidler, Martinis, May, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sherman, Shinoda, Smith, Struthers, Tally, Thompson, Tilly, Walk, Whiteside, Williams, Zimmerman.

Not voting: Representatives Lee, Maxie, Wilson.

Engrossed Substitute House Bill No. 226, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Oliver, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 226 failed to pass the House.

The Speaker (Mr. O'Brien presiding) called on Representative Charette to preside.

SUBSTITUTE SENATE BILL NO. 2431, by Committee on State Government (Originally sponsored by Senators Marsh, Henry, Talley and Keefe):

Providing for the erection of a statue in statuary hall in the national capitol.

The bill was read the third time and placed on final passage.

Representatives Bauer and O'Brien spoke in favor of passage of the bill, and Representatives Berentson and Polk spoke in opposition to it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2431, and the bill passed the House by the following vote: Yeas, 66; nays, 25; not voting, 7.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Ehlers, Enbody, Eng, Erickson, Flanagan, Fortson, Fuller, Gallagher, Greengo, Grimm, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dunlap, Erak, Fancher, Fischer, Gaines, Gilleland, Gruger, Haley, Hanna, King, Oliver, Pardini, Polk, Schmitten, Shinoda, Smith, Tilly, Williams.

Not voting: Representatives Douthwaite, Grier, Lee, Maxie, Newhouse, Sommers, Wilson.

Substitute Senate Bill No. 2431, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RESOLUTIONS

HOUSE RESOLUTION NO. 77-26, by Representatives Zimmerman, O'Brien, Becker and Pardini:

WHEREAS, Volunteers provide over one hundred billion dollars worth of services yearly to their country, community, and fellow citizens; and

WHEREAS, One out of five people volunteer to provide the quality and quantity of services to their communities that would otherwise not be available; and

WHEREAS, We are a people who have founded a nation based on the concept of helping ourselves and others to a better life; and

WHEREAS, Volunteering provides opportunities for citizens to form a partnership with levels of government and private service agencies for the development of programs to meet the needs of their communities;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington

RECOGNIZES The accomplishments of volunteers in state agencies, units of local government, private nonprofit agencies, and other private service organizations who are accomplishing a myriad of tasks with the special care and enthusiasm volunteers bring to their work,

COMMENDS The volunteers of Washington State for their dedication and service,

URGES The involvement of volunteers wherever appropriate in all levels of government, private nonprofit organizations, and other private service organizations, and

DECLARES The week of April 24 to 30 to be VOLUNTEER WEEK 1977; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to the Honorable Governor Dixy Lee Ray.

On motion of Mr. Zimmerman, the resolution was adopted.

MOTIONS

On motion of Mr. Bender, **SUBSTITUTE SENATE BILL NO. 2197** was rereferred from Committee on Financial Institutions to Committee on Insurance.

On motion of Mr. Bender, **ENGROSSED SUBSTITUTE SENATE BILL NO. 2267** was rereferred from Committee on State Government to Committee on Appropriations.

On motion of Mr. Bender, **ENGROSSED SUBSTITUTE SENATE BILL NO. 2268** was rereferred from Committee on State Government to Committee on Appropriations.

The Speaker resumed the chair.

On motion of Mr. King, the House reverted to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 32, by Representatives King and Berentson:

Adopting joint rules for the Forty-fifth legislature.

The resolution was read the second time.

Mr. Hawkins moved adoption of the following amendment:

Strike rule 8 and insert:

*Conference and Free Conference Committee
How Made Up - Open Meetings

Rule 8. The presiding officer of each house shall appoint on each conference and free conference committee the three members, selecting them so as to represent, in each case, the attitude of the majority and minority upon the difference between the houses.

Conference and free conference committee meetings shall be open unless, by recorded vote, a majority of the committee members determine otherwise.

The committees need not meet formally for the purpose of taking votes: PROVIDED, That when recorded votes are taken the record shall be maintained by the Secretary of the Senate and the Chief Clerk of the House.

Notice of such meetings shall be listed with the Secretary of the Senate and Chief Clerk of the House and posted on the bulletin boards showing the time, place and subjects to be discussed.*

Mr. Hawkins spoke in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 32 was placed on final passage.

Representatives King and Newhouse spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 32, and the resolution passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hawkins, Hurley G. S.

Not voting: Representatives Bond, Douthwaite, Gruger, Hanna, Lee, Maxie, Wilson.

House Concurrent Resolution No. 32, having received the constitutional majority, was declared passed.

SECOND SUBSTITUTE HOUSE BILL NO. 162, by Committee on Judiciary (Originally sponsored by Representatives Valle, Flanagan, Gruger, Charnley, Douthwaite, Grimm, Hawkins, Burns, Thompson, Nelson [Dick], Fischer, Hughes, Lux, Paris and Pruitt):

Directing enforcement of no smoking rules and providing penalties for their violation.

The bill was read the second time.

Representative Hurley (Margaret) moved adoption of the following amendment:

Beginning on page 3, line 19 strike sections 6, 7 and 8.

Renumber the remaining section consecutively.

Representative Hurley (Margaret) spoke in favor of the amendment, and Representatives Blair and Valle spoke against it.

Representative Hurley (Margaret) moved adoption of the following amendment to the amendment:

On line 2 of the amendment strike "sections 6, 7, and 8" and insert "sections 6 and 7"

ROLL CALL

The Clerk called the roll on adoption of the amendment to the amendment by Representative Hurley (Margaret) and the amendment to the amendment was adopted by the following vote: Yeas, 73; nays, 17; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Keller, Kilbury, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Shipoch, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Chandler, Charnley, Craswell, Ehlers, Erickson, Fischer, Gaines, Grimm, Hughes, Hurley G. S., Knedlik, Pruitt, Sherman, Smith, Walk, Warnke.

Not voting: Representatives Becker, King, Lee, Maxie, McKibbin, Newhouse, Thompson, Wilson.

The Speaker (Mr. Charette presiding) stated the question before the House to be the amendment as amended by Representative Hurley (Margaret).

Representative Knowles spoke in favor of the amendment as amended.

POINT OF INQUIRY

Mrs. Valle yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Valle, I've been a smoker off and on for a long time and I can see the worthiness of this bill, but can you tell me please where are we going to get the law enforcement people to even begin to implement the provisions of this bill? They are now understaffed and can't take care of the things that I think are the real crimes in this country and yet you're proposing to pass a bill with these two amendments in and expect them to do the job that we really want them to do and this bill will probably do nothing more than frustrate them. Where do you suggest they get the additional money to hire additional law enforcement people to properly enforce this bill?"

Mrs. Valle: "That's a very good question. Under the wise leadership of Representative Shipoch, the twenty-five dollar fine was reduced to five dollars in the Judiciary Committee and so I've done a great deal of soul-searching because I thought twenty-five dollars was an amount that would probably be needed for law enforcement. I have information, and I have received estimates from the Seattle municipal courts for the costs of processing traffic violations. This is very similar to a traffic violation—the civil penalty. For that violation which is not contested and for which bail is forfeited, the court costs, filing, etc., are estimated at five dollars. For violations which are contested, the court costs for those cases in which only the person cited and the justice participates, the cost estimate is forty dollars. For those cases in which attorneys and witnesses all participate, the costs are estimated at eighty dollars. So actually in smaller towns the costs may be even less than five dollars, and so I've given you as honest an answer as I can."

Representatives Deccio and Haley spoke in favor of the amendment as amended, and Mr. Shipoch spoke against it.

Mr. Charette demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) as amended, and the amendment was adopted by the following vote: Yeas, 55; nays, 37; not voting, 6.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Berentson, Bond, Charette, Clemente, Craswell, Deccio, Dunlap, Enbody, Fancher, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Keller, Knedlik, Knowles, Leckenby, Lysen, Martinis, May, McCormick, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Smith, Struthers, Taller, Vrooman, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Flanagan, Gaines, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, Kreidler, Lux, McKibbin, Nelson D., Pruitt, Sherman, Shipoch, Sommers, Thompson, Tilly, Valle, Walk, Williams.

Not voting: Representatives Conner, Hanna, King, Lee, Maxie, Wilson.

Mr. Owen moved adoption of the following amendment:

Beginning on page 2, line 30 after "(7)" strike all language beginning with "Public" and through "banks" on line 32 and insert "Commercial eating establishments"

Representatives Owen and Fuller spoke in favor of the amendment, and Mr. Hughes spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Owen to Second Substitute House Bill No. 162, and the amendment was not adopted by the following vote: Yeas, 45; nays, 48; not voting, 5.

Voting yea: Representatives Adams, Amen, Barr, Berentson, Bond, Charette, Clayton, Clemente, Craswell, Deccio, Dunlap, Enbody, Erak, Fancher, Fortson, Fuller, Gaines, Greengo, Grier, Hansen, Hurley M., Keller, Knowles, Martinis, McCormick, Moreau, Nelson G. A., North, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Warnke, Whiteside, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Gallagher, Gilleland, Grimm, Gruger, Haley, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Leckenby, Lux, Lysen, May, McKibbin, Nelson D., Newhouse, O'Brien, Paris, Pruitt, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, Zimmerman.

Not voting: Representatives Conner, Hanna, Lee, Maxie, Wilson.

Second Substitute House Bill No. 162 was ordered engrossed and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 30, by Committee on Revenue (Originally sponsored by Representatives O'Brien, Lux, Eng, Thompson, Douthwaite, Burns, Taller, Zimmerman, Sommers, Maxie, Berentson and Charnley):

Amending the Constitution to permit the property taxes from increased property values attributable to development or redevelopment projects to be used to support such projects.

The resolution was read the second time.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Knedlik and Newhouse:

On page 1, line 14 after "pay any" insert "public"

Mr. Flanagan spoke in favor of the amendment, and Mr. O'Brien spoke against it.

POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "As you know, Representative O'Brien, this HJR provides that real property tax levied by any taxing district may be divided so that the taxes or portion levied against any increase in the true and fair value which may be reasonably construed to have arisen, shall be used to pay any indebtedness incurred for the project. My question is whether the indebtedness here is public indebtedness or private indebtedness or both?"

Mr. O'Brien: "This indebtedness is public indebtedness. Article VIII specially prohibits the use of public funds for private purposes. In no way does House Joint Resolution No. 30 amend, alter or weaken Article XIII of our state Constitution."

Mr. Flanagan spoke again in favor of the amendment, and Mr. O'Brien spoke again in opposition to it.

Mr. Leckenby spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Flanagan, Knedlik and Newhouse to Substitute House Joint Resolution No. 30, and the amendment was adopted by the following vote: Yeas, 48; nays, 36; not voting, 14.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Berentson, Blair, Bond, Chandler, Charette, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Hurley M., Knedlik, Leckenby, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bender, Boldt, Burns, Charnley, Clemente, Eng, Erak, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Kilbury,

Knowles, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, North, O'Brien, Pearsall, Sherman, Sommers, Vrooman, Warnke, and Mr. Speaker.

Not voting: Representatives Becker, Ehlers, Erickson, Heck, Keller, King, Lee, Maxie, Moreau, Owen, Schmitt, Tilly, Valle, Wilson.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Knedlik and Newhouse:

On page 1, line 15 after "project" insert ": PROVIDED, That if such division is made, the proceeds from such division for the public indebtedness shall be the sole source of repayment for such public indebtedness"

Representatives Flanagan, Shinpoch and Knedlik spoke in favor of the amendment, and Representatives O'Brien, Sommers, Kilbury and Barnes spoke against it.

Mr. O'Brien spoke again in opposition to the amendment, and Mr. Flanagan spoke again in favor of it.

The amendment was not adopted.

Substitute House Joint Resolution No. 30 was ordered engrossed.

Mr. Charnley moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Joint Resolution No. 30 be placed on final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute House Joint Resolution No. 30 to third reading and final passage, and the motion was carried by the following vote: Yeas, 68; nays, 20; not voting, 10.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Sommers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fuller, Greengo, Leckenby, Newhouse, Oliver, Pardini, Patterson, Polk, Schmitt, Struthers.

Not voting: Representatives Ehlers, Lee, Maxie, Nelson G. A., Owen, Paris, Shinoda, Smith, Whiteside, Wilson.

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Joint Resolution No. 30.

Representatives O'Brien and Thompson spoke in favor of the resolution, and Representatives Flanagan, Pardini and Leckenby spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 30, and the resolution failed to receive the constitutional two-thirds majority, by the following vote: Yeas, 52; nays, 40; not voting, 6.

Voting yea: Representatives Adams, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Conner, Douthwaite, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Greengo, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, May, McCormick, Moreau, Pearsall, Salatino, Schmitt, Sherman, Shinpoch, Smith, Sommers, Tally, Thompson, Tilly, Valle, Vrooman, Warnke, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Berentson, Chandler, Clayton, Clemente, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Grimm, Haley, Hansen, Hurley M., Leckenby, Martinis, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Shinoda, Struthers, Walk, Whiteside, Williams.

Not voting: Representatives Bond, Ehlers, Lee, Maxie, Owen, Wilson.

Engrossed Substitute House Joint Resolution No. 30, having failed to receive the constitutional two-thirds majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. O'Brien, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which the House failed to pass Engrossed House Joint Resolution No. 30.

HOUSE BILL NO. 1141, by Representatives Kilbury, Flanagan, Hansen and Polk:

Establishing water resource allocation committee.

The bill was read the second time.

On motion of Mr. Kilbury, Substitute House Bill No. 1141 was substituted for House Bill No. 1141, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1141 was read the second time.

On motion of Mr. Kilbury, the following amendment by Representatives Kilbury and Zimmerman was adopted:

On page 1, following subsection (f), insert a new subsection as follows:

"(g) department of social and health services"

Reletter the remaining subsections consecutively.

On motion of Mr. Kilbury, the following amendment was adopted:

On page 2, line 3 after the period insert "The department of ecology shall provide such secretarial services to the committee as is necessary for the efficient operation of the committee."

MOTIONS

On motion of Mr. King, Substitute House Bill No. 1141 was rereferred to Committee on Appropriations.

On motion of Mr. King, the House adjourned until 9:30 a.m., Wednesday, April 27, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 27, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Knedlik and Maxie who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shannon Hughes and Mike Brondson. Prayer was offered by Reverend Kurt Hardenbrook of the First Christian Church of Shelton. Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 26, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2161,
 SUBSTITUTE SENATE BILL NO. 2430,
 ENGROSSED SENATE BILL NO. 2462,
 SUBSTITUTE SENATE BILL NO. 2502,
 ENGROSSED SENATE BILL NO. 2510,
 SUBSTITUTE SENATE BILL NO. 2634,
 SUBSTITUTE SENATE BILL NO. 2702,
 ENGROSSED SENATE BILL NO. 3004,
 ENGROSSED SENATE BILL NO. 3009,
 SUBSTITUTE SENATE BILL NO. 3051,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2161, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Matson – by Office of Program Planning and Fiscal Management request):

Transferring funds in the community college bond retirement fund and reserve account to the general fund.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2430, by Committee on Local Government (Originally sponsored by Senators Mardesich, Van Hollebeke, Grant, North, Bluechel, Rasmussen, McDermott, Lewis, Murray and Jones):

Authorizing class AA or class A counties to assume the powers, functions, and obligations of a metropolitan municipal corporation.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2462, by Senators von Reichbauer, Sellar and Gaspard:

Protecting initiative and referendum petition signatures.

To Committee on Elections and Governmental Ethics

SUBSTITUTE SENATE BILL NO. 2502, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Jones and Bailey):

Establishing procedures for the measurement of locally assessed property values for purposes of equalizing property values.

To Committee on Revenue

ENGROSSED SENATE BILL NO. 2510, by Senators Beck and Washington:

Authorizing the establishment of transportation centers.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2634, by Committee on Natural Resources (Originally sponsored by Senator Peterson):

Revising the legislative intent statement on environmental protection of the Columbia River Gorge.

To Committee on Natural Resources

SUBSTITUTE SENATE BILL NO. 2702, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Odegaard):

Including state collected school property taxes for distribution during the school district fiscal year.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 3004, by Senators Francis, Marsh and Walgren:

Adding three members to the judicial council.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 3009, by Senator Peterson:

Authorizing parks and recreation districts to issue interest bearing warrants.

To Committee on Local Government

SUBSTITUTE SENATE BILL NO. 3051, by Committee on Higher Education (Originally sponsored by Senators Odegaard, Donohue, Sandison and Guess):

Mandating appointment of community college treasurers and providing for advancements for vendor payments by said treasurers.

To Committee on Higher Education

REPORTS OF STANDING COMMITTEES

HOUSE BILL NO. 93, Prime Sponsor: Representative Gaines, providing reduced utility costs to low income persons. Reported by Committee on Rules. April 26, 1977

MAJORITY recommendation: Rerefer to Committee on Appropriations.

HOUSE BILL NO. 1023, Prime Sponsor: Representative Hawkins, relating to post-retirement adjustments. Reported by Committee on Rules. April 26, 1977

MAJORITY recommendation: Rerefer to Committee on Appropriations.

HOUSE BILL NO. 1176, Prime Sponsor: Representative Valle, exempting mental health, alcohol, and drug treatment services by non-profit organizations from the business and occupation tax. Reported by Committee on Revenue. April 25, 1977

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick), O'Brien, Winsley.

To Committee on Rules for second reading.

April 21, 1977

HOUSE BILL NO. 1265, Prime Sponsor: Representative Shinpoch, refunding certain limited obligation revenue bonds of the various institutions of higher education with state general obligation bonds. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Chandler, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Tallor, Thompson, Valle, Vrooman.

To Committee on Rules for second reading.

April 25, 1977

SENATE BILL NO. 2196, Prime Sponsor: Senator Woody, increasing civil courts filing fees. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 10 strike the remainder of the bill

On page 1, line 1 of the title after "courts;" insert "and" and on line 3 after "36.18.020" insert a period and strike the remainder of the title

Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Tilly, Winsley.

To Committee on Rules for second reading.

April 25, 1977

SENATE BILL NO. 2371, Prime Sponsor: Senator Walgren, updating the Model Traffic Ordinance. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Dunlap, Grier, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 25, 1977

REENGROSSED SENATE BILL NO. 2426, Prime Sponsor: Senator Ridder, regulating the disclosure of the records of the department of employment security. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 21 strike "legislative branch. The" and insert "state legislative branch. The state"

On page 3, line 25 after "purposes." insert "If the employment security department does not make information or records available as provided in this subsection, the legislature may exercise its authority granted by chapter 44.16 RCW."

On page 4, line 24 after "or" insert "formal"

On page 4, line 25 after "officer" strike the remainder of line 25.

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Bond, Ranking Minority Member; Clayton, Nelson (Dick), Pruitt.

To Committee on Rules for second reading.

April 25, 1977

ENGROSSED SENATE BILL NO. 2437, Prime Sponsor: Senator Henry, enacting the interstate compact for school bus safety. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 7, beginning on line 30 strike all of section 3 and insert a new section to read as follows:

***NEW SECTION. Sec. 3.** There is hereby appropriated from the general fund to the superintendent of public instruction the sum of two thousand six hundred dollars, or so much thereof as may be necessary, for the biennium ending June 30, 1979 to carry out the purpose of this act, including payment of the proportion of the expenses of the western states school bus safety commission allocated to the state of Washington."

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Dunlap, Grier, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 25, 1977

SENATE BILL NO. 2864, Prime Sponsor: Senator Bausch, requiring an accident report when a legally standing vehicle is involved in an accident. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Dunlap, Grier, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 25, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, Prime Sponsor: Senator Henry, relating to outdoor advertising. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Gilleland, Ranking Minority Member; Bender, Clayton, Clemente, Dunlap, Grier, McCormick, Paris, Patterson, Walk, Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Charnley.

MOTION

Mr. Thompson moved that Engrossed Substitute Senate Bill No. 2956 be rereferred to Committee on Local Government.

Mr. Thompson spoke in favor of the motion, and Mr. Newhouse spoke against it.

ROLL CALL

The Clerk called the roll on the motion to refer Engrossed Substitute Senate Bill No. 2956 to Committee on Local Government, and the motion was lost by the following vote: Yeas, 43; nays, 45; not voting, 10.

Voting yea: Representatives Bauer, Becker, Blair, Boldt, Burns, Charette, Charnley, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fortson, Grimm, Gruger, Hanna, Hansen, Hawkins, Hurley G. S., Keller, Kilbury, Kreidler, Lee, Lysen, Martinis, McKibbin, Moreau, Nelson D., Owen, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Sommers, Thompson, Valle, Vrooman, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Bender, Berentson, Bond, Chandler, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Hughes, Hurley M., King, Knowles, Leckenby, Lux, May, McCormick, Nelson G. A., Newhouse, O'Brien, Oliver, Pardini, Paris, Polk, Schmitten, Shinoda, Struthers, Taller, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Fischer, Haley, Heck, Knedlik, Maxie, North, Patterson, Smith, Tilly.

Engrossed Substitute Senate Bill No. 2956 was passed to Committee on Rules for second reading.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 13, by Committee on Institutions (Originally sponsored by Representatives Fischer and Clemente):

Expanding the work release program to include treatment.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, after subsection (1) on line 8 insert a new subsection as follows:

"(2) Has actually completed, allowing for good time credits, minimum imprisonment requirements of RCW 9.41.025 and RCW 9.95.040."

Renumber the remaining subsections consecutively.

Mr. Tilly spoke in favor of the amendment, and Mr. Hanna spoke against it.

Mr. Tilly spoke again in favor of the amendment, and Mr. Deccio spoke against it.

The amendment was not adopted.

Representative Hurley (Margaret) moved adoption of the following amendment:

On page 1, line 22 after "to" strike "persons" and insert "the felon and society to the extent that the secretary shall certify such safety in any order of release from custody"

Representative Hurley (Margaret) spoke in favor of the amendment.

POINT OF INQUIRY

Representative Hurley (Margaret) yielded to question by Mr. Hanna.

Mr. Hanna: "Representative Hurley, the intent of your proposed amendment seems fine, but I have a couple of questions. Does certify mean guaranteed?"

Representative Hurley (Margaret): "No, the attorney who wrote this for me—I asked him the same question. I said I don't see how anybody can guarantee the actions of any other person, and he said, no, this would be a part of the screening process and it would just mean that they would have to screen them a little more thoroughly than if they didn't have to certify. Certify, in this instance would mean that they would be as safe as possible without some kind of a cast iron guarantee."

Mr. Hanna spoke in favor of the amendment, and it was adopted.

On motion of Representative Hurley (Margaret), the following amendment was adopted: On page 2, line 2 following "Prisoners" strike the balance of the sentence and insert "and such other persons and agencies who or which have a legitimate interest therein, shall have reasonable access to treatment records maintained hereunder."

Mr. Bond moved adoption of the following amendment:

On page 2, following section 3 add a new section as follows:

"NEW SECTION. Sec. 4. Prisoners placed on treatment release shall not be placed in a work release facility operated by the state under chapter 72.65 RCW, or in a similar facility operated by the state or its agencies to provide housing for work release individuals. Nor shall there be any reduction in the total number of work release positions available in state facilities as a result of placement of treatment prisoners."

Mr. Bond spoke in favor of the amendment, and Mr. Hanna spoke against it.

Mr. Bond spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Bond yielded to question by Mr. Hanna.

Mr. Hanna: "Since about seventy percent of the people of Walla Walla have some kind of addiction, whether it be alcohol or drug abuse, would you mind telling me what you base your decision on? That they look different or they act different? How do you know they don't get along and how do you know which is which?"

Mr. Bond: "Well, I have to rely on what the guards tell me and when I last visited Walla Walla last year that was the strong information I got."

The amendment was not adopted.

MOTION

On motion of Mr. Chandler, further consideration of Substitute House Bill No. 13 was deferred, and the bill was ordered placed on the second reading calendar immediately following Engrossed House Bill No. 271.

SUBSTITUTE HOUSE BILL NO. 451, by Committee on Transportation (Originally sponsored by Representatives Kilbury and Lux):

Requiring reflectors at railroad crossings.

The bill was read the second time.

Mr. Berentson moved adoption of the following amendments:

On page 1, line 10 strike "distinctive reflectorized material on such sign" and insert "a distinctive reflectorized device"

On page 1, line 12 after "direction." strike all material down to and including "maintenance of" on line 13 and insert "Such device shall be"

On page 1, line 13 after "post" strike all the material down to and including "design," on line 14

Mr. Berentson spoke in favor of the amendments, and Mr. Kilbury spoke against them.

The amendments were not adopted.

Substitute House Bill No. 451 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 766, by Representatives Becker, Kilbury, Thompson, Sommers, Berentson, Amen, Erickson, Sherman and Charney:

Providing relief from certain benefit assessments on farm land.

On motion of Ms. Sommers, Second Substitute House Bill No. 766 was substituted for House Bill No. 766, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 766 was read the second time.

On motion of Ms. Becker, the following amendments were adopted: On page 3, line 3 before "Request" insert "(3)"

On page 3, line 4 after "agricultural land" strike the remainder of the paragraph through line 7 and insert "pursuant to section 3 of this 1977 act."

On page 3, after line 20 insert a new section as follows:

"NEW SECTION. Sec. 3. All public notices which are published, posted, or mailed to property owners by any unit of local government concerning hearings on proposed improvements listed in section 2 of this act, which are to be financed in whole or in part by benefit assessments, shall indicate that any owner of property which is classified as open space agricultural and farm land may, prior to the final hearing on the proposed improvement, file a written notice of obligation with the governing body of the unit of local government, which notice of obligation indicates that the owner desires to have the collection of such benefit assessment delayed pursuant to the provisions of this act. Such notice of obligation shall be signed by the property owner and once received by the unit of local government shall be conclusive and said owner may not withdraw such notice of obligation. Whenever a unit of local government receives such a notice of obligation at any time prior to the final hearing, the collection of the benefit assessments on such open space agriculture and farm land shall be delayed as provided by this 1977 act."

Re-number the remaining sections consecutively.

Mr. Eng moved adoption of the following amendment:

On page 3, line 19 after "at a" insert "minimum"

Mr. Eng spoke in favor of the amendment, and Ms. Becker spoke against it.

POINT OF ORDER

Mr. Eng: "You stated that I could only move this one amendment, and the thing is that I only spoke to the amendment itself and Representative Becker is speaking to the second amendment. There is no way you can separate these two and it doesn't make any sense. How can you allow her to speak on the second amendment without having it before us?"

The Speaker (Mr. O'Brien presiding): "Your point is pretty well taken, Representative Eng. Will you hold your remarks to the first amendment, Representative Becker. It's pretty hard to hold the comments specifically to the first amendment."

Ms. Becker continued her remarks in opposition to the amendment.

Mr. Eng spoke again in favor of the amendment, and Ms. Sommers spoke against it.

POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Speaking to the practicality of this amendment, how, in your opinion, would the process work such that the farmer would know about what rate he would be paying at a given time?"

Mr. Eng: "It's actually very easy, because all you have to do at the beginning of the year is find out what the last year's treasury note would be, add two percent and that would be the rate."

Mr. Douthwaite: "Would this then involve simply a phone call to the banker who had access to this information?"

Mr. Eng: "No, they would be in a little booklet that is put out yearly by the Federal Reserve."

Mr. Douthwaite: "How would an individual farmer determine what the rate might be?"

Mr. Eng: "All he would have to do is call for his assessment."

Mr. Douthwaite spoke in favor of the amendment, and Representatives Kilbury and Becker spoke against it.

The amendment was not adopted.

Mr. Hansen moved adoption of the following amendment by Representatives Hansen, Fancher and Flanagan:

On page 3, line 19 strike "compounded annually"

Representatives Hansen, Fancher and Pardini spoke in favor of the amendment, and Ms. Becker spoke against it.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Eng.

Mr. Eng: "Representative Pardini, how do you come up with an effective rate of six percent?"

Mr. Pardini: "I think the effective rate of six percent is if we are talking about the LID's—local improvement districts, for the purposes of sewer, water, roads, those types of things, specifically are issued by counties. They affect the particular property, counties or cities; they are a lien against the property, a preferred claim against that particular property. These governing agencies are presently issuing these bonds at somewhere in the neighborhood of six percent."

Mr. Eng: "What do you do then when the prime rate goes up to ten or eleven percent?"

Mr. Pardini: "You ought to remember that these are tax exempt bonds that the local governmental entities are putting out so they don't fall into the same category as the ninety-day bills. Typically that rate for the last three or four years, even in tight money periods, has been around six percent because they are tax exempt bonds issued by a local governmental authority."

Mr. Eng: "Isn't it true then that there's an opportunity that the local governments in such cases can take this money which they have to borrow and invest it in bonds or anything else that would be higher than six percent?"

Mr. Pardini: "Except that the money cannot be borrowed by a local governmental unit unless it is secured by something. In this particular case, LID's are secured by a lien against the property involved. They could not just go out and borrow money, utilize the money to reinvest it in a higher yield. They would have to do it for the improvements only."

Mr. Eng: "What I'm getting at here is that everybody has to pay their LID's and the local governments have this money, they could invest it and they would get higher than six percent."

Mr. Pardini: "They don't get the money when the people pay their LID's. The governing authority uses those payments to repay the bonds. It just washes right through them."

Ms. Becker spoke against the amendment.

POINT OF ORDER

Mr. Pardini: "Representative Becker has already spoken twice on the amendment, Mr. Speaker."

The Speaker (Mr. O'Brien presiding): "Your point is well taken."

Ms. Sommers spoke against the amendment, and Mr. Hansen spoke again in favor of it.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Polk.

Mr. Polk: "Representative Sommers, do we now compound the interest charges on delinquent property taxes?"

Ms. Sommers: "No, I don't believe that we do. This is a very different kind of a bill with a different thrust."

Mr. Polk spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hansen, Fancher and Flanagan to Second Substitute House Bill No. 766, and the amendment was not adopted by the following vote: Yeas, 39; nays, 56; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Conner, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fortson, Fuller, Gilleland, Grier, Haley, Hansen, Leckenby, Lee, Martinis, May, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Shinpoch, Taller, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Gaines, Gallagher, Greengo, Grimm,

Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Knedlik, Maxie, Moreau.

The Clerk read the following amendment by Representatives Hansen, Fancher and Flanagan:

On page 3, line 19 after "at" strike all the material down to and including "annually" on line 20 and insert "the same rate that improvement district pays on the bonds used to finance the said improvement at the time the improvement is made"

With the consent of the House, Mr. Hansen withdrew the amendment.

The Clerk read the following amendment by Representative Eng:

On page 3, line 20 after "annually" insert ": PROVIDED, That in any year in which the average yield of the one hundred eighty-two day United States treasury bill rate plus two percent exceeds eight percent, the rate derived by adding the average yield of the one hundred eighty-two day bill rate plus two percent shall be used in lieu of such eight percent rate for that particular year:"

With the consent of the House, Mr. Eng withdrew the amendment.

On motion of Mr. Eng, the following amendment was adopted:

On page 3, line 20 after "annually" insert ": PROVIDED FURTHER, That if the lands upon which such benefit assessments have been delayed are withdrawn from classification or there is a change to a non-agricultural land use in a month other than the month in which such benefit assessments were originally delayed, then the accrued interest due shall include the amounts compounded annually in prior years plus interest on the delayed charges applied at a rate of eight percent per year for that part of the last year in which such charges were delayed."

On motion of Ms. Becker, the following amendment was adopted:

On page 4, line 18 strike "6" and insert "7"

MOTION FOR RECONSIDERATION

Mr. Nelson (Gary), having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Becker to page 3, line 4 was adopted.

With the consent of the House, Mr. Nelson (Gary) withdrew the motion.

POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Nelson (Gary).

Mr. Nelson (Gary): "Representative Becker, in regards to your amendment, the amendment says, after the word 'land' strike the remainder of the paragraph. Could you, for purposes of clarifying what the record will have, indicate on that line which word 'land' you are referring to because it does appear twice on the line?"

Ms. Becker: "It refers to the second 'land' after 'agricultural' and I believe that's the way the amendment was read in by the Clerk."

Second Substitute House Bill No. 766 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 97, by Representatives Warnke, Lee and Pruitt:

Prohibiting the sale of alcohol in seating areas at sports arenas.

The bill was read the second time.

Mr. Salatino moved adoption of the following amendment by Representatives Salatino and Owen:

On line 7 after "beverage" insert "or food" and strike "in the spectator seating area"

Representatives Salatino and Owen spoke in favor of the amendment, and Representatives Taller, Paris and Zimmerman spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Salatino and Owen to House Bill No. 97, and the amendment was not adopted by the following vote: Yeas, 14; nays, 81; not voting, 3.

Voting yea: Representatives Becker, Charette, Conner, Ehlers, Fischer, Gallagher, Grimm, Haley, Owen, Polk, Salatino, Thompson, Valle, Walk.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Pruitt, Sanders, Schmittens, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Knedlik, Maxie, and Mr. Speaker.

The Clerk read the following amendment by Representatives Salatino and Owen:
On lines 8 and 9 strike everything after "events"

With consent of the House Mr. Owen withdrew the amendment.

House Bill No. 97 was passed to Committee on Rules for third reading.

ENGROSSED HOUSE BILL NO. 271, by Representatives Adams, Kreidler, Fortson, Pearsall, Whiteside, Pruitt, Newhouse, Lux, May, Hanna, Haley, Charnley, Fischer, Gallagher, Greengo, McCormick, Moreau and Salatino:

Adopting procedures for the establishment of transfer and clinical training programs at the University of Washington school of medicine for Washington residents attending foreign medical schools.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 29th Day ex. sess., April 8, 1977.)

Mr. Shipoch moved adoption of the committee amendment.

Mr. Haley moved adoption of the following amendment to the committee amendment by Representatives Haley and Adams:

On line 3 of the amendment strike "eight hundred twenty" and insert "four hundred fifty"

Mr. Haley spoke in favor of the amendment, and Mr. Blair spoke against it.

POINT OF INQUIRY

Mr. Blair yielded to question by Mr. Haley.

Mr. Haley: "Representative Blair, how many transfers does the bill require? What's the minimum or how many students must be included?"

Mr. Blair: "The testimony we heard in committee indicated there would be approximately a dozen students who would participate in this program in the upcoming biennium. The bill does not say there has to be any particular number, but the bill does say that the University must accept those who make application. The testimony we heard was that a dozen would apply."

Mr. Haley: "Does the bill say that the University must accept those who make application?"

Mr. Blair: "It says, 'The University shall not discriminate against any state resident for consideration for any clerkship (whatever that means) for the reason that such resident is attending or has graduated from a foreign medical school, except in accordance with similar standards of competency for other medical students. The University shall adopt a coordinated transfer application system with regards to the program . . . provided the student meets the following conditions: The student must be a bona fide resident of the state of Washington at the time of matriculation; the student must provide satisfactory documentary evidence of successful completion of two years of academic training; the applicant must have taken and successfully passed part I of the test administered by the national board of medical examiners and the University School of Medicine shall sponsor state residents for the national board examination part I after their completion of two years of work in a foreign medical school.' Your point, I suppose, is that some of these students are not going to pass the exam. You indicated that there is a potential of twenty-five students. Testimony we heard is that approximately twelve of them will meet these tests and would qualify. That's all we've had to go on. You are right, it's kind of open-ended; nobody really knows how many will be able to participate in this program. We really don't know how many foreign medical students from the state of Washington there are all over the world, but the appropriation doesn't say that we have to spend all of this money. It

says \$800,000, or so much thereof as may be necessary. I think it's unreasonable to thrust a mandatory program on the school and not provide them with the amount of money that they may have to spend to cover the cost of that program. If it doesn't run that high, if it's lower, as you have suggested, then that's the amount that will be spent. To require them to do it and then not give them the funds for it is unreasonable."

Representatives Haley, Adams and Becker spoke in favor of the amendment to the committee amendment, and Mr. Patterson spoke against it.

POINT OF INQUIRY

Mr. Patterson yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "Representative Patterson, the other students attending the medical school are free to practice anywhere they want, aren't they, out of state?"

Mr. Patterson: "Yes."

Mr. Hurley (George): "But if I interpret your statement correctly, you think these students should practice in the state of Washington?"

Mr. Patterson: "All I'm trying to point out to you is that what we are doing here is basically expanding the appropriation. I agree that it's very difficult to put a dollar figure on how many students are going to come into the medical programs that are being offered, because these students could not get into the medical school in the first place because they have a limited number of spaces. That's what I'm trying to talk about. These students that choose to go out—and the intent section of this is hoping that they will come back and practice in the state of Washington. No graduate of the University of Washington Medical School is required to stay in the state of Washington and practice. It would be nice if they would, but all I'm saying is that there is no way we can require that."

Representatives Hurley (George) and Adams spoke in favor of the amendment to the committee amendment.

The amendment was adopted, and the amended committee amendment was adopted.

Mr. Blair moved adoption of the following amendment:

On page 1, line 9 after "Section 1." strike all material down through and including "follows:" on line 11.

Representatives Blair and Haley spoke in favor of the amendment.

POINT OF INFORMATION

Mr. Douthwaite: "If we adopt the Blair amendment, what is the affect of the language which we are adopting on page 1? What is now called section 1, and after Blair's amendment, if it should pass, it's not called anything. It seems to be starting without any section. What is the intent?"

The Speaker (Mr. O'Brien presiding): "It appears to the Speaker that is probably a matter for the Bill Drafting Department to determine. He is striking any reference to the chapter and reference to the new section is being added."

Representatives Douthwaite and Schmitten spoke in opposition to the amendment.

POINT OF ORDER

Mr. Blair: "The question before us is in codification. Everybody is debating the whole bill again. Representative Douthwaite did it, Representative Schmitten is doing it. Would you please ask them to stick to my amendment which we are discussing at this time?"

The Speaker (Mr. O'Brien presiding): "It's pretty hard to stay on your amendment."

Mr. Schmitten continued his remarks in opposition to the amendment.

Mr. Blair spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Tilly, the following amendment was adopted:
On page 3, line 16 after "The" insert "University of Washington medical"

On motion of Mr. Oliver, the following amendment was adopted:

On page 1, line 14 after "Washington" strike the language beginning with "and" through "critical" on line 16.

On motion of Mr. McKibbin, the committee amendment to the title was adopted.

Engrossed House Bill No. 271 was ordered reengrossed and passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

SPEAKER'S PRIVILEGE

The Speaker introduced the new Chief of the Washington State Patrol, Bob Landon and the outgoing Chief of the State Patrol, Will Bachofner to the House of Representatives. Each of them spoke briefly to the House and the Speaker requested the Sergeant at Arms to escort them from the House Chamber.

MOTION

On motion of Mr. King, the House advanced to the eighth order of business.

MOTION FOR RECONSIDERATION

Mr. Oliver, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Substitute House Bill No. 226 failed to pass the House.

Representatives Fortson, Dunlap, Clemente and Hurley (Margaret) spoke in favor of the motion, and Representatives Ehlers and Barnes spoke against it.

Mrs. Fortson spoke again in favor of the motion, and Mr. Ehlers spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which Engrossed Substitute House Bill No. 226 failed to pass the House, and the motion was carried by the following vote: Yeas, 52; nays, 40; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Bond, Burns, Charette, Clemente, Conner, Douthwaite, Dunlap, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Gaines, Gallagher, Gilleland, Grier, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knowles, Kreidler, Lux, Lysen, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pearsall, Polk, Sanders, Smith, Sommers, Vrooman, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Charnley, Clayton, Craswell, Deccio, Ehlers, Erak, Fuller, Greengo, Grimm, Gruger, Haley, Hawkins, Keller, King, Lee, Martinis, Newhouse, Pardini, Patterson, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Struthers, Taller, Thompson, Tilly, Valle, Walk, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Flanagan, Knedlik, Leckenby, Maxie, Paris, Shinpoch.

The Speaker stated the question before the House to be reconsideration of final passage of Engrossed Substitute House Bill No. 226.

POINT OF INQUIRY

Mrs. Fortson yielded to question by Mr. Barr.

Mr. Barr: "What's the standard of how we judge how well the children have done after the tests are taken? Who do we judge them against?"

Mrs. Fortson: "Students, by the testing we do, are graded according to grade average; that is, if you are tested in the fourth grade and you score at 3.2 in reading skills, you are much behind in that. It's done in every level and compared with other students in your own school, in your district, in the state, and in the nation."

Mr. Barr: "It's true then that they are judged on how the average kids are doing?"

Mrs. Fortson: "They're judged on an individual basis and compared to average."

Mr. Barr spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 226, and the bill failed to pass the House by the following vote: Yeas, 45; nays, 47; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Bond, Burns, Charette, Clemente, Douthwaite, Dunlap, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Grier, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knowles, Kreidler, Leckenby, Lux, Lysen, May, McCormick, McKibbin, Moreau, North, O'Brien, Oliver, Owen, Polk, Sanders, Shinpoch, Sommers, Vrooman, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Blair, Boldt, Chandler, Charnley, Clayton, Conner, Craswell, Deccio, Ehlers, Enbody, Eng, Erak, Fuller, Greengo, Grimm, Gruger, Haley, Hawkins, Keller, King, Lee, Martinis, Nelson D., Nelson G. A., Newhouse, Paris, Patterson, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Valle, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barnes, Hanna, Knedlik, Maxie, Pardini, Pearsall.

Engrossed Substitute House Bill No. 226, having failed to receive the constitutional majority, was declared lost.

MOTION FOR RECONSIDERATION

Mr. O'Brien, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Substitute House Joint Resolution No. 30 failed to pass the House.

The motion was carried.

MOTIONS

On motion of Mr. O'Brien, further consideration of Engrossed Substitute House Joint Resolution No. 30 was deferred, and the resolution was ordered placed on tomorrow's third reading calendar.

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, April 28, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 28, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eng and Knedlik, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jeannie O'Brien and Mark Celletti. Prayer was offered by the Reverend David Kratz 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

April 27, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2097,
SENATE BILL NO. 2258,
SUBSTITUTE SENATE BILL NO. 2431,
SENATE BILL NO. 2478,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 27, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2662,
ENGROSSED SENATE BILL NO. 2825,
ENGROSSED SENATE BILL NO. 3002,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 27, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2029, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2662, by Senators Rasmussen and Henry:

Revising the membership of the veterans' affairs advisory committee.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2825, by Senator Day:

Imposing an annual license fee on vehicles using propane in accordance with vehicle tonnage.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 3002, by Senators McDermott and Bluechel:

Providing for the creation and management of a scenic river system.

To Committee on Ecology

REPORTS OF STANDING COMMITTEES

April 26, 1977

HOUSE BILL NO. 480, Prime Sponsor: Representative Clemente, providing program of bilingual instruction in the common schools and state aid therefor. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and that the substitute bill do pass. Signed by Representatives McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Boldt, Chandler, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Taller, Thompson, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 26, 1977

HOUSE BILL NO. 697, Prime Sponsor: Representative Dunlap, mandating learning objectives for grades K-12 for statutorily required courses. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Chandler, Charette, Deccio, Heck, Hughes, Keller, Pardini, Taller, Thompson, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 26, 1977

HOUSE BILL NO. 837, Prime Sponsor: Representative North, providing for preservation of the Mount Si and Little Si area. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Boldt, Chandler, Charette, Deccio, Heck, Hughes, Keller, Pardini, Taller, Thompson, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 26, 1977

HOUSE BILL NO. 1147, Prime Sponsor: Representative Hughes, providing for a remedial reading program in the common schools. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Boldt, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Pardini, Thompson, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2111, Prime Sponsor: Senator Talley, doubling the amount of reimbursement allowed from counties to the Washington state association of county officials. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 27 after "county" insert "PROVIDED FURTHER, That no county may make unequal reimbursements between the Washington state association of county officials and the Washington state association of counties for their services"

Signed by Representatives Thompson, Chairman; Bender, Douthwaite, Eng, Fancher, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 26, 1977

REENGROSSED SUBSTITUTE SENATE BILL NO. 2112, Prime Sponsor: Senator Wilson, modifying civil service appointment procedures for sheriffs' offices and authorizing unclassified positions. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 8 strike the remainder of the bill and insert the following:

*Section 1. Section 1, chapter 1, Laws of 1959 and RCW 41.14.010 are each amended to read as follows:

The general purpose of this chapter is to establish a merit system of employment for county deputy sheriffs and other employees of the office of county sheriff, thereby raising the standards and efficiency of such offices and law enforcement in general. This chapter shall not apply in any county having adopted a home rule charter pursuant to Article XI, section 4, of the Washington state Constitution.

Sec. 2. Section 2, chapter 1, Laws of 1959 and RCW 41.14.020 are each amended to read as follows:

Definition of terms:

(1) 'Commission' means the civil service commission, or combined county civil service commission, herein created, and 'commissioner' means any one of the three members of any such commission;

(2) 'Appointing power' means the county sheriff who is invested by law with power and authority to select, appoint, or employ any deputy, deputies or other necessary employees subject to civil service;

(3) 'Appointment' includes all means of selecting, appointing, or employing any person to any office, place, position, or employment subject to civil service;

(4) 'County' means any nonhome rule county of the state, or any counties combined pursuant to RCW 41.14.040 for the purpose of carrying out the provisions of this chapter;

(5) 'Deputy sheriff' or other members of the office of county sheriff' means all persons regularly employed in the office of county sheriff either on a part time or full time basis.

Sec. 3. Section 6, chapter 1, Laws of 1959 and RCW 41.14.060 are each amended to read as follows:

It shall be the duty of the civil service commission:

(1) To make suitable rules and regulations not inconsistent with the provisions hereof. Such rules and regulations shall provide in detail the manner in which examinations may be held, and appointments, promotions, transfers, reinstatements, demotions, suspensions, and discharges shall be made, and may also provide for any other matters connected with the general subject of personnel administration, and which may be considered desirable to further carry out the general purposes of this chapter, or which may be found to be in the interest of good personnel administration. The rules and regulations and any amendments thereof shall be printed, mimeographed, or multigraphed for free public distribution. Such rules and regulations may be changed from time to time.

(2) To give practical tests which shall consist only of subjects which will fairly determine the capacity of persons examined to perform duties of the position to which appointment is to be made. Such tests may include tests of physical fitness or manual skill or both.

(3) To make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of this chapter, and the rules and regulations prescribed hereunder; to inspect all departments, offices, places, positions, and employments affected by this chapter, and ascertain whether this chapter and all such rules and regulations are being obeyed. Such investigations may be made by the commission or by any commissioner designated by the commission for that purpose. Not only must these investigations be made by the commission as aforesaid, but the commission must make like investigation on petition of a citizen, duly verified, stating that irregularities or abuses exist, or setting forth in concise language, in writing, the necessity for such investigation. In the course of such investigation the commission or designated commissioner, or chief examiner, may administer oaths, subpoena and require the attendance of witnesses and the production by them of books, papers, documents, and accounts appertaining to the investigation and also cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in the superior court; and the oaths administered and the subpoenas issued hereunder shall have the same force and effect as the oaths administered and subpoenas issued by a superior court judge in his judicial capacity; and the failure of any person so subpoenaed to comply with the provisions of this section shall be deemed a violation of this chapter, and punishable as such.

(4) To conduct hearings and investigations in accordance with this chapter and by the rules of practice and procedure adopted by the commission, and in the conduct thereof neither the commission, nor designated commissioner shall be bound by technical rules of evidence. No informality in any proceedings or hearing, or in the manner of taking testimony before the commission or designated commissioner, shall invalidate any order, decision, rule, or regulation made, approved, or confirmed by the commission: **PROVIDED**, That no order, decision, rule, or regulation made by any designated commissioner conducting any hearing or investigation alone shall be of any force or effect whatsoever unless and until concurred in by at least one of the other two members.

(5) To hear and determine appeals or complaints respecting the allocation of positions, the rejection of an examinee, and such other matters as may be referred to the commission.

(6) To provide for, formulate, and hold competitive tests to determine the relative qualifications of persons who seek employment in any class or position and as a result thereof establish eligible lists for the various classes of positions, and provide that persons laid off because of curtailment of expenditures, reduction in force, and for like causes, head the list in the order of their seniority, to the end that they shall be the first to be reemployed.

(7) To certify to the appointing authority, when a vacant position is to be filled, on written request, the names of the three persons highest on the eligible list for the class. If there is no such list, to authorize a provisional or temporary appointment list of three persons for such class. ((Such)) Any person who is appointed by the appointing authority from a temporary provisional appointment list shall not continue employment in that position for a period longer than four months; nor shall any person receive more than one provisional appointment or serve more than four months as provisional appointee in any one fiscal year.

(8) To keep such records as may be necessary for the proper administration of this chapter.

Sec. 4. Section 7, chapter 1, Laws of 1959 as amended by section 1, chapter 186, Laws of 1975 1st ex. sess. and RCW 41.14.070 are each amended to read as follows:

The classified civil service and provisions of this chapter shall include all deputy sheriffs and other employees of the office of sheriff in each county except the ((following positions which are hereby designated the unclassified service:

(1) ~~The~~) county sheriff in every county((:

(2) ~~In each class A and class AA county; the positions of undersheriff, inspector, chief criminal deputy, chief civil deputy, jail superintendent, and one private secretary. PROVIDED: That the legislative authority of any county operating under a home rule charter may designate unclassified positions of administrative responsibility not to exceed twelve positions;~~

(3) ~~In each county of the first class, second class, and third class, three principal positions comparable to undersheriff, a chief criminal deputy, and a chief civil deputy;~~

(4) ~~In each of all other counties; one position to be appointed by the sheriff)) and an additional number of positions, hereby designated the unclassified service, determined as follows:~~

Staff Personnel	Unclassified Position Appointments
1 through 10	2
11 through 20	3
21 through 50	4
51 through 100	5
101 and over	6

The unclassified position appointments authorized by this subsection shall include administrative, executive, and clerical positions as initially designated by the sheriff, who shall notify the civil service commission of such designations. Subsequent changes in the designation of which positions are to be unclassified may only be made by the sheriff with the concurrence of the civil service commission, and then only after the civil service commission has heard the issue in open meeting. Should any position initially designated by the sheriff to be unclassified pursuant to this section be under the classified civil service at the time of such designation, and should such position be occupied, the employee occupying such position shall have the right to remain employed in the sheriff's office in a position which is still a classified civil service position.

Sec. 5. Section 13, chapter 1, Laws of 1959 and RCW 41.14.130 are each amended to read as follows:

Whenever a position in the classified service becomes vacant, the appointing power, if it desires to fill the vacancy, shall requisition the commission for the names and addresses of ((x)) persons eligible for appointment thereto. The commission shall certify the names of the three persons highest on the eligible list for the class to which the vacant position has been allocated, who ((s)) are willing to accept employment. If there is no appropriate eligible list for the class, the commission shall certify the names of the three persons standing highest on the list held appropriate for such class. If more than one vacancy is to be filled an additional three names shall be certified for each additional vacancy. The appointing power shall forthwith appoint ((such)) a person from those so certified to the vacant position.

To enable the appointing power to exercise a greater degree of choice in the filling of positions, no appointment, employment, or promotion in any position in the classified service shall be deemed complete until after the expiration of a period of one year's probationary service, as may be provided in the rules of the civil service commission, during which the appointing power may terminate the employment of the person ((certified to him)) appointed, if during the performance test thus afforded, upon observation or consideration of the performance of duty, the appointing power deems ((him)) such person unfit or unsatisfactory for service in the office of county sheriff. Thereupon the appointing power shall ((designate the person certified as standing next highest on any such list)) again requisition the commission for the names and addresses of persons eligible for appointment in the manner provided by this section and ((such)) the person appointed in the manner provided by this section shall likewise enter upon said duties for the probationary period, until some person is found who is deemed fit for appointment, employment, or promotion whereupon the appointment, employment, or promotion shall be deemed complete."

On line 1 of the title after "officers;" and before "amending" insert "amending section 1, chapter 1, Laws of 1959 and RCW 41.14.010; amending section 2, chapter 1, Laws of 1959 and RCW 41.14.020;"

Signed by Representatives Thompson, Chairman; Bender, Eng, Fancher, Keller, North, Shinoda, Vrooman, Whiteside.

To Committee on Rules for second reading.

April 26, 1977

SUBSTITUTE SENATE BILL NO. 2125, Prime Sponsor: Senator Henry, requiring railway bridges to have walkways. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Gaines, Gallagher, Grier, McCormick, Paris, Patterson, Walk.

To Committee on Rules for second reading.

April 26, 1977

SUBSTITUTE SENATE BILL NO. 2132, Prime Sponsor: Senator Washington, raising the salary of PUD commissioners. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bender, Douthwaite, Fancher, Gilleland, Keller, North, Vrooman, Whiteside.

To Committee on Rules for second reading.

April 25, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2143, Prime Sponsor: Senator Bottiger, increasing the number of superior court judges in Spokane, Pierce, Kitsap, Benton-Franklin, Cowlitz, and San Juan-Island judicial districts. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.061 are each amended to read as follows:

There shall be in the county of King twenty-nine judges of the superior court; in the county of Spokane ((eight) nine judges of the superior court; in the county of Pierce ((ten)) eleven judges of the superior court.

Sec. 2. Section 4, chapter 125, Laws of 1951 as last amended by section 1, chapter 79, Laws of 1975-76 2nd ex. sess. and RCW 2.08.062 are each amended to read as follows:

There shall be in the county of Chelan one judge of the superior court; in the county of Clark four judges of the superior court; in the county of Grays Harbor two judges of the superior court; in the county of Kitsap ((three)) four judges of the superior court; in the county of Kittitas one judge of the superior court; in the county of Lewis two judges of the superior court.

Sec. 3. Section 6, chapter 125, Laws of 1951 as last amended by section 1, chapter 192, Laws of 1974 ex. sess. and RCW 2.08.064 are each amended to read as follows:

There shall be in the counties of Benton and Franklin jointly, ((three)) four judges of the superior court; in the counties of Clallam and Jefferson jointly, two judges of the superior court; in the county of Snohomish seven judges of the superior court; in the counties of Asotin, Columbia and Garfield jointly, one judge of the superior court; in the county of Cowlitz, two judges of the superior court; in the counties of Klickitat and Skamania jointly, one judge of the superior court.

Sec. 4. Section 7, chapter 125, Laws of 1951 as last amended by section 3, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.065 are each amended to read as follows:

There shall be in the counties of Douglas and Grant jointly, two judges of the superior court; in the counties of Ferry and Okanogan jointly, one judge of the superior court; in the counties of Mason and Thurston jointly, four judges of the superior court; in the counties of Pacific and Wahkiakum jointly, one judge of the superior court; in the counties of Pend Oreille and Stevens jointly, one judge of the superior court; and in the counties of San Juan and Island jointly, ((one)) two judges of the superior court(~~(-PROVIDED; That this act shall only take effect in the event the legislature shall appropriate funds for the 1973-75 biennium to carry out the purpose of this 1973 act))~~).

NEW SECTION. Sec. 5. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1977."

In line 8 of the title, after "2.08.064;" strike "and"

In line 10 of the title, after "2.08.065" insert "; declaring an emergency; and providing an effective date"

Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Sherman, Smith.

To Committee on Rules for second reading.

April 26, 1977

SENATE BILL NO. 2182, Prime Sponsor: Senator Henry, increasing operating tax on certain transportation companies. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Gaines, Gallagher, Grier, McCormick, Paris, Patterson, Walk.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2189, Prime Sponsor: Senator Guess, adopting the international registration plan. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 4 strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 106, Laws of 1963 as last amended by section 137, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 46.85.030 are each amended to read as follows:

(1) The reciprocity commission, hereby created, shall consist of the director of motor vehicles, the chief of the Washington state patrol, a designee of the state highway commission and, ex officio, the chairman and vice chairman of the legislative transportation committee, or their duly designated representatives. Members of the western interstate highway policy committee from the state of Washington shall be advisory members of the reciprocity commission, and may attend meetings and conferences of the commission in such capacity, but shall not vote as members thereof. The department shall provide such assistance and facilities to the commission as it may require. The members of the commission shall receive no additional compensation for their services except that they shall be allowed reimbursement for travel expenses incurred in the performance of their official duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended to be paid from funds made available for the use of the commission. The commission shall have the authority to execute agreements, arrangements or declarations to carry out the provisions of this chapter.

(2) The reciprocity commission may enter into a multistate proportional registration agreement which prescribes a different definition of any terms defined in chapter 46.85 RCW. The agreement definition shall control unless appropriate exception is taken thereto.

If the reciprocity commission enters into a multistate proportional registration agreement which prescribes a different procedure for vehicle identification, the agreement procedures shall control.

If the reciprocity commission enters into a multistate proportional registration agreement which requires this state to perform acts in a quasi agency relationship, the reciprocity commission may collect and forward applicable registration fees and applications to other jurisdictions on behalf of the applicant or on behalf of another jurisdiction and may take such other action as will facilitate the administration of such agreement.

If the reciprocity commission enters into a multistate proportional registration agreement which prescribes procedures applicable to vehicles not specifically described in chapter 46.85 RCW, such as but not limited to "owner-operator" or "rental" vehicles, it shall promulgate rules accomplishing the procedures prescribed in such agreement.

If the reciprocity commission enters into a multistate proportional registration agreement which prohibits the collection of minimum fees provided for in this chapter or elsewhere for the ownership or operation of motor vehicles, the prohibitions contained in the agreement shall control.

It is the purpose and intent of this subsection to facilitate the membership in the International Registration Plan and at the same time allow the reciprocity commission to continue to participate in such agreements and compacts as may be necessary and desirable in addition to the International Registration Plan: PROVIDED, That prior to the reciprocity commission entering into the International Registration Plan, the commission, with the assistance of the department of motor vehicles, shall conduct a fiscal impact study and report the findings of the study to the legislative transportation committee by October 15, 1977."

On page 1, beginning on line 1 of the title after "vehicles;" strike the remainder of the title and insert "and amending section 3, chapter 106, Laws of 1963 as last amended by section 137, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 46.85.030."

Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Gaines, Gallagher, Grier, McCormick, Paris, Patterson, Walk.

To Committee on Rules for second reading.

April 27, 1977

SUBSTITUTE SENATE BILL NO. 2210, Prime Sponsor: Senator Woody, regulating prearrangement funeral service contracts. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. (1) Notwithstanding the provisions of RCW 48.40.080, a funeral establishment licensed pursuant to chapter 18.39 RCW may enter into prearrangement funeral service contracts, subject to the provisions of this chapter.

(2) Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter:

(a) 'Prearrangement funeral service contract' means any contract, other than a contract entered into by an insurance company, under which, for a specified consideration paid in advance in a lump sum or by installments, a funeral establishment promises, upon the death of a beneficiary named or implied in the contract, to furnish funeral merchandise or services.

(b) 'Funeral merchandise or services' shall mean those services normally performed and merchandise normally provided by funeral establishments including the sale of burial supplies and equipment, but excluding the sale by a cemetery of lands or interests therein, services incidental thereto, markers, memorials, monuments, equipment, crypts, niches, or vaults.

(c) 'Qualified public depository' means a depository defined by RCW 39.58.010, a credit union as governed by chapter 31.12 RCW, a mutual savings bank as governed by Title 32 RCW, a savings and loan association as governed by Title 33 RCW, or a federal credit union or a federal savings and loan association organized, operated, and governed by any act of congress, in which prearrangement funeral service contract funds are deposited by any funeral establishment.

NEW SECTION. Sec. 2. (1) Any funeral establishment selling by prearrangement funeral service contract any funeral merchandise or services shall establish and maintain one or more prearrangement funeral service trust funds for the benefit of the beneficiary of the prearrangement funeral service contract.

(2) Fifteen percent of the cash purchase price of each prearrangement funeral service contract, excluding sales tax, may be retained by the funeral establishment. Deposits to the prearrangement funeral service trust fund shall be made not later than the twentieth day of the month following the receipt of each payment made on the last eighty-five percent of each prearrangement funeral service contract, excluding sales tax.

(3) All prearrangement funeral service trust funds shall be deposited in a qualified public depository. The account shall be designated as the prearrangement funeral service trust fund of the particular funeral establishment for the benefit of the beneficiaries named in the prearrangement funeral service contract.

(4) All interest, dividends, increases, or accretions of whatever nature earned by a trust fund shall be kept unimpaired and shall become a part of the trust fund, and adequate records shall be maintained to allocate the share thereof to each contract.

(5) A depository designated as the depository of a prearrangement funeral service trust fund shall permit withdrawal of all funds deposited under a prearrangement funeral service contract, plus accruals thereon, under the following circumstances and conditions:

(a) If the funeral establishment files a verified statement with the depository that the prearrangement funeral merchandise and services covered by the contract have been furnished and delivered in accordance therewith; or

(b) If the funeral establishment files a verified statement with the depository that the prearrangement funeral merchandise and services covered by the contract have been canceled in accordance with its terms.

(6) Any purchaser or beneficiary who has procured a prearrangement funeral service contract shall have the right to demand a refund of the entire amount paid on the contract, together with all interest, dividends, increases, or accretions to the funds.

(7) Prearrangement funeral service contracts shall automatically terminate if the funeral establishment goes out of business, becomes insolvent or bankrupt, makes an assignment for the benefit of creditors, or for any other reason is unable to fulfill the obligations under the contract. In such event, and upon demand by the purchaser or beneficiary of the prearrangement funeral service contract, the depository of the prearrangement funeral service contract funds shall refund to the purchaser or beneficiary all funds deposited under the said contract, unless otherwise ordered by a court of competent jurisdiction.

(8) Prearrangement funeral service trust funds shall not be used, directly or indirectly, for the benefit of the funeral establishment or any director, officer, agent, or employee of the funeral establishment including, but not limited to, any encumbrance, pledge, or other use of prearrangement funeral service trust funds as collateral or other security.

(9) Every prearrangement funeral service contract shall contain language which informs the purchaser of the prearrangement funeral service trust fund and the amount to be deposited in the trust fund, which may not be less than eighty-five percent of the cash purchase price of the contract.

NEW SECTION. Sec. 3. No funeral establishment shall enter into prearrangement funeral service contracts in this state unless the funeral establishment has obtained a certificate of registration issued by the commissioner and such certificate is then in force.

NEW SECTION. Sec. 4. To qualify for and hold a certificate of registration a funeral establishment must:

(1) Be licensed pursuant to chapter 18.39 RCW; and

(2) Fully comply with and qualify according to the provisions of this chapter.

NEW SECTION. Sec. 5. The commissioner may refuse to renew or may revoke or suspend a funeral establishment's certificate of registration, if the funeral establishment:

(1) Fails to comply with any provisions of this chapter or any proper order or regulation of the commissioner;

(2) Is found by the commissioner to be in such condition that further execution of prearrangement contracts could be hazardous to purchasers or beneficiaries and the people of this state;

(3) Refuses to be examined, or refuses to submit to examination or to produce its accounts, records and files for examination by the commissioner when required; or

(4) Is found by the commissioner after investigation or receipt of reliable information to be managed by persons who are incompetent or untrustworthy or so lacking in managerial experience as to make the proposed or continued operation hazardous to purchasers, beneficiaries, or to the public.

NEW SECTION. Sec. 6. To apply for an original certificate of registration, a funeral establishment must:

(1) File with the commissioner its request showing:

(a) Its name, location, and organization date;

(b) The kinds of funeral business it proposes to transact;

(c) A statement of its financial condition, management, and affairs on a form satisfactory to or furnished by the commissioner; and

(d) Such other documents, stipulations, or information as the commissioner may reasonably require to evidence compliance with the provisions of this chapter.

(2) Deposit with the commissioner the fees required by this chapter to be paid for filing the accompanying documents, and for the certificate of registration, if granted.

NEW SECTION. Sec. 7. All certificates of registration issued pursuant to this chapter shall continue in force until suspended, revoked, or renewed. A certificate shall be subject to renewal annually on the first day of July upon application by the funeral establishment and payment of the required fees.

The commissioner shall collect in advance the following fees:

- (1) Certificate of registration:
 - (a) Issuance - thirty-five dollars;
 - (b) Renewal - fifteen dollars;
- (2) Annual statement of financial condition - ten dollars.

All fees so collected shall be remitted by the commissioner to the state treasurer not later than the first business day following receipt of such funds and the funds shall be credited to the general fund.

NEW SECTION. Sec. 8. The commissioner shall give a funeral establishment notice of his intention to suspend, revoke, or refuse to renew the establishment's certificate of registration not less than ten days before the order of suspension, revocation or refusal is to become effective.

No funeral establishment whose certificate of registration has been suspended, revoked, or refused shall subsequently be authorized to enter into prearrangement contracts unless the grounds for such suspension, revocation, or refusal in the opinion of the commissioner no longer exist and the funeral establishment is otherwise fully qualified.

Upon the suspension, revocation or refusal of a funeral establishment's certificate of registration, the commissioner shall give written notice of such action to the director of the department of motor vehicles.

NEW SECTION. Sec. 9. (1) Each authorized funeral establishment shall annually, before the first day of March, file with the commissioner a true and accurate statement of its financial condition, transactions, and affairs for the preceding calendar year. The statement shall be on such forms and shall contain such information as required by this chapter and by the commissioner.

(2) The commissioner shall suspend or revoke the certificate of registration of any funeral establishment which fails to file its annual statement when due or after any extension of time which the commissioner has, for good cause, granted.

NEW SECTION. Sec. 10. No prearrangement funeral contract forms shall be used without the prior approval of the commissioner.

The commissioner shall disapprove any such contract form, or withdraw prior approval when such form:

- (1) Violates or does not comply with this chapter;
- (2) Contains or incorporates by reference any inconsistent, ambiguous or misleading clauses, or exceptions and conditions which unreasonably or deceptively affect the merchandise or service purported to be provided in the general coverage of the contract;
- (3) Has any title, heading, or other part of its provisions which is misleading; or
- (4) Is being solicited by deceptive advertising.

NEW SECTION. Sec. 11. (1) The commissioner shall have the authority expressly conferred upon him by or reasonably implied from the provisions of this chapter.

(2) The commissioner may:

- (a) Make reasonable rules and regulations for effectuating any provision of this chapter in accordance with chapter 34.04 RCW;
- (b) Conduct investigations to determine whether any person has violated any provision of this chapter; and
- (c) Conduct examinations, investigations, and hearings, in addition to those specifically provided for, useful and proper for the efficient administration of any provision of this chapter.

NEW SECTION. Sec. 12. Any person who shall violate or fail to comply with, or aid or abet any person in the violation of, or failure to comply with any of the provisions of this chapter shall be guilty of a gross misdemeanor pursuant to chapter 9A.20 RCW. Any such violation shall constitute an unfair practice under chapters 19.86 and 48.30 RCW and conviction thereunder shall be grounds for license revocation under chapter 18.39 RCW. Retail installment transactions under this chapter shall be governed by chapter 63.14 RCW.

NEW SECTION. Sec. 13. Sections 1 through 12 are each added to chapter 48.40 RCW.

NEW SECTION. Sec. 14. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On line 2 of the title, beginning with "amending" strike all the material through "68.46.110" on line 22 and insert "adding new sections to chapter 48.40 RCW;"

Signed by Representatives Eng, Chairman; Fischer, Vice Chairman; Deccio, Ranking Minority Member; Hurley (Margaret), Knowles, Kreidler, Lux, Nelson (Gary), Winsley.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2222, Prime Sponsor: Senator Francis, revising the number of judges in the court of appeals. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Winsley.

To Committee on Rules for second reading.

April 27, 1977

ENGROSSED SENATE BILL NO. 2263, Prime Sponsor: Senator Van Hollebeke, revising the laws regulating employment agencies. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Greengo, Ranking Minority Member; Fancher, Hawkins, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

April 26, 1977

SENATE BILL NO. 2295, Prime Sponsor: Senator Francis, allowing joinder or cross-filing by additional parties in action to review administrative decision. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Winsley.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2300, Prime Sponsor: Senator Francis, modifying the collection of jury costs. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Winsley.

To Committee on Rules for second reading.

April 26, 1977

SENATE BILL NO. 2301, Prime Sponsor: Senator Francis, increasing witness fees. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Winsley.

To Committee on Rules for second reading.

April 26, 1977

SENATE BILL NO. 2302, Prime Sponsor: Senator Francis, modifying the fee for a writ of garnishment. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Winsley.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2324, Prime Sponsor: Senator Hayner, providing an alternative method of giving notice of a materialman's lien. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Winsley.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2451, Prime Sponsor: Senator Rasmussen, allowing for a longer appeal period from actions of county boards of equalization. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Craswell, Erickson, Flanagan, Hurley (George), Kilbury, Moreau, Nelson (Dick), Winsley.

To Committee on Rules for second reading.

April 26, 1977

SENATE BILL NO. 2484, Prime Sponsor: Senator Henry, modifying scope of the authority of the utilities and transportation commission to issue rules. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Gaines, Gallagher, Grier, McCormick, Paris, Patterson, Walk.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2868, Prime Sponsor: Senator von Reichbauer, providing for new boards of commissioners for merged fire districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Bender, Douthwaite, Eng, Fancher, Gilleland, Keller, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 26, 1977

SENATE BILL NO. 3017, Prime Sponsor: Senator Odegaard, authorizing transfer of property owned by one port district but located in another. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 6 after "follows:" strike all the matter down to and including "enlarged" on line 17 and insert:

"Property owned by one port district, which is both located contiguous to such port district and is also located in an adjacent port district, may be transferred to the owning port district upon unanimous resolution of the boards of commissioners of both port districts. The resolution of the port district within which such property is located shall be a resolution to make the transfer, while the resolution of the port district which owns the property shall be a resolution to accept the transferred property. Upon the filing of both official resolutions with the legislative authority and the auditor of the county or counties within which such port districts lie, together with maps showing in reasonable detail the boundary changes made, such transfer shall be effective and the commissioners of the port district receiving such property shall have jurisdiction over the whole of said enlarged port district"

Signed by Representatives Thompson, Chairman; Bender, Douthwaite, Eng, Fancher, Gilleland, Keller, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

MESSAGE FROM THE SENATE

April 27, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3047, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Washington, Morrison, Donohue, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Sommers, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3047.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Sommers, Eng and Flanagan as conferees on Substitute Senate Bill No. 3047.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 13, by Committee on Institutions (Originally sponsored by Representatives Fischer and Clemente):

Expanding the work release program to include treatment.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 48th Day ex. sess., April 27, 1977.)

On motion of Mr. Chandler, the following amendments were adopted:

On page 1, line 10 strike subsection (3)

Renumber the remaining subsection consecutively.

On page 1, after subsection (i) on line 16 insert a new subsection as follows:

"(ii) The right to refuse treatment at any time without a reduction in security status;"

Renumber the remaining subsections consecutively.

MOTION FOR RECONSIDERATION

Mr. Hanna moved that the rules be suspended and the House reconsider the vote by which the amendment to page 22 by Representative Hurley (Margaret) had been adopted the previous day.

Representatives Hanna and Hurley (Margaret) spoke in favor of the motion and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment to page 1, line 22 by Representative Hurley (Margaret).

Mr. Hanna moved adoption of the following amendment to the Hurley (Margaret) amendment:

On page 1, line 22 as amended, strike "the felon" and insert "felons"

Representatives Hanna and Hurley (Margaret) spoke in favor of the amendment to the amendment, and Mr. Clemente spoke against it.

The amendment to the amendment was adopted.

The amendment by Representative Hurley (Margaret) as amended was adopted.

Substitute House Bill No. 13 was ordered engrossed and passed to Committee on Rules for third reading.

POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "What is the position of Engrossed Substitute House Bill No. 960 currently and the message received from the Senate?"

The Speaker (Mr. O'Brien presiding): "Engrossed Substitute House Bill No. 960 hasn't been read in as a Message from the Senate yet."

MOTION

Mr. Berentson moved that the Message from the Senate on Engrossed Substitute House Bill No. 960 be immediately read to the House.

Representatives Berentson, Dunlap and Chandler spoke in favor of the motion, and Mr. King spoke against it.

ROLL CALL

The Clerk called the roll on the motion to read in the Message from the Senate on Engrossed Substitute House Bill No. 960, and the motion was lost by the following vote: Yeas, 36; nays, 58; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Eng, Erak, Knedlik, Smith.

HOUSE BILL NO. 472, by Representatives Erickson, Moreau, Vrooman, Becker, Hughes, Grier, Pardini, Knowles, McCormick, Deccio, Berentson, Chandler, Bond and May:

Designating regional universities.

On motion of Ms. Erickson, Substitute House Bill No. 472 was substituted for House Bill No. 472, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 472 was read the second time.

Mr. Enbody moved adoption of the following amendments by Representatives Enbody and Chandler:

On page 34, line 6 after "to be" strike "immoral or"

On page 40, line 20 after "to be" strike "immoral or" and insert "(immoral-or)"

Representatives Enbody and Haley spoke in favor of the amendments, and Mr. Oliver spoke against them.

Mr. Enbody spoke again in favor of the amendments, and they were adopted.

Substitute House Bill No. 472 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 24, by Representatives Gaines, Greengo, Warnke, Valle, Sanders, Leckenby and Dunlap:

Authorizing a deduction for value of products added by minor final assembly from the business and occupation tax.

The bill was read the second time.

On motion of Ms. Sommers, Second Substitute House Bill No. 24 was substituted for House Bill No. 24, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 24 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 24 was placed on final passage.

Representatives Sommers and Struthers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 24, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Clemente, Kilbury, Nelson D., Williams.

Not voting: Representatives Eng, Haley, Knedlik, Lysen, Winsley.

Second Substitute House Bill No. 24, having received the 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. 149, by Representatives Charnley, Sherman, Patterson, Conner, Chandler, Moreau, Burns, Greengo, Hughes and Knedlik:

Authorizing cooperative efforts by the state and cities to encourage rail and bus passenger service.

The bill was read the second time.

On motion of Mr. Conner, Substitute House Bill No. 149 was substituted for House Bill No. 149, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 149 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 149 was placed on final passage.

Representatives Charnley, Conner and Douthwaite spoke in favor of passage of the bill, and Representatives Wilson, Berentson and Martinis spoke against it.

Mr. Charnley spoke again in favor of passage of the bill, and Mr. Berentson spoke again against it.

POINT OF ORDER

Mr. Charnley: "Mr. Speaker, if I'm not incorrect I think the rules state that you can only speak once on an issue after the fiftieth day."

The Speaker (Mr. O'Brien presiding): "Today is the 49th day. A speaker may speak twice on the same subject."

Mr. Berentson continued his remarks against the bill.

Mr. Martinis spoke again in opposition to the bill, and Mr. Conner spoke again in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 149, and the bill passed the House by the following vote: Yeas, 50; nays, 44; not voting, 4.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Embody, Erickson, Fischer, Fortson, Fuller, Gaines, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Kreidler, Lee, Lux, Lysen, May, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Thompson, Valle, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Erak, Fancher, Flanagan, Gallagher, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Knowles, Leckenby, Martinis, Maxie, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitte, Shinoda, Struthers, Taller, Tilly, Vrooman, Whiteside, Wilson, Winsley.

Not voting: Representatives Eng, Keller, Knedlik, Smith.

Substitute House Bill No. 149, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Pardini moved that HOUSE BILL NO. 743 be made a Special Order of Business at 2:00 p.m. today.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your motion is incomplete. Where is House Bill No. 743? Your motion is not a valid motion. Apparently the bill is in the Committee on Energy. First of all that committee would have to be relieved of the bill; then when the committee is relieved of the bill you can make a motion of this nature."

Mr. Pardini: "The nature of the motion is to automatically relieve the committee of the bill."

The Speaker (Mr. O'Brien presiding): "You are out of order."

HOUSE BILL NO. 37, by Representatives Hurley (Margaret), Paris, North, Lee and Gaines:

Establishing a campsite reservation system in state parks.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, 34th Day ex. sess., April 13, 1977.)

On motion of Representative Hurley (Margaret), the committee amendment to page 1, line 24 was adopted.

Representative Hurley (Margaret) moved adoption of the committee amendment to page 2, line 27, and spoke against its adoption.

Mr. Owen spoke in favor of adoption of the committee amendment, and Representative Hurley (Margaret) spoke again in opposition to it.

POINT OF INQUIRY

Representative Hurley (Margaret) yielded to question by Mr. Owen.

Mr. Owen: "I'm curious after all this talk, are you speaking from your personal point of view or as committee Chairman?"

Representative Hurley (Margaret): "I think that's a good question. I did say I voted no on the amendment. I am Chairman of the committee and have been for three years before. I'm pretty interested in what happens in this field. I guess probably what I want is to have this reservation system really work for the people—for those people who have less time now than ever to go from one park to the other if they are turned down and for those people who are working and they have to—"

POINT OF ORDER

Mr. Boldt: "Mr. Speaker, I'm very interested in the answer to the inquiry by Representative Owen and I feel that the Representative from Spokane is using the question as an opportunity to discuss the amendment."

The Speaker (Mr. O'Brien presiding): "Continue, Representative Hurley, but confine your remarks to the question."

Mrs. Hurley: "I think it's pretty hard to say if I'm interested or am I disinterested. Of course, I'm interested. I'm interested as a member of the committee; I'm interested as a Chairman; I'm interested in the people using the system. I guess I'm talking both ways."

Representative Craswell spoke in favor of the amendment.

The amendment was adopted.

On motion of Representative Hurley (Margaret), the committee amendment to page 2, line 31 was adopted.

Mr. Martinis moved adoption of the following amendment:

On page 1, line 8 after "for" strike "all or a great portion" and insert "not more than half"

Mr. Martinis spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley (Margaret): "Representative Martinis, what is the fiscal impact on the reservation system with your amendment?"

Mr. Martinis: "Representative Hurley, the fiscal impact is, by the committee amendment, \$15,000. It's stated in the bill. I guess a person could turn right around and ask you, Representative Hurley, what is the fiscal impact of this, but the bill states that there will be appropriated \$15,000 to set up a reservation system. Of course, there is then an account where the charges for a reservation system will go in and be used solely to develop and maintain the reservation system. A fiscal impact? I'm more concerned over my constituents than I am the fiscal impact, but then we did reduce the appropriation to \$15,000."

Representatives Hurley (Margaret), Craswell and Owen spoke against the amendment, and Mr. Martinis spoke again in favor of it.

POINT OF ORDER

Mr. Owen: "Is Representative Martinis speaking on final passage of the bill or on the amendment?"

The Speaker (Mr. O'Brien presiding): "He's speaking on the amendment."

Mr. Martinis continued his remarks in favor of the amendment, and Mr. Charnley spoke against it.

Mr. Bender demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Martinis to House Bill No. 37, and the amendment was adopted by the following vote: Yeas, 46; nays, 44; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Boldt, Charette, Clayton, Deccio, Douthwaite, Ehlers, Enbody, Erak, Gaines, Gallagher, Greengo, Grier, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, Knowles, Kreidler, Leckenby, Martinis, McCormick, McKibbin, Moreau, Nelson D., Oliver, Patterson, Pearsall, Sherman, Shinoda, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, Wilson.

Voting nay: Representatives Barr, Blair, Burns, Chandler, Charnley, Conner, Craswell, Dunlap, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gilleland, Grimm, Gruger, Haley, Hughes, Hurley M., Lee, Lux, Lysen, Maxie, May, Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Pruitt, Salatino, Sanders, Schmitten, Shipoch, Struthers, Taller, Tilly, Walk, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Berentson, Bond, Clemente, Eng, King, Knedlik, Polk, and Mr. Speaker.

House Bill No. 37 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 812, by Representatives Adams, Pearsall, Pruitt, Lux, Fortson, Schmitten, Gruger and Salatino:

Extending the law against discrimination as it relates to handicapped persons.

The bill was read the second time.

Mr. Kreidler moved adoption of the following amendments:

On page 4, line 34 after "handicap" insert ": PROVIDED HOWEVER, That these provisions shall not prohibit an insurer or health care service contractor from fair discrimination on the basis of a sensory, mental or physical handicap when bona fide statistical differences in risk or exposure have been substantiated"

On page 5, line 16 after "handicap" insert ": PROVIDED HOWEVER, That these provisions shall not prohibit an insurer or health care service contractor from fair discrimination on the basis of a sensory, mental or physical handicap when bona fide statistical differences in risk or exposure have been substantiated"

Representatives Kreidler and Douthwaite spoke in favor of the amendments, and they were adopted.

House Bill No. 812 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 812 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 812, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Keller, Knedlik, Newhouse, Salatino, Smith.

Engrossed House Bill No. 812, having received the 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. 1232, by Representative Gaines:

Permitting catalytic converters to be removed from emergency vehicles.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 29th Day ex. sess., April 8, 1977.)

Mr. Conner moved adoption of the committee amendment.

Representatives Conner, Wilson and Hansen spoke in favor of the committee amendment, and Mr. Charnley spoke against it.

Mr. Conner spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Conner, I would assume the Federal Environmental Protection Agency probably has rules and regulations, if not laws, prohibiting the removal of catalytic converters from exhaust systems. The language on line 11 reads, '...any catalytic converter in the exhaust system of any such vehicle may be lawfully removed.' If there is a federal law existing it seems we are building in a conflict. How is this resolved?"

Mr. Conner: "The federal rules and regulations do have that; however, the representative from the Department of Ecology did speak to us about the possibility of the loss of the federal funding, but the committee felt that in line with the evidence submitted in such a graphic manner, the state regulations should not be in effect."

Mr. Douthwaite spoke against the committee amendment.

Representatives Leckenby, Wilson, Gaines and Fancher spoke in favor of the amendment, and Mr. Charnley spoke again in opposition to it.

The committee amendment was adopted.

House Bill No. 1232 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 602, by Representatives Polk, Shinpoch, Amen, Thompson, Flanagan, Greengo and Sanders (by Legislative Budget Committee request to Implement Performance Audit Recommendations):

Providing for salary surveys and incentive pay for public employees.

On motion of Mr. Shinpoch, Second Substitute House Bill No. 602 was substituted for House Bill No. 602, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 602 was read the second time.

On motion of Ms. Sommers, the following amendments by Representatives Sommers and Ehlers were adopted:

On page 6, line 13 strike "to men and women who hold" and insert "for"

On page 16, line 3 strike "to men and women who hold" and insert "for"

Mr. Polk moved adoption of the following amendment by Representatives Polk and Shinpoch:

On page 8, line 31 insert a new subsection as follows:

"(3) Total dollar appropriations for state salary increases shall take into consideration amounts appropriated to fund salary step increments for length of service authorized by RCW 41.06.150 as now or hereafter amended."

Representatives Polk and Shinpoch spoke in favor of the amendment, and Representatives Charette and Keller spoke against it.

Representatives Polk and Shinpoch spoke again in favor of the amendment, and Representative Charette spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Polk and Shinpoch to Second Substitute House Bill No. 602, and the amendment was adopted by the following vote: Yeas, 56; nays, 37; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Berentson, Blair, Bond, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Kilbury, Knedlik, Knowles, Leckenby, Lee, Martinis, McCormick, Nelson G. A., Newhouse, North, O'Brien, Oliver, Polk, Sanders, Schmittens, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Boldt, Burns, Charette, Ehlers, Enbody, Erak, Erickson, Fischer, Grier, Grimm, Gruger, Heck, Hughes, Keller, King, Kreidler, Lux, Lysen, Maxie, May, Moreau, Nelson D., Owen, Pardini, Paris, Pearsall, Pruitt, Salatin, Thompson, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Conner, Douthwaite, Eng, McKibbin, Patterson.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Shinpoch:

On page 18, line 23 insert a new subsection as follows:

"(3) Total dollar appropriations for state salary increases shall take into consideration amounts appropriated to fund salary step increments for length of service authorized by RCW 41.06.150 as now or hereafter amended."

Mr. Polk spoke in favor of the amendment, and Mr. Charette spoke against it.

The amendment was adopted.

Mr. Taller moved adoption of the following amendment:

On page 9, line 9 after "representative" insert "the office of program planning and fiscal management shall analyze the survey results and conduct investigations which may be necessary to arbitrate differences between interested parties regarding the accuracy of collected survey data and the use of such data for salary adjustment"

Representatives Taller and Ehlers spoke in favor of the amendment, and it was adopted.

On motion of Mr. Taller, the following amendment was adopted:

On page 9, after line 16 insert a new paragraph as follows:

"A comprehensive salary and fringe benefits survey plan shall be submitted jointly by the department of personnel and the Washington state patrol to the director of the office of program planning and fiscal management, the committee on ways and means of the senate, the committee on appropriations of the house of representatives and to the legislative budget committee six months before the beginning of each periodic survey. The legislative budget committee shall review and evaluate the survey plan before final implementation."

Second Substitute House Bill No. 602 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

Mr. Pardini moved that the Committee on Energy and Utilities be relieved of House Bill No. 743, and that the bill be placed on the second reading calendar for today.

Mr. Pardini spoke in favor of the motion, and Representatives Lysen and Wilson spoke against it.

POINT OF ORDER

Mr. Ehlers: "I don't believe Representative Wilson is speaking to the motion."

The Speaker (Mr. O'Brien presiding): "It's very difficult under a situation like this to not get into the various points and factions contained in the bill."

Mr. Wilson continued his remarks in opposition to the motion.

Representative Dunlap spoke in favor of the motion, and Representatives Conner, Bond and Lysen spoke against it.

The motion was lost.

HOUSE BILL NO. 1194, by Representatives Adams, Lux, Pruitt, Whiteside, Barr and Haley:

Assessing a penalty fee for late renewal of licenses for vendors of prophylactics.

On motion of Mr. Adams, Substitute House Bill No. 1194 was substituted for House Bill No. 1194, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1194 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1194 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1194, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes,

Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Martinis, Pardini, Patterson, Tilly.

Substitute House Bill No. 1194, having received the 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. 120, by Representatives Warnke, Greengo, Paris, Gaines, Dunlap, Bond, Fancher, Knedlik, Leckenby, Salatino and Struthers:

Establishing a business license center.

On motion of Mr. Warnke, Substitute House Bill No. 120 was substituted for House Bill No. 120, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 120 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 120 was placed on final passage.

Representatives Warnke, Owen, Greengo and Salatino spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 120, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Ehlers, Eng, Hurley G. S.

Substitute House Bill No. 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.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:
 HOUSE BILL NO. 98,
 SENATE BILL NO. 2097,
 SENATE BILL NO. 2258,
 SUBSTITUTE SENATE BILL NO. 2431,
 SENATE BILL NO. 2478.

SECOND READING

HOUSE BILL NO. 63, by Representatives Ehlers, Nelson (Gary) and Sommers:

Establishing a program of training and career development for state civil service employees.

On motion of Mr. Ehlers, Second Substitute House Bill No. 63 was substituted for House Bill No. 63, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 63 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 63 was placed on final passage.

Representatives Ehlers and Taller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 63, and the bill passed the House by the following vote: Yeas, 79; nays, 0; not voting, 19.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Chandler, Charnley, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Bond, Burns, Charette, Clayton, Deccio, Eng, Erak, Flanagan, Hughes, Martinis, Maxie, McKibbin, Moreau, Oliver, Owen, Valle, Vrooman, and Mr. Speaker.

Second Substitute 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. 316, by Representatives Fortson, Adams, Pruitt, Kreidler, Lux, Pearsall, Hanna and Knedlik:

Revising licensing requirements for nursing home administrators.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 34th Day ex. sess., April 13, 1977.)

On motion of Mr. Kreidler, the committee amendment was adopted.

House Bill No. 316 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 316 was placed on final passage.

Mrs. Fortson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 316, and the bill passed the House by the following vote: Yeas, 77; nays, 7; not voting, 14.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Greengo, Haley, Pardini, Polk, Smith, Zimmerman.

Not voting: Representatives Adams, Burns, Eng, Erak, Hughes, Knowles, Leckenby, Moreau, Oliver, Owen, Shinoda, Vrooman, Wilson, Winsley.

Engrossed House Bill No. 316, having received the 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. 664, by Representatives Keller, Knowles, North and Enbody:

Permitting municipal courts to be established or terminated at any time.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 664 was placed on final passage.

Mr. Keller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 664, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bauer, Berentson, Deccio, Eng, Erak, Hughes, Moreau, Oliver, Salatino, Wilson.

House Bill No. 664, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) called on Mr. Charette to preside.

HOUSE BILL NO. 741, by Representatives O'Brien, Berentson, Hurley (Margaret), Lysen, Moreau and King:

Reducing property tax recapture penalties on schools and colleges which cease to exist.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 741 was substituted for House Bill No. 741, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 741 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 741 was placed on final passage.

Mr. O'Brien spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 741, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Adams, Eng, Moreau, Salatino.

Substitute House Bill No. 741, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 878, by Representatives Schmitten, Heck, Boldt, Kilbury and Tilly:

Establishing and defining five commissioner PUD's and three commissioner PUD's.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 27th Day ex. sess., April 6, 1977.)

On motion of Mr. Lysen, the committee amendments were adopted.

House Bill No. 878 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 878 was placed on final passage.

Mr. Schmitten spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 878, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Martinis, Sherman.

Not voting: Representatives Bond, Eng, Moreau, Newhouse, Salatino.

Engrossed House Bill No. 878, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 912, by Representatives Lee, North, Whiteside and Paris:

Establishing disposition procedures for unclaimed personal property.

On motion of Mr. Thompson, Substitute House Bill No. 912 was substituted for House Bill No. 912, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 912 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 912 was placed on final passage.

Mrs. Lee spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 912, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Newhouse.

Not voting: Representatives Bond, Eng, Moreau, Salatino, and Mr. Speaker.

Substitute House Bill No. 912, having received the 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. 1190, by Representatives Thompson, Valle, Sherman and Burns:

Modifying the law on the boundary review board.

On motion of Mr. Thompson, Substitute House Bill No. 1190 was substituted for House Bill No. 1190, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1190 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1190 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Thompson, on page 3 of the additional language added, as far as what they must be consistent with, would you not consider that this greatly reduces the functioning and the authority and power of a boundary review board?"

Mr. Thompson: "It may reduce their power, Representative Zimmerman, inasmuch as the boundary review board would be more answerable to the local legislative authority, but it would enhance their function."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1190, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Dunlap, Fancher, Flanagan, Oliver, Paris, Zimmerman.

Not voting: Representatives Bond, Pardini.

Substitute House Bill No. 1190, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien resumed the Chair.

HOUSE BILL NO. 1227, by Representatives Charette, Shipoch, Williams and Taller:

Permitting vendors one hundred twenty days to file for reimbursement from the department of social and health services.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 1227 was placed on final passage.

Mr. Charette spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1227, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representative Flanagan.

House Bill No. 1227, having received the 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. 1234, by Representatives Thompson and Patterson.

Making governing body of associated students at institutions of higher education subject to open public meetings act.

The bill was read the second time.

On motion of Ms. Erickson, Substitute House Bill No. 1234 was substituted for House Bill No. 1234, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1234 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1234 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Fischer.

Mr. Fischer: "I'm curious if the student body organizations spend any public funds or have any public funds, or is that their own money?"

Mr. Thompson: "Yes, they do have authority over spending public funds."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1234, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Pardini, Struthers.

Not voting: Representative Bond.

Substitute House Bill No. 1234, having received the 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. 1278, by Representatives Whiteside, Adams, Tilly, Berentson, Newhouse, Fortson, Shipoch, Craswell, Oliver, Schmitten, Gruger, Taller, Deccio, Clayton, Gilleland, Wilson, Walk and Winsley:

Authorizing local governments to use state and local funds for senior citizen and other programs.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1278 was substituted for House Bill No. 1278, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1278 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1278 was placed on final passage.

Mr. Whiteside spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1278, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Charette.

Not voting: Representatives Berentson, Lux, Polk.

Substitute House Bill No. 1278, having received the 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. 1323, by Representatives McKibbin, Bauer, Wilson, Sommers, Clemente, Nelson (Gary), Shipoch, Blair, Hawkins, Whiteside, Schmitt, Pardini, Ehlers, Boldt, Bender, King, Sherman, Erickson, Enbody, Dunlap, Warnke, Salatino, Hughes, Haley, Heck, Gaines and Taller:

Requiring the legislative budget committee to compile and publish a report of all personal services contracts.

The bill was read the second time.

On motion of Mr. Shipoch, Substitute House Bill No. 1323 was substituted for House Bill No. 1323, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1323 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1323 was placed on final passage.

Mr. McKibbin spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. McKibbin yielded to question by Mr. Pardini.

Mr. Pardini: "On line 11 it says, 'The full name and personal business address of the individual partnership, association or other entity...' If we had a personal services contract awarded to Ajax Incorporated or something, is it your intent, and the intent of the sponsors of this bill, that at least one of the principle officers of the corporation or association be identified?"

Mr. McKibbin: "The intent of this subsection is to clarify. Currently, when the contracts are written into the books, names are abbreviated because of the length of the names of them. If there's a large number of people in the firm—if it's a law firm, for instance—they would abbreviate down to two. This is to provide that we would know all the individuals that are members of that firm. In a corporation I would suspect it would include just the full name."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1323, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Sanders, Whiteside.

Not voting: Representatives Bond, Deccio.

Substitute House Bill No. 1323, having received the 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

It was my intent to vote "Yea" on this bill.

PAUL SANDERS, 48th District.

HOUSE CONCURRENT RESOLUTION NO. 30, by Representatives Shinoda, Owen, Oliver, Enbody, Struthers, Nelson (Dick), Schmitt, Pruitt, Craswell, Hughes, Taller, Salatino, Walk, Grimm, Fuller, Burns, Winsley, Keller, Heck, Fancher, Pearsall, Barr, Clayton, Sanders, Grier, Knedlik, Kreidler, Vrooman, Erak and Gruger:

Proposing start of electoral and fiscal biennia in alternate years.

The resolution was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 30 was placed on final passage.

Mr. Shinoda spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 30, and the resolution was adopted by the following vote: Yeas, 85; nays, 8; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charney, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, Eng, Flanagan, Hawkins, Heck, Leckenby, Pardini, Walk.

Not voting: Representatives Gruger, Hansen, Hurley G. S., Kreidler, Maxie.

House Concurrent Resolution No. 30, having received the constitutional majority, was declared passed.

REENGROSSED HOUSE BILL NO. 2418, by Senators Walgren, Murray, Woody, Clarke and Henry:

Revising the laws relating to criminal justice training.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 36th Day ex. sess., April 15, 1977.)

Mr. Owen moved adoption of the following amendment by Representatives Owen, Barr, Erak, Hanna, Barnes and North:

On page 2, immediately following line 8 strike the remainder of the bill and insert the following new language:

"(1) All law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080 and 43.101.160. Such training shall be successfully completed during the first fifteen (15) months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment.

(2) The commission shall provide the aforementioned training together with necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week. Additionally, the commission shall reimburse to participating law enforcement agencies with ten or less full time commissioned patrol officers, the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during his training period.

NEW SECTION. Sec. 3. There is added to chapter 43.101 RCW a new section to read as follows:

(1) Costs of criminal justice training shall be borne in part by those who necessitate the establishment and maintenance of the criminal justice system.

(2) In each instance of bail forfeiture attendant to any violation of a law of this state or an ordinance of a city or county except an ordinance relating to vehicles unlawfully left or parked, an assessment which shall be in addition to such bail forfeited shall be collected and forwarded within thirty days of receipt of such assessment by the clerk of the court, or the county treasurer, to the state treasurer to be deposited in an account within the state general fund to be known as the criminal justice training account, hereby created, funds from which shall be appropriated by law to the Washington state criminal justice training commission as established by chapter 43.101 RCW. The amount of the assessment shall be as follows:

- (a) When forfeiture is ten dollars to nineteen dollars and ninety-nine cents, three dollars;
- (b) When forfeiture is twenty dollars to thirty-nine dollars and ninety-nine cents, five dollars;
- (c) When forfeiture is forty dollars to fifty-nine dollars and ninety-nine cents, seven dollars;
- (d) When forfeiture is sixty dollars to ninety-nine dollars and ninety-nine cents, twelve dollars; and
- (e) When forfeiture is one hundred dollars or more, fifteen dollars.

(3) When any deposit of bail is made for a violation to which this section applies, the person making such deposit shall also deposit a sufficient amount to include the assessment prescribed in subsection (2) of this section.

(4) When bail is forfeited, the assessment prescribed in this section shall be forwarded to the state treasurer pursuant to this section. If bail is returned, the assessment made thereon shall also be returned."

Representatives Owen, North, Barr and Hanna spoke in favor of the amendment, and Mr. Blair spoke against it.

The amendment was adopted.

Reengrossed Senate Bill No. 2418 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2159, by Senators Woody, Clarke, Day, Sellar and Hayner:

Permitting a counterclaim for malicious prosecution in the principal action.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 15th Day ex. sess., March 25, 1977.)

Mr. Knowles moved adoption of the committee amendment.

Representatives Knowles, Knedlik and Smith spoke in favor of the committee amendment, and Representatives Charette, Haley and Newhouse spoke against it.

Mr. Knowles spoke again in favor of the amendment, and Mr. Charette spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Engrossed Senate Bill No. 2159, and the amendment was not adopted by the following vote: Yeas, 45; nays, 47; not voting, 6.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Fischer, Grier, Gruger, Hansen, Hawkins, Heck, Hughes, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Maxie, May, McCormick, McKibbin, Nelson D., North, Oliver, Owen, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Barr, Berentson, Blair, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grimm, Haley, Hurley M., Keller, Kreidler, Lysen, Martinis, Moreau, Nelson G. A., Newhouse, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Dunlap, Gallagher, Hanna, Hurley G. S., Vrooman, and Mr. Speaker.

Engrossed Senate Bill No. 2159 was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2325, by Senators Wilson, Talley, Sellar, Bluechel, Walgren, McDermott, Guess, North, Rasmussen, Bailey and Fleming:

Requiring the preparation of fiscal notes on proposed legislation relating to cities, towns, counties, and other units of local government.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 33rd Day ex. sess., April 12, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2325 as amended by the House was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2325 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Bond, Hurley G. S., Nelson G. A., Polk, Smith, Wilson.

Engrossed Senate Bill No. 2325 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. 2200, by Senators Sandison, Ridder and Odegaard (by Department of Natural Resources request):

Creating a resource management land bank.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2387, by Senators Grant and Morrison (by Department of Labor and Industries request):

Regulating mobile homes.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2387 was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Ehlers.

Mr. Ehlers: "It's my understanding that with the federal regulations the federals will come in and, in fact, inspect the mobile homes that are being manufactured?"

Mr. Warnke: "That's true."

Mr. Ehlers: "If that's the case then our need for having the Department of Labor and Industries inspect the homes would no longer be necessary. Wouldn't we save money if the federals come in and did the inspections and we would not have to have employees from the Department do the inspections?"

Mr. Warnke: "No, I don't think we would save any money, because presently L&I has a team of inspectors that are traveling with the feds and are inspecting in other states as well as the state of Washington. With the adoption of the act, those inspectors will probably stay within the state."

Mr. Ehlers: "If I understand then, if we did not have to have inspectors by L&I, the federal inspectors would then continue to inspect the mobile homes and we would not really find it necessary to have those inspectors. Wouldn't we save money then? Wouldn't the federals be able to carry out the inspection and verify that everything is fine, is of good construction and fire-safe, etc.?"

Mr. Warnke: "We would not be losing federal support nor would we not be spending state dollars because we are presently, even if we don't adopt this act, using some state inspectors traveling with the federal inspectors. Those dollars are being spent presently. If the act does not pass we still will have some state inspectors that are doing inspections."

Mr. Ehlers spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2387, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Dunlap, Ehlers, Gilleland, Williams, Zimmerman.

Not voting: Representatives Bond, Pardini.

Engrossed Senate Bill No. 2387, having received the 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. 746, by Representative Thompson:

Modifying terms of office of members of county legislative authorities.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 19th Day ex. sess., March 29, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

On motion of Mr. Thompson, the following amendment was adopted:

On page 1, beginning on line 22 after "issued" strike all the matter down to and including "law" on line 27

House Bill No. 746 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 746 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 746, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnea, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representatives Boldt, Bond, Deccio, McKibbin, Pardini, Salatino.

Engrossed House Bill No. 746, having received the 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. 249, by Representatives Hanna and Fischer:

Requiring participation in an alcohol program and administration of antabuse upon a second drunk driving conviction.

The bill was read the second time.

On motion of Mr. Hanna, Substitute House Bill No. 249 was substituted for House Bill No. 249, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 249 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 249 was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 249, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch,

Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Knedlik, Pardini.

Substitute House Bill No. 249, having received the 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. 1213, by Representative Bender:

Authorizing housing authorities to purchase mortgage loans.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1213 was substituted for House Bill No. 1213, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1213 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1213 was placed on final passage.

Mr. Bender spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1213, and the bill passed the House by the following vote: Yeas, 83; nays, 8; not voting, 7.

Voting yea: Representatives Adams, Barnes, Barr, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Flanagan, Leckenby, Nelson G. A., Patterson, Polk, Zimmerman.

Not voting: Representatives Bauer, Boldt, Charnley, Clayton, McKibbin, Pardini, Tilly.

Substitute House Bill No. 1213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. King, the House advanced to the eighth order of business.

Mr. Bender moved that **SUBSTITUTE HOUSE BILL NO. 1327** be rereferred from Committee on Appropriations to Committee on Rules.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to rerefer Substitute House Bill No. 1327 from Committee on Appropriations to Committee on Rules, and the motion carried by the following vote: Yeas, 60; nays, 33; not voting, 5.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Gallagher, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fortson, Gilleland, Greengo, Grimm, Hansen, Hurley M., Leckenby, Lee, Nelson G. A., Newhouse, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Walk, Warnke, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Boldt, Ehlers, Oliver, and Mr. Speaker.

MOTION

Mr. Polk moved that the Message from the Senate on Engrossed Substitute House Bill No. 960 be read in.

Mr. Polk spoke in favor of the motion.

The motion was lost.

RESOLUTION

HOUSE RESOLUTION NO. 77-27, by Representatives Deccio, Adams, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley (George), Hurley (Margaret), Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson (Dick), Nelson (Gary), Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley and Zimmerman.

WHEREAS, Will Bachofner has been an outstanding example of a public servant who has devoted many years of exemplary service to the people of the State of Washington in his service as a member of the Washington State Patrol; and

WHEREAS, Those years have been unblemished and have exhibited the high ideals we all like to see in public service; and

WHEREAS, Will Bachofner has elected to retire from his position as Chief of the Washington State Patrol; and

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington commend and cite Chief Will Bachofner for his long devotion to the high standards of law enforcement and join with the citizens of the State of Washington for a job well done;

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to Chief Will Bachofner.

On motion of Mr. Deccio, the resolution was adopted.

MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Friday, April 29, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 29, 1977.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Flanagan and Oliver, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Virginia Keys and Paul Rhodes. Prayer was offered by Reverend Richard Hart 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.

MESSAGES FROM THE SENATE

April 27, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 573,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 28, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2383,

ENGROSSED SENATE BILL NO. 2480,

ENGROSSED SENATE BILL NO. 2516,

SENATE BILL NO. 2927,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3027,

ENGROSSED SENATE BILL NO. 3058,

SENATE BILL NO. 3060,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3098,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 28, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 117,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 28, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2029,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "Could you tell us the physical location of Engrossed Substitute House Bill No. 960? We notice that it's listed on the third order of business and it would seem to us that it is before the body, but if that's not the case, would you tell us if the Chief Clerk has it under his cushion, whether it's in someone's pocket, got lost on the way over here or just where it is?"

The Speaker: "I believe there's a copy of Engrossed Substitute House Bill No. 960 in every billbook, Representative Berentson."

Mr. Berentson: "We're talking now, Mr. Speaker, about the Message from the Senate."

The Speaker: "We haven't read the message yet."

MOTION

Mr. Berentson moved that the Message from the Senate regarding Engrossed Substitute House Bill No. 960 be immediately read in.

The motion was lost.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2383, by Committee on Ways and Means (Originally sponsored by Senators Woody, Donohue, Scott and Clarke - by Legislative Budget Committee request):

Providing for salary surveys and incentive pay for public employees.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2480, by Senators Ridder, Grant and Bailey (by Department of Employment Security request):

Revising the law on unemployment compensation.

To Committee on Labor

ENGROSSED SENATE BILL NO. 2516, by Committee on Agriculture (Endorsed by Senators Gaspard, Benitz, Wilson, Day and Wanamaker):

Revising the laws relating to apiaries.

To Committee on Agriculture

SENATE BILL NO. 2927, by Senator von Reichbauer:

Changing the time when animals are deemed abandoned.

To Committee on Local Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 3027, by Committee on Judiciary (Originally sponsored by Senators Monohon and Marsh):

Authorizing juvenile authorities to require delinquent children to repair damage done.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 3058, by Senators Sellar, Wilson and Wanamaker:

Authorizing coverage of volunteer law enforcement officers under the industrial insurance laws.

To Committee on Labor

SENATE BILL NO. 3060, by Senators Beck, Cunningham and Henry:

Permitting motor vehicle headlamps which meet international standards.

MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Bill No. 3060 was advanced to second reading and read the second time in full.

On motion of Mr. King, further consideration of Senate Bill No. 3060 was deferred, and the bill was ordered placed at the top of today's second reading calendar of Senate bills.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3098, by Committee on Financial Institutions and Insurance (Originally sponsored by Senator Herr):

Excluding certain information from driving record abstracts furnished to insurance companies.

To Committee on Insurance

SENATE CONCURRENT RESOLUTION NO. 117, by Senators Walgren, Sandison, Matson and Newschwander:

Amending Senate Concurrent Resolution No. 113.

MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 117 was advanced to second reading and read the second time in full.

On motion of Mr. King, further consideration of Senate Concurrent Resolution No. 117 was deferred, and the resolution was ordered placed on the second reading calendar of Senate bills.

REPORTS OF STANDING COMMITTEES

April 26, 1977

ENGROSSED SENATE BILL NO. 2215, Prime Sponsor: Senator Francis, revising probate laws. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 22 strike all of section 1 and renumber the remaining sections consecutively.

On page 7, beginning on line 17 after "all claims" strike "not exceeding one thousand dollars"

On page 7, after line 25, strike all of subsection (2) through line 3, page 8 and insert the following:

"(2) Notwithstanding the provisions of subsection (1) of this section the court shall grant a petition by a personal representative to reject a claim in whole or in part at any time prior to the termination of probate proceedings, but only after notice and hearing, and only upon a finding that to deny such petition would effectuate a manifest injustice."

On page 1, beginning on line 1 of the title, after "probate;" strike all material down to and including "11.12.050;" on line 2.

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Winsley.

To Committee on Rules for second reading.

April 28, 1977

SENATE BILL NO. 2444, Prime Sponsor: Senator Goltz, authorizing an involuntary sustained treatment program for recidivist alcoholics. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, line 7 strike "place" and insert "~~(place)~~ county"

Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

April 27, 1977

SUBSTITUTE SENATE BILL NO. 2529, Prime Sponsor: Senator Henry, modifying procedures for construction and maintenance of highways. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Burns, Charnley, Clayton, Dunlap, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2668, Prime Sponsor: Senator Marsh, enacting a Landlord-Tenant act for mobile home lots. Reported by Committee on Judiciary.

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. This chapter shall be known and may be cited as the 'Mobile Home Landlord-Tenant Act'.

'NEW SECTION. Sec. 2. Every duty under this chapter and every act which must be performed as a condition precedent to the exercise of a right or remedy under this chapter imposes an obligation of good faith in its performance or enforcement.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout this chapter.

(1) 'Landlord' means the owner of real property rented or held out for rent to others for the placement of two or more mobile homes, and includes the agents of a landlord.

(2) 'Mobile home' means a transportable, factory-assembled dwelling unit designed to be used as and suitable for year-round occupancy and containing similar facilities for water supply, waste disposal, and electrical conveniences as for immobile housing.

(3) 'Mobile home lot' means a portion of a mobile home park designated as the location of one mobile home and its accessory buildings, and intended for the exclusive use of the occupants of that mobile home.

(4) 'Mobile home park' means any real property which is rented or held out for rent as the location for two or more mobile homes for dwelling purposes.

(5) 'Owner' means one or more persons, jointly or severally, in whom is vested (a) all or part of the legal title to property; or (b) all or part of the beneficial ownership, and a right to present use and enjoyment of the property.

(6) 'Person' means an individual, group of individuals, corporation, estate, trust, partnership or association, two or more persons having a joint or common interest, or any other legal or commercial entity.

(7) 'Premises' means the grounds and facilities of the mobile home park held out for the common use of tenants and vacant mobile home lots, but not including rented mobile home lots or vacant lands adjacent to the mobile home park.

(8) 'Reasonable attorney's fees', where authorized in this chapter, means an amount to be determined which shall reflect the following factors: The time and labor required, the novelty and difficulty of the questions involved, the skill requisite to perform the legal service properly, the fee customarily charged in the locality for similar legal services, the amount involved and the results obtained, and the experience, reputation, and ability of the lawyer or lawyers performing the services.

(9) 'Rental agreement' means any contract or lease which establishes or modifies the terms, conditions, rules, regulations, or other provisions concerning the use of a mobile home lot and the occupancy of a mobile home thereon.

(10) 'Rent' means money or any other valuable consideration given for the right of use, possession, or occupation of a mobile home lot.

(11) 'Tenant' means any person, except a transient, who is entitled to occupy a mobile home on a mobile home lot pursuant to a rental agreement.

(12) 'Transient' means a person who rents a mobile home lot for a period of less than one month.

NEW SECTION. Sec. 4. This chapter shall regulate and determine legal rights, remedies, and obligations arising from any rental agreement between a landlord and a tenant regarding a mobile home lot. All such rental agreements shall be unenforceable to the extent of any conflict with any provision of this chapter. Chapter 59.12 RCW shall be applicable only in implementation of the provisions of this chapter and not as an alternative remedy to this chapter which shall be exclusive where applicable: PROVIDED, That the provisions of RCW 59.12.090, 59.12.100, and 59.12.170 shall not apply to any rental agreement included under the provisions of this chapter. RCW 59.18.370 through 59.18.410 shall be applicable to any action of forcible entry or detainer or unlawful detainer arising from a tenancy under the provisions of this chapter.

NEW SECTION. Sec. 5. Each landlord shall notify his tenants in writing on or before November 1, 1977, that all rental agreements entered into thereafter for a term of six months or longer must be in writing and that a written one year rental agreement, conforming to the requirements of this chapter, is available upon request by the tenant: PROVIDED, That in the case of a mobile home park or part thereof acquired for construction of a public works project, or under imminent threat of condemnation for a public works project, such one year rental agreements need not be offered by the landlord. A tenant or prospective tenant may elect to execute a rental agreement for less than a one year term. If a one year rental agreement is executed, no landlord shall allow a mobile home to be moved into a mobile home park until the written rental agreement has been signed by both the landlord and tenant and a copy provided to the tenant.

NEW SECTION. Sec. 6. (1) All rental agreements executed between landlord and tenant shall contain:

(a) The terms for the payment of rent, including time and place, and any additional charges to be paid by the tenant to the landlord. Additional charges payable by the tenant to the landlord that occur less frequently than monthly shall be itemized in a billing to the tenant;

(b) The rules and regulations of the park including rules for guest parking;

(c) The terms and conditions under which any deposit or portion thereof may be withheld by the landlord upon termination of the rental agreement if any moneys are paid to the landlord by the tenant as a deposit or as security for performance of the tenant's obligations in a rental agreement;

(d) A list of all services, facilities, and amenities that the landlord will provide, whether at the commencement of the tenancy or thereafter, including the approximate dates of completion or availability of such services, facilities, and amenities as are contemplated or under construction; and

(e) The name and address of the person who is the landlord and, if such person does not reside in Washington state, the name and address of a person who is authorized to act as agent of the landlord for the purpose of service of notices and process. If no designation is made of a person to act as agent, then the person to whom rental payments are to be made shall be considered such agent;

(2) Rental agreements between a landlord and tenant shall not contain:

(a) Any provision which permits the landlord to evict a tenant or charge a penalty fee for late payment of rent or other charges prior to five days beyond the date on which the rent or other charges are due;

(b) Any provision which permits the landlord to charge a penalty fee for late payment of rent or other charges in excess of five dollars per month or five percent of the total amount of rent or other charges due, whichever is greater;

(c) Any provision which allows the landlord to increase the rent or alter the due date for rent payment during the term of the rental agreement: PROVIDED, That a rental agreement may include an escalation clause for a pro rata share of any increase in the mobile home park's real property taxes or utility assessments or charges, over the base taxes or utility assessments or charges of the year in which the rental agreement took effect, if the clause also provides for a pro rata reduction in rent or other charges in the event of a reduction in real property taxes or utility assessments or charges, below the base year;

(d) Any provision allowing the landlord to charge an amount in excess of two months' rent in advance and an amount in excess of one month's rent as a security deposit;

(e) Any provision by which the tenant agrees to waive or forego rights or remedies under this chapter;

(f) Any provision allowing the landlord to charge an 'entrance fee' or an 'exit fee';

(g) Any provision by which the tenant agrees to the exculpation or limitation of any liability of the landlord arising under law, or to indemnify the landlord for that liability or the costs connected therewith; or

(h) Any provision by which the tenant agrees to pay the attorney's fees of the landlord, except as authorized in this chapter; and

(3) A provision in a rental agreement prohibited by subsection (2) of this section is unenforceable. If a landlord attempts to enforce any provision known by him to be prohibited, the tenant may recover actual damages sustained by him and reasonable attorney's fees.

NEW SECTION. Sec. 7. (1) Rental agreements shall be automatically renewed unless:

(a) Otherwise agreed in the original rental agreement; or

(b) The landlord gives the tenant written notice, not less than two months prior to the expiration of a rental agreement for a fixed term and not less than thirty days prior to the expiration of a month-to-month rental agreement, that:

(i) The rental agreement will be renewed only upon the tenant's acceptance of the new terms specified in the notice; or

(ii) The rental agreement will be terminated upon its expiration date for due cause as specified in the notice: PROVIDED, That due cause shall be limited to one or more of the reasons enumerated in section 14 of this act; or

(iii) The rental agreement will be terminated upon its expiration date due to a change in land use to other than a mobile home park.

(2) After receipt of a notice which conditions renewal of the rental agreement upon acceptance by the tenant of new terms, the tenant shall notify the landlord in writing if the tenant does not intend to renew the rental agreement:

(a) Not less than thirty days prior to the expiration of a rental agreement for a fixed term; or

(b) Not less than fifteen days prior to the expiration of a month-to-month rental agreement.

(3) Failure of the tenant to notify the landlord as specified in subsection (2) of this section shall result in automatic renewal of the rental agreement on a month-to-month basis, including the terms specified in the landlord's notice.

NEW SECTION. Sec. 8. Rules and regulations contained in a rental agreement may be amended or supplemented by the landlord during the term of a rental agreement only:

(1) Upon six months' written notice; or

(2) With the written consent of the tenant.

However, written regulations pertaining to recreational facilities may be reasonably amended at the landlord's discretion.

NEW SECTION. Sec. 9. It shall be the duty of the tenant to:

(1) Keep the mobile home lot in a clean and sanitary condition, and dispose of all rubbish and garbage in a sanitary manner;

(2) Not permit a nuisance or commit waste;

(3) Abide by all rules or regulations of the mobile home park as contained in the rental agreement or as amended subsequently; and

(4) Give the landlord prompt written notice of needed repairs or complaints.

NEW SECTION. Sec. 10. It shall be the duty of the landlord to:

(1) Maintain the mobile home park to substantially comply with any applicable code, statute, ordinance, or regulation governing its maintenance or operation, which the legislative body enacting the applicable code, statute, ordinance or regulation could enforce as to the premises rented;

(2) Keep the premises reasonably clean, sanitary, and safe from defects to reduce the hazards of fire, accident, or disease;

(3) Indicate each mobile home lot in the park so as to make clear each tenant's area of responsibility;

(4) Keep the premises free of weeds or plant growth noxious and detrimental to the health of the tenants;

(5) Keep the premises free of infestation by insects, rodents, and other pests detrimental to the health of the tenants;

(6) Maintain all electrical, water, sewer, gas, or other utilities provided by the landlord in reasonably good working condition;

(7) Maintain roads within the mobile home park in reasonably good condition; and

(8) Provide adequate space for parking which does not block traffic on any road.

NEW SECTION. Sec. 11. Improvements, except a natural lawn, purchased and installed by a tenant on a mobile home lot shall remain the property of the tenant even though affixed to or in the ground and may be removed or disposed of by the tenant at the termination of the tenancy: **PROVIDED**, That a tenant shall leave the mobile home lot in substantially the same or better condition than upon taking possession.

NEW SECTION. Sec. 12. A landlord shall not:

(1) Prohibit meetings by tenants of a mobile home park to discuss mobile home living and affairs, conducted at reasonable times and in an orderly manner, on the premises, nor penalize any tenant for participation in such activities;

(2) Deny any tenant the right to sell such tenant's mobile home within a park or require the removal of the mobile home from the park solely because of the sale thereof: **PROVIDED**, That:

(a) A rental agreement for a fixed term shall be assignable by the tenant to any person to whom he sells or transfers title to the mobile home, subject to the approval of the landlord after fifteen days' written notice of such intended assignment;

(b) The assignee of the rental agreement shall assume all the duties and obligations of his assignor for the remainder of the term of the rental agreement unless, by mutual agreement, a new rental agreement is entered into with the landlord; and

(c) The landlord shall approve or disapprove of the assignment of a rental agreement on the same basis that the landlord approves or disapproves of any new tenant, except that the landlord may, pursuant to a program to upgrade the quality of the mobile home park, disapprove the assignment of the rental agreement if the mobile home is less than ten feet in width, more than ten years old, or in a run-down condition;

(3) Enter any tenant's mobile home without permission of the tenant: **PROVIDED**, That in case of emergency or abandonment the landlord may enter the mobile home without the tenant's consent;

(4) Restrict the tenant's freedom of choice in purchasing goods or services: **PROVIDED**, That door-to-door solicitation in the mobile home park may be prohibited or restricted in the rental agreement;

(5) Terminate a rental agreement for the primary purpose of making the mobile home lot available to another person; or

(6) Tow or impound a vehicle located on the premises except after reasonable effort by the landlord to notify the owner or operator thereof.

NEW SECTION. Sec. 13. If the tenant substantially fails to carry out the duties imposed by section 9 or 11 of this act, the landlord may bring an action in an appropriate court, or at arbitration if so agreed, for any remedy provided under this chapter or otherwise provided by law.

NEW SECTION. Sec. 14. A tenant may be evicted only for one or more of the following reasons:

(1) Substantial or repeated violation of the rules and regulations of the mobile home park as contained in the rental agreement or as subsequently amended, or of any other condition or covenant of the rental agreement, other than one for the payment of rent. The tenant shall be given a ten day written notice in which to comply or vacate. In the case of periodic rather than continuous violation, said notice shall specify that the same violation repeated shall result in eviction;

(2) Nonpayment of rent or additional charges specified in the rental agreement, upon five days' written notice to pay rent or to vacate;

(3) Conviction of the tenant of a misdemeanor, gross misdemeanor, or felony under federal, state, or local law, the commission of which threatens the health, safety, or welfare of the other mobile home park tenants, upon three days' written notice by the landlord to vacate.

NEW SECTION. Sec. 15. (1) The landlord shall not take or threaten to take reprisals or retaliatory action against the tenant because of any good faith and lawful:

(a) Complaints or reports by the tenant to a governmental authority concerning the failure of the landlord to substantially comply with any code, statute, ordinance, or regulation governing the maintenance or operation of the mobile home park;

(b) Assertions or enforcement by the tenant of his rights and remedies under this chapter.

(2) 'Reprisal or retaliatory action' shall mean and include but not be limited to any of the following actions by the landlord when such actions are intended primarily to retaliate against a tenant because of the tenant's good faith and lawful act:

(a) Eviction of the tenant;

(b) Increasing the rent required of the tenant;

(c) Reduction of services to the tenant;

(d) Increasing the obligations of the tenant; or

(e) Termination of a rental agreement.

NEW SECTION. Sec. 16. If the tenant defaults in the payment of rent and reasonably indicates by words or actions his intention not to resume tenancy, he shall be liable for the following for such abandonment: **PROVIDED**, That upon learning of such abandonment of the premises the landlord shall make a reasonable effort to mitigate the damages resulting from such abandonment:

(1) When the tenancy is month-to-month, the tenant shall be liable for the rent for the thirty days following the date the next regular rental payment would have become due.

(2) When the tenancy is for a term greater than month-to-month, the tenant shall be liable for the lesser of the following:

(a) The entire rent due for the remainder of the term; or

(b) All rent accrued during the period reasonably necessary to rerent the premises at a fair rental, plus the difference between such fair rental and the rent agreed to in the prior rental agreement.

In the event of abandonment by the tenant of a mobile home located in the landlord's mobile home park, the landlord may immediately take possession of any property of the tenant located on the mobile home lot, including the mobile home, and may store the same in a secure place.

A notice containing the name and address of landlord and the place where the property is stored must be mailed promptly by the landlord to the last known address of the tenant. After sixty days from the date of default in rent, and after prior notice of such sale is mailed to the last known address of the tenant, the landlord may sell such property and may apply any income derived therefrom against moneys due the landlord, including drayage and storage. Any excess income derived from the sale of such property shall be held by the landlord for the benefit of the tenant for a period of one year from the date of sale, and if no claim is made or action commenced by the tenant for the recovery thereof prior to the expiration of that period of time, the balance shall be the property of the landlord.

(3) In the event of foreclosure on or repossession of a tenant's mobile home, the person entitled to possession of such mobile home shall be liable for rent for the mobile home lot, at the same rate as was charged the tenant, for the month in which he became entitled to such possession and thereafter until the mobile home is removed. The landlord shall have the right to require removal of the mobile home from the mobile home park within thirty days after establishment of legal possession. In the event that the removal is not effected in the time required, the landlord may take possession of and store the mobile home in a secure place and bring an action for damages against the person entitled to possession.

NEW SECTION. Sec. 17. If at any time during the tenancy the landlord fails to carry out the duties required by section 10 of this act, the tenant may, in addition to pursuit of remedies otherwise provided him by law, deliver written notice to the person designated in section 6(1)(e) of this act, which notice shall specify the mobile home park involved, the name of the owner, if known, and the nature of the defective condition. For the purposes of this chapter, a reasonable time for the landlord to commence remedial action after receipt of such notice by the tenant shall be, except where circumstances are beyond the landlord's control:

- (1) Not more than twenty-four hours, where the defective condition deprives the tenant of water or heat or is imminently hazardous to life or health;
- (2) Not more than forty-eight hours, where the landlord fails to provide hot water or electricity;
- (3) Subject to the provisions of subsections (1) and (2) of this section, not more than seven days in the case of a repair under section 19 of this act;
- (4) Not more than thirty days in all other cases.

In each instance the burden shall be on the landlord to see that remedial work under this section is completed with reasonable promptness.

NEW SECTION. Sec. 18. (1) If, after receipt of written notice, and expiration of the applicable period of time, as provided in section 17 of this act, the landlord fails to remedy the defective condition within a reasonable time the tenant may:

- (a) Terminate the rental agreement and quit the premises upon written notice to the landlord without further obligation under the rental agreement, in which case he shall be discharged from payment of rent for any period following the quitting date, and shall be entitled to a pro rata refund of any prepaid rent, and shall receive a full and specific statement of the bases for retaining any of the deposit together with any refund due in accordance with section 24 of this act;
 - (b) Bring an action in an appropriate court, or at arbitration if so agreed, for any remedy provided under this chapter or otherwise provided by law; or
 - (c) Pursue other remedies available under this chapter.
- (2) Not less than fifteen days following written notice to the landlord, a tenant may deposit into escrow the payment of rent while seeking relief for failure of the landlord to carry out the landlord's duties or obligations to the tenant as required by statute, regulation, or ordinance or as set forth in the rental agreement.

NEW SECTION. Sec. 19. (1) If at any time during the tenancy, the landlord fails to carry out any of the duties imposed by section 10 of this act, and notice of the defect is given to the landlord pursuant to section 17 of this act, the tenant may submit to the landlord or his designated agent by certified mail or in person at least two bids to perform the repairs necessary to correct the defective condition from licensed or registered persons, or if no licensing or registration requirement applies to the type of work to be performed, from responsible persons capable of performing such repairs. Such bids may be submitted to the landlord at the same time as notice is given pursuant to section 17 of this act: **PROVIDED**, That the remedy provided in this section shall not be available for a landlord's failure to carry out the duties in section 10(3) of this act.

(2) If the landlord fails to commence repair of the defective condition within a reasonable time after receipt of notice from the tenant, the tenant may contract with the person submitting the lowest bid to make the repair, and upon the completion of the repair and an opportunity for inspection by the landlord or his designated agent, the tenant may deduct the cost of repair from the rent in an amount not to exceed the sum expressed in dollars representing one month's rental of the tenant's mobile home lot in any twelve-month period: **PROVIDED**, That when the landlord must commence to remedy the defective condition within thirty days as provided in section 17(4) of this act, the tenant cannot contract for repairs for at least fifteen days following receipt of said bids by the landlord: **PROVIDED FURTHER**, That the total costs of repairs deducted in any twelve-month period under this subsection shall not exceed the sum expressed in dollars representing one month's rental of the tenant's mobile home lot.

(3) If the landlord fails to carry out the duties imposed by section 10 of this act within a reasonable time, and if the cost of repair does not exceed one month's rent, including the cost of materials and labor, which shall be computed at the prevailing rate in the community for the performance of such work, and if

repair of the condition need not by law be performed only by licensed or registered persons, the tenant may repair the defective condition in a workmanlike manner and upon completion of the repair and an opportunity for inspection, the tenant may deduct the cost of repair from the rent: PROVIDED, That the total costs of repairs deducted in any twelve-month period under this subsection shall not exceed one month's rent of the mobile home lot.

(4) The provisions of this section shall not:

(a) Create a relationship of employer and employee between landlord and tenant; or

(b) Create liability under the workmen's compensation act; or

(c) Constitute the tenant as an agent of the landlord for the purposes of RCW 60.04.010 and 60.04.040.

(5) Any repair work performed under the provisions of this section shall comply with the requirements imposed by any applicable code, statute, ordinance, or regulation. A landlord whose property is damaged because of repairs performed in a negligent manner may recover the actual damages in an action against the tenant.

NEW SECTION. Sec. 20. If the landlord violates any provision of sections 11 or 12 of this act, the tenant may bring an action in an appropriate court, or at arbitration if so agreed, for any remedy provided under this chapter or otherwise provided by law.

NEW SECTION. Sec. 21. (1) No duty shall devolve upon the landlord to repair a defective condition, nor shall any defense or remedy be available to the tenant under this chapter, where the defective condition complained of was caused by the conduct of such tenant, his family, invitee, or other person acting under his control, or where a tenant unreasonably fails to allow the landlord access to the property for purposes of repair.

(2) The tenant shall be current in the payment of rent before exercising any of the remedies accorded him under the provisions of this chapter: PROVIDED, That this section shall not be construed as limiting the tenant's civil remedies for negligent or intentional damages: PROVIDED FURTHER, That this section shall not be construed as limiting the tenant's right in an unlawful detainer proceeding to raise the defense that there is no rent due and owing.

NEW SECTION. Sec. 22. (1) Any written notice required by this chapter to be given to a tenant by a landlord shall be delivered to the tenant personally or mailed to the tenant's last known address.

(2) Any written notice required by this chapter to be given to a landlord by a tenant shall be delivered personally to the landlord or the agent, if any, named in the rental agreement, or mailed to the last known address of the landlord or to the last known address of the agent, if any, named in the rental agreement.

NEW SECTION. Sec. 23. All moneys paid to the landlord by the tenant as a deposit as security for performance of the tenant's obligations in a rental agreement shall promptly be deposited by the landlord in a trust account in a bank, savings and loan association, mutual savings bank, or with a licensed escrow agent located in Washington. Unless otherwise agreed in writing, the landlord shall be entitled to receipt of interest paid on such trust account deposits. The landlord shall provide the tenant with a written receipt for the deposit and shall provide written notice of the name and address and location of the depository and any subsequent change thereof. If during a tenancy the status of landlord is transferred to another, any sums in the deposit trust account affected by such transfer shall simultaneously be transferred to an equivalent trust account of the successor landlord, and the successor landlord shall promptly notify the tenant of the transfer and of the name, address, and location of the new depository. The tenant's claim to any moneys paid under this section shall be prior to that of any creditor of the landlord, even if such moneys are commingled.

NEW SECTION. Sec. 24. Within fourteen days after the termination of the rental agreement and vacation of the mobile home lot, the landlord shall give a full and specific statement of the basis for retaining any of the deposit together with the payment of any refund due the tenant under the terms and conditions of the rental agreement. No portion of any deposit shall be withheld on account of wear resulting from ordinary use of the mobile home lot.

If the landlord fails to give such statement together with any refund due the tenant within the time limits specified above such landlord shall be liable to the tenant for the amount of said deposit.

Nothing in this chapter shall preclude the landlord from proceeding against, and the landlord shall have the right to proceed against, a tenant to recover sums exceeding the amount of the tenant's damage or security deposit for damage to the property for which the tenant is responsible together with reasonable attorney's fees and costs of suit.

NEW SECTION. Sec. 25. In any action arising out of this chapter, the prevailing party shall be entitled to reasonable attorney's fees and costs. Venue for any action arising under this chapter shall be in the district or superior court of the county in which the mobile home lot is located.

NEW SECTION. Sec. 26. 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. 27. There is added to chapter 59.04 RCW a new section to read as follows:

This chapter does not apply to any rental agreement governed under the provisions of chapter ___ RCW (sections 1 through 26 of this act).

NEW SECTION. Sec. 28. There is added to chapter 59.08 RCW a new section to read as follows:

This chapter does not apply to any rental agreement governed under the provisions of chapter ___ RCW (sections 1 through 26 of this act).

NEW SECTION. Sec. 29. There is added to chapter 59.16 RCW a new section to read as follows:

This chapter does not apply to any rental agreement governed under the provisions of chapter ___ RCW (sections 1 through 26 of this act).

NEW SECTION. Sec. 30. There is added to chapter 59.18 RCW a new section to read as follows:

This chapter does not apply to any rental agreement governed under the provisions of chapter — RCW (sections 1 through 26 of this act).

NEW SECTION. Sec. 31. Sections 1 through 26 of this act shall constitute a new chapter in Title 59 RCW.*

On page 1, on line 1 of the title, after "tenant;" strike the remainder of the title and insert "adding a new section to chapter 59.04 RCW; adding a new section to chapter 59.08 RCW; adding a new section to chapter 59.16 RCW; adding a new section to chapter 59.18 RCW; adding a new chapter to Title 59 RCW; and prescribing remedies for violations."

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Winsley.

To Committee on Rules for second reading.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SENATE AMENDMENTS TO HOUSE BILL

April 21, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 960 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. This 1977 amendatory act shall be known and may be cited as 'The Washington Basic Education for Literacy Act of 1977'. The program evolving from the Basic Education for Literacy Act shall include (1) the goal of the school system as defined in section 2 of this 1977 amendatory act, (2) those program requirements enumerated in section 3 of this 1977 amendatory act, and (3) the determination and distribution of state resources as defined in sections 4 and 5 of this 1977 amendatory act.

The requirements of the Basic Education for Literacy Act are deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution, which states that 'It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, cast, or sex', and are adopted pursuant to Article IX, section 2 of the state Constitution, which states that 'The legislature shall provide for a general and uniform system of public schools'.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The goal of the Basic Education for Literacy Act for the schools of the state of Washington set forth in this 1977 amendatory act shall be to provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning. Those skills shall include the ability:

- (1) To distinguish, interpret and make use of symbols such as words, numbers and other symbols, including sound, colors, shapes and textures;
- (2) To organize words and other symbols into acceptable verbal and nonverbal forms of expression, and numbers into their appropriate functions;
- (3) To perform intellectual functions such as problem solving, decision making, goal setting, selecting, planning, predicting, experimenting, ordering and evaluating; and
- (4) To use various muscles necessary for coordinating physical and mental functions.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

(1) For the purposes of sections 2 through 5 of this 1977 amendatory act:

(a) The term 'total program hour offering' shall mean those hours of the school day when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes and recess and exclusive of intermission for meals.

(b) 'Instruction in work skills' shall include the instruction of industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education, and shall include career orientation.

(2) Satisfaction of the basic education goal identified in section 2 of this 1977 amendatory act shall be considered to be implemented by the following program requirements:

(a) Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours. The program shall include reading, arithmetic, language skills and such other subjects and such activities as the school district shall determine to be appropriate for the education of the students enrolled in such program;

(b) Each school district shall make available to students in grades one through three, at least a total program hour offering of two thousand five hundred sixty-five hours. A minimum of ninety-eight percent of the total program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. The remaining two percent of the total

program hour offerings may include foreign languages, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(c) Each school district shall make available to students in grades four through six at least a total program hour offering of two thousand eight hundred thirty-five hours. A minimum of ninety percent of the total program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of five percent of the total program hour offerings shall be in the area of work skills. The remaining five percent of the total program hour offerings may include foreign languages, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(d) Each school district shall make available to students in grades seven through eight, at least a total program hour offering of nineteen hundred eighty hours. A minimum of eighty-five percent of the total program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent of the total program hour offerings shall be in the area of work skills. The remaining five percent of the total program hour offerings may include foreign language, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(e) Each school district shall make available to students in the grades nine through twelve at least a total program hour offering of three thousand nine hundred sixty hours. A minimum of sixty percent of the total program hour offerings shall be in the basic skills areas of language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent of the total program hour offerings shall be in the area of work skills. The remaining twenty percent of the total program hour offerings may include traffic safety, foreign language, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades, with not less than ten percent thereof in basic skills and/or work skills.

Each school district's basic educational program shall be accessible to all students between the ages of five and twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten. The state board of education pursuant to its authority in RCW 28A.04.120 and 28A.41.130, as now or hereafter amended, shall adopt the necessary rules and regulations to ensure program compliance with the provisions of this section.

Sec. 4. Section 2, chapter 46, Laws of 1973 as last amended by section 1, chapter 211, Laws of 1975 1st ex. sess. and RCW 28A.41.130 are each amended to read as follows:

From those funds made available by the legislature for the use of the common schools, the superintendent of public instruction shall distribute annually as provided in RCW 28A.48.010 to each school district of the state operating a program approved by the state board of education an amount which, when combined with the following revenues, excluding excess property tax levies, will constitute (an equal guarantee in dollars for each weighted pupil enrolled) a basic education allocation, including instruction in basic skills, work skills, and optional subjects and activities as defined in section 3 of this 1977 amendatory act, in dollars for each annual average full time equivalent student enrolled, based upon one full school year of one hundred eighty days, except that for kindergartens one full school year may be ninety days as provided by RCW 28A.58.180:

(1) The receipts from the one percent tax on real estate transactions (~~(which may be imposed)~~) pursuant to chapter 28A.45 RCW (~~(-PROVIDED-That the funds otherwise distributable under this section to any school district in any county which does not impose a tax in the full amount authorized by chapter 28A.45 RCW shall be reduced by five percent)~~); and

(2) One hundred percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(3) One hundred percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(4) One hundred percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Basic education shall be considered to be fully funded by those amounts of dollars appropriated by the legislature to fund those basic skills, work skills, and optional subjects and activities programs identified in section 3 of this 1977 amendatory act.

~~((Operation of a program approved by the state board of education, for the purposes of this section, shall include a finding that the ratio of pupils per classroom teachers in grades kindergarten through three is not greater than the ratio of pupils per classroom teacher in grades four and above for such district. PROVIDED-That for the purposes of this section, "classroom teacher" shall be defined as a certificated employee whose primary duty is the daily educational instruction of pupils. PROVIDED FURTHER, That the state board of education shall adopt rules and regulations to insure compliance with the pupil/teacher ratio provisions of this section, and such rules and regulations shall allow for exemptions for those special programs and/or school districts which may be deemed unable to practicably meet the pupil/teacher ratio requirements of this section by virtue of a small number of pupils.~~

Notwithstanding any other provision of this chapter, the state shall guarantee to school districts an amount of money from state and local funds, not less than ninety-five percent of the average amount per enrolled student, excluding special levies, which any such district realized from state and local funds during the preceding three school years.) If a school district's basic education program fails to meet the basic education requirements enumerated in sections 2 through 5 of this 1977 amendatory act, the state board of

education shall withhold state funds in whole or in part for the basic education allocation until program compliance is assured: PROVIDED, That for the school years 1978 through 1981 the state board of education may waive this requirement in the event of levy failure.

Sec. 5. Section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140 are each amended to read as follows:

((To determine a 'weighted student enrolled,' as that term is used in this chapter a schedule shall be established by the superintendent of public instruction which shall provide appropriate recognition of the following costs among the various types of students and districts of the state, with the equalization of educational opportunity being the primary objective:

(1) Costs attributable to staff experience and professional preparation; and

(2) Costs to state and local funds attributable to the operation of approved educational programs arising as a result of a concentration of culturally disadvantaged students, or as a result of a high degree of transient enrollment;

(3) Costs resulting from the operation of small school plants within districts: PROVIDED, That such plants are judged by the state board of education as remote and necessary;

(4) Costs differentials attributable to the operation of approved elementary and secondary programs;

(5) Costs which must be incurred to operate an approved vocational program;

(6) Costs resulting from the attendance of students who:

(a) Do not reside within the servicing school district: PROVIDED, That nothing within this provision shall be construed as affecting the reimbursement procedures in RCW 28A.44.040;

(b) Reside in any home or institution devoted to providing a home for dependent or otherwise referred or entrusted children: PROVIDED, Such home or institution is exempt from taxation under the laws of the state of Washington; or

(c) Constitute at least three percent of the student enrollment within the district and who reside within the servicing district on property of either the state, its political subdivisions, or any municipal corporation.

The weighting schedule when established shall be renewed biennially by the state superintendent and shall be subject to approval, rejection or amendment by the legislature. The schedule shall be submitted for approval as a part of the state superintendent's biennial state budget. In the event the legislature rejects the weighting schedule presented, without adopting a new schedule, the schedule established for the previous biennium shall remain in effect. The enrollment of any district, before weighting, shall be the average number of full time students and part time students as provided in RCW 28A.41.145 enrolled on the first school day of each month.))

The basic education allocation for each annual average full time equivalent student shall be determined in accordance with the following procedures:

The governor shall and the superintendent of public instruction may recommend to the legislature a formula based on a ratio of students to staff for the distribution of a basic education allocation for each annual average full time equivalent student enrolled in a common school. The distribution formula shall have the primary objective of equalizing educational opportunities and shall provide appropriate recognition of the following costs among the various districts within the state:

(1) Certificated staff and their related costs;

(2) Classified staff and their related costs;

(3) Nonsalary costs;

(4) Extraordinary costs of remote and necessary schools, small high schools, urban schools, and schools experiencing enrollment declines.

This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor and submitted to the legislature as part of either or both's biennial budget request. The recommended formula shall be subject to approval, amendment or rejection by the legislature: PROVIDED, That by the third year following the effective date of this 1977 amendatory act the ratios included in the formula shall reflect not less than fifty certificated personnel to one thousand students and one classified personnel to three certificated personnel. In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous biennium shall remain in effect: PROVIDED, That the distribution formula developed pursuant to this section shall be for state apportionment and equalization purposes only and shall not be construed as mandating specific operational functions of local school districts other than those program requirements identified in section 3 of this 1977 amendatory act. The enrollment of any district shall be the annual average number of full time students and part time students as provided in RCW 28A.41.145, as now or hereafter amended, enrolled on the first school day of each month.

Certificated staff shall include those persons employed by a school district in a teaching, instructional, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent: PROVIDED, That in exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances. Annual average full time equivalent classroom teacher's direct classroom contact hours shall be at least twenty-two hours per week. Classified staff shall include those persons employed by a school district other than certificated staff as defined in this section in a capacity for which certification is not required.

Sec. 6. Section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 80, Laws of 1977 and RCW 28A.41.160 are each amended to read as follows:

Reimbursement for transportation costs shall be in addition to ~~((state assistance based upon weighted enrollment))~~ the basic education allocation. Transportation costs shall be reimbursed as follows:

(1) ~~((Operational reimbursement))~~ School districts shall be ~~((limited to ninety))~~ reimbursed up to one hundred percent of the ~~((service costs on routes))~~ operational costs for established bus routes for the transportation of students to and from common schools as recommended by the educational service district superintendent or his or her designee, and as approved by the state superintendent; and

(2) Costs of acquisition of approved transportation equipment shall be ~~((limited))~~ reimbursed up to ~~((ninety))~~ one hundred percent of the cost to be reimbursed over the anticipated life of the vehicle, as determined by the state superintendent: PROVIDED, That reimbursements for the acquisition of approved transportation equipment received by school districts shall be held within the general fund exclusively for the future ~~((purpose))~~ purchase of approved transportation equipment and for major transportation equipment repairs consistent with rules and regulations authorized and promulgated under RCW 28A.41.170 and chapter 28A.65 RCW.

NEW SECTION. Sec. 7. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

In addition to those state funds provided to school districts for basic education, the governor and superintendent shall include as part of their biennial budget requests, funds for pupil transportation, in accordance with RCW 28A.41.160. The governor and superintendent may also include as a part of his or her biennial budget request, funds to be distributed to school districts for special programs, including but not limited to, programs for handicapped students, compensatory programs, bilingual education, programs for gifted students, programs for urban, rural, and racial disadvantaged students, and other special programs.

Sec. 8. Section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145 are each amended to read as follows:

(1) For purposes of this section, the following definitions shall apply:

(a) 'private school student' shall mean any student enrolled full time in a private or private sectarian school;

(b) 'school' shall mean any primary, secondary or vocational school;

(c) 'school funding authority' shall mean any nonfederal governmental authority which provides moneys to common schools;

(d) 'part time student' shall mean and include any student enrolled in a course of instruction in a private or private sectarian school and taking courses at and/or receiving ancillary services offered by any public school not available in such private or private sectarian school district and any student involved in any work training program and taking courses in any public school, which work training program is approved by the school board of the district in which such school is located.

(2) The board of directors of any school district is authorized and, in the same manner as for other public school students, shall permit the enrollment of and provide ancillary services for part time students, including (a) the part time enrollment of students involved in any work training program and desirous of taking courses within the district upon the school board's approval of any such work training program and (b) the part time enrollment of any private school student in any school within the district for the purpose of attending a class or classes or a course of instruction if the class, classes, or course of instruction for which the private school student requests enrollment, are unavailable to the student in the private school in which the student is regularly enrolled: PROVIDED, That this section shall only apply to part time students who would be otherwise eligible for full time enrollment in the school district.

(3) The superintendent of public instruction shall recognize the costs to each school district occasioned by enrollment of and/or ancillary services provided for part time students authorized by subsection (2) and shall include such costs in the ~~(([^]weighting schedule[^] established))~~ distribution of funds to school districts pursuant to RCW 28A.41.140. Each school district shall be reimbursed for the costs or a portion thereof, occasioned by attendance of and/or ancillary services provided for part time students on a part time basis, by the superintendent of public instruction, according to law.

(4) Each school funding authority shall recognize the costs occasioned to each school district by enrollment of and ancillary services provided for part time students authorized by subsection (2), and shall include said costs in funding the activities of said school districts.

~~(((5) The superintendent of public instruction is authorized to adopt rules and regulations to carry out the purposes of RCW 28A.41.140 and 28A.41.145:))~~

Sec. 9. Section 2, chapter 92, Laws of 1974 ex. sess. as amended by section 71, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.02.201 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one

year in order that the school or school district may take action to meet the requirements. Minimum requirements shall be as follows:

(1) The minimum school year shall be the same as that required of public schools in ~~((RCW 28A.01-025 as now or hereafter amended))~~ RCW 28A.58.180.

(2) The length of the school day shall be the same as that required of public schools in RCW 28A.01-.010 and section 3 of this 1977 amendatory act, each as now or hereafter amended, except that the percentages of total program hour offerings as prescribed in section 3 of this 1977 amendatory act for basic skills, work skills, and optional subjects and activities shall not apply to private schools or private sectarian schools.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

(5) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: **PROVIDED**, That each school building shall meet reasonable health and fire safety requirements.

(6) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

(7) In compliance with provisions of RCW 28A.31.010 as now or hereafter amended and rules or regulations of the state board of education, each private school teacher shall file with the educational service district in which the school is located a valid health certificate issued by the state department of social and health services.

(8) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection (6) above provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

Sec. 10. Section 28A.44.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.44.080 are each amended to read as follows:

The superintendent of every high school district shall certify under oath, as a part of an annual report to the educational service district board to be made on or before the fifteenth day of October as required by law, the following facts as nearly as the same can be ascertained:

(1) Name, post office address, county, and resident school district of each nonresident high school ~~((pupit))~~ student who is not a resident of another high school district and is enrolled in the high school, or high schools, of the district during the school year, with the enrollment date and departure date of each such nonresident ~~((pupit))~~ student.

(2) The cost per ~~((weighted-pupit))~~ annual average full time equivalent student of educating high school ~~((pupit))~~ students for the school year in ~~((his))~~ the district. For ascertaining such cost the following items of high school expenditure shall be used: Salaries of all high school teachers, supervisors, principals, special instructors, superintendent and assistants, janitors, clerks, and secretaries, stenographers, and all other employees; fuel, light, water, power, telephones, textbooks, office expenses, janitors' supplies, freight, express, drayage, rents for high school purposes, upkeep of grounds, upkeep of shops and laboratories, all materials used in instruction, insurance, current ordinary repairs of every nature, inspection, promotion of health, and such other current expenditures as may be necessary to efficient operation of the high school, or high schools. Expenditures for real estate, construction of buildings, and for other permanent improvements and fixtures shall not be included in estimating high school expenditures for the purposes of this section. When any item, as a necessary result of organization, covers both grade and high school work, it shall be prorated, as nearly as practicable, by the high school district superintendent.

Sec. 11. Section 2, chapter 124, Laws of 1972 ex. sess. as last amended by section 25, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.44.085 are each amended to read as follows:

The educational service district board, after verifying such reports as provided in RCW 28A.44.080 as now or hereafter amended, shall certify, on or before the fifteenth day of November each year to the appropriate county commissioners, the amount of claims which any high school district in its educational service district may have under the provisions of RCW 28A.44.045 through 28A.44.100 as now or hereafter amended against any nonhigh district for the cost of educating nonresident high school ~~((pupit))~~ students of such district. In fixing the amount of any such claim by a high school district for educating nonresident high school ~~((pupit))~~ students from such nonhigh districts the educational service district board shall determine the net difference between the cost of educating high school ~~((pupit))~~ students in the given high school district per ~~((weighted-pupit))~~ annual average full time equivalent student enrolled for the preceding year as determined pursuant to RCW 28A.44.080(2) and the total state ~~((guarantee, including the equal guarantee))~~ basic education allocation provided for in RCW 28A.41.130, per ~~((weighted-pupit))~~ annual average full time equivalent student enrolled in such high school district for the preceding year, less any funds received

by the high school district pursuant to Title 20, sections 236 through 244, United States Code, for any non-resident high school (~~(pupils)~~) students educated in the high school district for such preceding year. Such amount, when certified as provided in this section, shall constitute a valid claim against the appropriate nonhigh district.

Sec. 12. Section 28A.44.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.040 are each amended to read as follows:

The (~~(weighted student)~~) annual average full time equivalent student enrollment as computed under RCW 28A.41.140 (~~(accrued-to)~~) for each school district or part thereof within a county shall be the basis upon which the real estate sales tax proceeds as provided for in chapter 28A.45 RCW and apportionments from the county current school fund shall be made.

Sec. 13. Section 28A.45.050, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 135, Laws of 1975 1st ex. sess. and RCW 28A.45.050 are each amended to read as follows:

The county commissioners or legislative authority of ((any)) each county ((are authorized by ordinance to)) shall levy an excise tax upon sales of real estate ((not exceeding)) of one percent of the selling price. ((The rate of the levy shall be determined annually by the commissioners:)) The proceeds of the tax provided for in this chapter shall be placed in the county school fund and shall be used exclusively for the support of the common schools: PROVIDED, That one percent of the proceeds of the tax provided for herein may be placed in the current expense fund of the county: PROVIDED, That each educational service district superintendent shall certify each month the distribution of the real estate excise tax from the county school fund, for each county whose seat of government is within the educational service district, to the general fund of each school district in the county: PROVIDED FURTHER, That when a local school district board of directors, by properly executed resolution, instructs that the distribution in whole or part be credited to the building fund and/or bond interest and redemption fund of the local school district, the educational service district superintendent shall certify the distribution in accordance with such resolution: AND PROVIDED FURTHER, That such certification of distribution to each school district in the county shall be in proportion (using the most recent data) to the number of ((weighted)) annual average full time equivalent students enrolled in each district to the number of ((weighted)) annual average full time equivalent students in the county.

Sec. 14. Section 28A.58.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190 are each amended to read as follows:

Except as otherwise provided by law, it is the general policy of the state that the common schools shall be open to the admission of all persons between the ages of ((six)) five and twenty-one years residing in that school district. Except as otherwise provided by law, the state board of education is hereby authorized to adopt rules in accordance with chapter 34.04 RCW which establish uniform entry qualifications, including but not limited to birth date requirements, for admission to kindergarten and first grade programs of the common schools. Such rules may provide for exceptions based upon the ability, or the need, or both, of an individual student.

Sec. 15. Section 36.33.110, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1967 and RCW 36.33.110 are each amended to read as follows:

The state treasurer shall turn over to the treasurers of the counties within United States forest reserves, the amount of money belonging to them, received from the federal government from such reserves, in accordance with Title 16, section 500, United States Code. Where the reserve is situated in more than one county the money shall be distributed in proportion to the area of the counties interested, and to that end the state treasurer is authorized and required to obtain the necessary information to enable him to make the distribution on such basis.

County commissioners or the legislative authority of the respective counties to which the money is distributed are authorized and directed annually to distribute not less than fifty percent of said money to each school district within each such county according to the proportional number of ((weighted)) annual average full time equivalent students enrolled in each such school district during the immediate preceding school year as certified by the ((county school superintendent of schools or the intermediate)) educational service district superintendent ((of schools as the case may be: PROVIDED, That if any such school district would suffer a decrease in its total revenue as the result of receipt of said money, such district may refuse its proportional share and the county commissioners shall thereupon redistribute such proportional share to the remaining districts in the county)). The county commissioners or county legislature authority shall expend the balance of said money for the benefit of the public roads of such county, and not otherwise.

NEW SECTION. Sec. 16. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Rules and regulations adopted by the state board of education and superintendent of public instruction pursuant to the provisions of this 1977 amendatory act shall be subject to periodic review by the legislature.

Sec. 17. Section 1, chapter 105, Laws of 1973 1st ex. sess. as amended by section 21, chapter 288, Laws of 1975 1st ex. sess. and RCW 28A.01.130 are each amended to read as follows:

The term 'certificated employee' as used in RCW 28A.02.201, 28A.41.140, 28A.58.450 through 28A.58.515, 28A.58.445, 28A.67.065, 28A.67.070, 28A.67.074 and 28A.01.130 and chapter 41.59 RCW, each as now or hereafter amended, shall include those persons who hold certificates as authorized by rule or regulation of the state board of education or the superintendent of public instruction.

NEW SECTION. Sec. 18. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

(1) It is the intent and purpose of this section to guarantee that each common school district board of directors, whether or not acting through its respective administrative staff, be held accountable for the proper operation of their district to the local community and its electorate. In accordance with the provisions of Title 28A RCW, as now or hereafter amended, each common school district board of directors shall be vested with the final responsibility for the setting of policies ensuring quality in the content and extent of its educational program and that such program meet the individual and collective needs of the particular students enrolled therein.

(2) In conformance with the provisions of Title 28A RCW, as now or hereafter amended, it shall be the responsibility of each common school district board of directors, acting through its respective administrative staff, to:

(a) Establish performance criteria and an evaluation process for its certificated personnel, including administrative staff, and for all programs constituting a part of such district's curriculum.

(b) Determine the final assignment of staff, certificated or classified, according to board enumerated classroom and program needs.

(c) Determine the amount of instructional hours necessary for any student to acquire a quality education in such district, in not less than an amount otherwise required in section 3 of this 1977 amendatory act, or rules and regulations of the state board of education.

(d) Determine the allocation of staff time, whether certified or classified.

(e) Establish final curriculum standards consistent with law and rules and regulations of the state board of education, relevant to the particular needs of district students or the unusual characteristics of the district, and ensuring a quality education for each student in the district.

(f) Evaluate teaching materials, including text books, teaching aids, handouts, or other printed material, in public hearing upon complaint by parents, guardians or custodians of students who consider dissemination of such material to students objectionable.

(3) In keeping with the accountability purpose expressed in this section and to insure that the local community and electorate have access to information on the educational programs in the school districts, each school district's board of directors shall annually publish a descriptive guide to the district's common schools. This guide shall be made available at each school in the district for examination by the public. The guide shall include, but not be limited to, the following:

(a) Criteria used for written evaluations of staff members pursuant to RCW 28A.67.065.

(b) A summary of program objectives pursuant to RCW 28A.58.090.

(c) Results of comparable testing for all schools within the district.

(d) Budget information which will include the following:

(i) Student attendance.

(ii) Number of full time equivalent personnel per school in the district itemized according to classroom teachers, instructional support, building and central administration and support services, including itemization of such personnel by program.

(iii) Number of full time equivalent personnel assigned in the district to central administrative offices, itemized according to instructional support, building and central administration, and support services, including itemization of such personnel by program.

(iv) Total number of full time equivalent personnel itemized by classroom teachers, instructional support, building and central administration, and support services, including itemization of such personnel by program.

(v) Special levy budget request presented by program and expenditure for purposes over and above those requirements identified in section 3 of this 1977 amendatory act.

NEW SECTION. Sec. 19. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

(1) It is the intended purpose of this section to guarantee that the certificated teaching and administrative staff in each common school district be held accountable for the proper and efficient conduct of classroom teaching in their school which will meet the individual and collective needs of the particular students enrolled therein.

(2) In conformance with the other provisions of Title 28A RCW, it shall be the responsibility of the certificated teaching and administrative staff in each common school to:

(a) Implement the district's prescribed curriculum and enforce, within their area of responsibility, the rules and regulations of the school district, the state superintendent of public instruction, and the state board of education, taking into due consideration individual differences among students, and maintain and render appropriate records and reports pertaining thereto.

(b) Maintain good order and discipline in their classrooms at all times.

(c) Hold students to a strict accountability while in school for any disorderly conduct while under their supervision.

(d) Require excuses from the parents, guardians, or custodians of students in all cases of absence, tardiness, or dismissal.

(e) Give careful attention to the maintenance of a healthful atmosphere in the classroom.

(f) Give careful attention to the safety of the student in the classroom and report any doubtful or unsafe conditions to the building administrator.

(g) Impress on their students the principles of morality, truth, justice, temperance, humanity, perseverance and patriotism; teach them to avoid profanity and falsehood; instill in them a sense of self-

esteem; instruct them in the principles of free government and train them to true comprehension of the rights, duty, and dignity of American citizenship.

(h) Evaluate each student's educational growth and development and make periodic reports thereon to parents, guardians, or custodians and to school administrators.

Failure to carry out such requirements as set forth in subsection (2) (a) through (h) above shall constitute sufficient cause for discharge of any member of such teaching or administrative staff.

NEW SECTION. Sec. 20. Beginning with the November 3, 1981 general election and including any and all subsequent elections at which a school district submits any excess levy to the public, excluding excess levies for capital purposes, the following words shall be appended to the ballot cards, paper ballots, or voting machine next to each levy ballot title:

"The state of Washington currently makes ample provision for the education of all children residing within the state. The passage of this excess levy will provide additional funding for certain special programs, which some residents of this school district believe would further enhance the delivery of quality education. The failure of this excess levy will in no way impact or injure the sound program of basic education which the children now receive."

NEW SECTION. Sec. 21. The following acts or parts thereof are each hereby repealed:

(1) Section 28A.45.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.040;

(2) Section 28A.67.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.100; and

(3) Section 28A.67.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.110.

NEW SECTION. Sec. 22. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 23. This 1977 amendatory act shall take effect September 1, 1978."

In line 1 of the title after "education;" strike the remainder of the title and insert "amending section 2, chapter 46, Laws of 1973 as last amended by section 1, chapter 211, Laws of 1975 1st ex. sess. and RCW 28A.41.130; amending section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140; amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 80 Laws of 1977 and RCW 28A.41.160; amending section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145; amending section 28A.44.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.040; amending section 2, chapter 92, Laws of 1974 ex. sess. as amended by section 71, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.02.201; amending section 1, chapter 105, Laws of 1973 1st ex. sess. as amended by section 21, chapter 288, Laws of 1975 1st ex. sess. and RCW 28A.01.130; amending section 28A.44.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.44.080; amending section 2, chapter 124, Laws of 1972 ex. sess. as last amended by section 25, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.44.085; amending section 28A.45.050, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 135, Laws of 1975 1st ex. sess. and RCW 28A.45.050; amending section 28A.58.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190; amending section 36.33.110, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1967 and RCW 36.33.110; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapters 28A.41 and 28A.58 RCW; repealing sections 28A.45.040, 28A.67.100 and 28A.67.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.040, 28A.67.100 and 28A.67.110; providing penalties; and making an effective date." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTIONS

Mr. King moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 960, and ask the Senate for a conference thereon.

Mr. Berentson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 960.

Mr. King spoke against the motion.

Mr. Patterson demanded an electric roll call and the demand was sustained.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Nelson (Gary).

Mr. Nelson (Gary): "Representative King, you mentioned a couple of deficiencies in the Senate amendment to House Bill No. 960. Could you give us a couple of examples of those deficiencies?"

Mr. King: "I would be very glad to have you talk to the Speaker's attorney, Mr. Fleisher, who has pointed them out to the caucus. They are technical in nature and I don't have them before me, but I'm sure we'll make them available to you."

Mr. Barnes spoke in favor of the motion to concur.

ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 960, and the motion was lost by the following vote: Yeas, 42; nays, 52; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Fancher, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Lux, Maxie, Nelson G. A., Newhouse, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Struthers, Tally, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Sherman, Shinpoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Not voting: Representatives Flanagan, Hurley G. S., Oliver, Sommers.

The Speaker stated that the House, by its action, had refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 960, and asked the Senate for a conference thereon.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 30, by Committee on Revenue (Originally sponsored by Representatives O'Brien, Lux, Eng, Thompson, Douthwaite, Burns, Tally, Zimmerman, Sommers, Maxie, Berentson and Charnley):

Amending the Constitution to permit the property taxes from increased property values attributable to development or redevelopment projects to be used to support such projects.

The bill was read the third time and placed on reconsideration of final passage. (For previous action, see 47th Day ex. sess., April 26, 1977.)

Representatives O'Brien, Kilbury and Zimmerman spoke in favor of passage of the bill, and Representatives Newhouse and Leckenby spoke against it.

POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Kilbury.

Mr. Kilbury: "Representative O'Brien, in discussion the other day on the floor of the House, comment was made that this money, the increment, shall be used to pay any indebtedness incurred. Does that mean that it will be used to pay all indebtedness or does that mean that it can be used along with any other means of financing?"

Mr. O'Brien: "That's the intention of the word 'any.' It will pay in part some of the indebtedness, but not all of the indebtedness of the project."

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Joint Resolution No. 30, and the resolution passed the House by the following vote: Yeas, 72; nays, 24; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Greengo, Knedlik, Leckenby, Lysen, Nelson D., Newhouse, Pardini, Patterson, Polk, Sanders, Schmitt, Struthers, Tilly, Whiteside.

Not voting: Representatives Flanagan, Oliver.

Engrossed Substitute House Joint Resolution No. 30, having received the constitutional two-thirds majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 798, by Committee on Commerce (Originally sponsored by Representative O'Brien):

Expanding the right to be free from discrimination.

The bill was read the third time and placed on final passage.

Mr. O'Brien spoke in favor of passage of the bill, and Mr. Nelson (Dick) spoke against it.

Mr. O'Brien spoke again in favor of the bill, and Mr. Nelson (Dick) spoke again in opposition to it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 798, and the bill passed the House by the following vote: Yeas, 80; nays, 13; not voting, 5.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Clayton, Conner, Craswell, Douthwaite, Nelson D., Newhouse, Pruitt, Schmitt, Thompson, Valle, Williams.

Not voting: Representatives Clemente, Flanagan, Oliver, Sommers, Tilly.

Substitute House Bill No. 798, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 766, by Committee on Revenue (Originally sponsored by Representatives Becker, Kilbury, Thompson, Sommers, Berentson, Amen, Erickson, Sherman and Charnley):

Providing relief from certain benefit assessments on farm land.

The bill was read the third time and placed on final passage.

Representatives Becker and Kilbury spoke in favor of passage of the bill, and Mr. Nelson (Gary) spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 766, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Deccio, Fancher, Leckenby, Nelson G. A., Newhouse, Sanders, Schmitt, Tilly.

Not voting: Representatives Flanagan, Oliver, Sommers.

Engrossed Second Substitute House Bill No. 766, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED HOUSE BILL NO. 271, by Representatives Adams, Kreidler, Fortson, Pearsall, Whiteside, Pruitt, Newhouse, Lux, May, Hanna, Haley, Charnley, Fischer, Gallagher, Greengo, McCormick, Moreau and Salatino:

Adopting procedures for the establishment of transfer and clinical training programs at the University of Washington school of medicine for Washington residents attending foreign medical schools.

The bill was read the third time and placed on final passage.

Representatives Adams and Haley spoke in favor of the bill, and Mr. Blair spoke against it.

Mr. King demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 271, and the bill passed the House by the following vote: Yeas, 83; nays, 11; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Charnley, Clemente, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Chandler, Charette, Conner, Eng, Lee, Pardini, Patterson, Shinpoch, Thompson, Tilly.

Not voting: Representatives Clayton, Craswell, Flanagan, Oliver.

Reengrossed House Bill No. 271, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 573,
SENATE BILL NO. 2029.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Clemente, Heck and Barnes as conferees on Engrossed Substitute House Bill No. 960.

MOTION

On motion of Mr. King, Reengrossed House Bill No. 271 was ordered transmitted immediately to the Senate.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MESSAGE FROM THE SENATE

April 29, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2052,
SENATE BILL NO. 2325,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Bender, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 42, by Representatives Hurley (Margaret), Paris, North and Lee:

Limiting the use of state parks.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and House Bill No. 42 was placed on final passage.

Representative Hurley (Margaret) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 42, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Haley, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kroidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Clayton, Flanagan, Grier, Gruger, Hanna, Hansen, Leckenby, Moreau, Oliver, Owen, Pearsall, Taller.

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.

HOUSE BILL NO. 74, by Representatives Williams, Chandler, Ehlers, Burns and Greengo:

Implementing law relating to historic preservation of sites and structures within the state.

The bill was read the second time.

On motion of Mr. Ehlers, Substitute House Bill No. 74 was substituted for House Bill No. 74, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 74 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 74 was placed on final passage.

Mr. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 74, and the bill passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kroidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Fancher, Sanders.

Not voting: Representatives Bond, Flanagan, Grier, Gruger, Hanna, Moreau, Oliver, Owen, Pearsall.

Substitute 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. 228, by Representatives Conner, Gilleland, Charnley and Berentson:

Providing for the regulation of motor vehicle towing.

On motion of Mr. Conner Substitute House Bill No. 228 was substituted for House Bill No. 228, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 228 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 228 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Conner, on page 2, section 4 (1), it says, 'Whenever a police officer finds a vehicle standing upon a highway in violation. . . .' It provides for the removal and so forth. Does that mean literally standing on the highway? Let's say, for example, a person temporarily leaves a vehicle standing on the side of the road, runs out of gas, currently they are given a citation. Would this actually be on the highway itself, or could this be adjacent to the highway?"

Mr. Conner: "As I understand it, that language refers to where you have a grade separation and where you have a bridge. Presently this is in the language to give them the authority in that location."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 228, and the bill passed the House by the following vote: Yeas, 84; nays, 6; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Ehlers, Fancher, Heck, Kreidler, May.

Not voting: Representatives Bond, Fischer, Flanagan, Grier, Moreau, Oliver, Owen, Pearsall.

Substitute House Bill No. 228, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 347, by Representatives Fortson, Kreidler, Whiteside, Schmittens, Adams, Lux, Pearsall, Barr, Pruitt and Fischer:

Defining the term "consultant pharmacist."

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 347 was placed on final passage.

Mrs. Fortson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 347, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Flanagan, Grier, Moreau, Oliver, Owen, Pearsall.

House Bill No. 347, having received the 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. 387, by Representatives Douthwaite and Grier:

Restricting reinsurance with insurer not authorized to insure in this state.

On motion of Mr. Douthwaite, Substitute House Bill No. 387 was substituted for House Bill No. 387, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 387 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 387 was placed on final passage.

Mr. Douthwaite spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 387, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley

M., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McKibbin, Nelson D., Nelson G. A., Newhouse, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Flanagan, Grier, Knowles, McCormick, Moreau, North, Oliver, Owen.

Substitute House Bill No. 387, having received the 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. 634, by Representatives Thompson and Whiteside (by Secretary of State request):

Changing the fees charged by secretary of state for filing by corporations.

On motion of Mr. Ehlers, Substitute House Bill No. 634 was substituted for House Bill No. 634, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 634 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 634 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 634, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Flanagan, Grier, Moreau, Oliver.

Substitute House Bill No. 634, having received the 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. 683, by Representatives Douthwaite, Haley and Grier:

Modifying the insurance law on fraternal benefit societies.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 683 was placed on final passage.

Mr. Douthwaite spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 683, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Flanagan, Grier, Moreau, Oliver, Shinpoch.

House Bill No. 683, having received the 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. 709, by Representatives Sanders, Knowles, Tilly, Enbody, Gilleland, Leckenby, Conner, Polk, Newhouse and Clayton:

Clarifying the law relating to racing on public highways.

The bill was read the second time.

The Clerk read the following amendment by Representative Hurley (Margaret):

On page 1, line 8 after "state" insert "including those areas declared public highways by chapter 79.16 RCW"

With the consent of the House, Representative Hurley (Margaret) withdrew the amendment.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 709 was placed on final passage.

Mr. Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 709, and the bill passed the House by the following vote: Yeas, 86; nays, 1; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hanna.

Not voting: Representatives Bond, Craswell, Deccio, Erak, Flanagan, Grier, Moreau, Oliver, Pardini, Tilly, Wilson.

House Bill No. 709, having received the 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. 936, by Representatives Owen and Patterson:

Authorizing cities and towns to become a part of a rural county library district or inter-county rural library district.

On motion of Mr. Thompson, Substitute House Bill No. 936 was substituted for House Bill No. 936, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 936 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 936 was placed on final passage.

Mr. Owen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 936, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hansen.

Not voting: Representatives Bond, Deccio, Flanagan, Grier, Moreau, Oliver, Wilson.

Substitute House Bill No. 936, having received the 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. 952, by Representatives Conner, Gilleland and Gallagher:

Bringing state motor vehicle equipment standards into conformity with federal standards.

On motion of Mr. Conner, Substitute House Bill No. 952 was substituted for House Bill No. 952, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 952 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 952 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 952, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurlley G. S., Hurlley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Flanagan, Grier, Hawkins, Oliver.

Substitute House Bill No. 952, having received the 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. 1262, by Representatives Douthwaite, Maxie, Grier and Haley (by Insurance Commissioner request):

Modifying assessments of insurance guaranty association members.

The bill was read the second time.

Committee on Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Mr. Douthwaite, the committee amendments were adopted.

House Bill No. 1262 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1262 was placed on final passage.

Mr. Douthwaite spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1262, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurlley G. S., Hurlley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bond, Flanagan, Greengo, Grier, Oliver, Shinpoch.

Engrossed House Bill No. 1262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bender, HOUSE BILL NO. 1268 was rereferred to Committee on Transportation.

SENATE BILL NO. 3060, by Senators Beck, Cunningham and Henry:

Permitting motor vehicle headlamps which meet international standards.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 3060 was placed on final passage.

Representatives Ehlers, Dunlap and Hansen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3060, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Flanagan, Grier, Oliver, Sommers.

Senate Bill No. 3060, having received the 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. 1269, by Representative Knowles:

Providing for extensions of judgments in justice courts.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 1269 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1269, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Flanagan, Grier, Oliver.

House Bill No. 1269, having received the 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. 1291, by Representatives Douthwaite and Haley:

Modifying valuation and nonforfeiture provisions for insurance contracts.

The bill was read the second time.

Committee on Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Mr. Douthwaite, the committee amendment was adopted.

House Bill No. 1291 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1291 was placed on final passage.

Mr. Douthwaite spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1291, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greeno, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Nelson G. A.

Not voting: Representatives Bond, Flanagan, Grier, Oliver.

Engrossed House Bill No. 1291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE RESOLUTION NO. 77-28, by Representatives Maxie, O'Brien, Zimmerman, Erickson, Amen, Pardini, Bauer, McKibbin, Polk, Gallagher, Fischer, North, Shinoda, Eng, Hurley (George) and Hurley (Margaret).

WHEREAS, The Sisters of Providence founded St. Joseph's Hospital in Fort Vancouver, the first permanent hospital in the Pacific Northwest, in 1856; and

WHEREAS, The Sisters of Providence came to Seattle at the request of Father Kauten and began to operate and manage the County Poorhouse on May 10, 1877; and

WHEREAS, The County Poorhouse consisted of only 6 hospital rooms and had a capacity of 10 patients at the time; and

WHEREAS, After the location was changed to 5th and Madison, the hospital was established, and the name was changed to the Providence Medical Center; and

WHEREAS, A final change was made in 1907 to the present location of the Providence Medical Center, including in the new building the first elevator west of the Mississippi River; and

WHEREAS, From these modest beginnings, the Sisters of Providence continued in their altruistic endeavors which have culminated in a multi-unit hospital system of 12 institutions with 3,471 licensed hospital beds in Washington, Alaska, Oregon, and California; and

WHEREAS, Because of their meritorious efforts, the Sisters of Providence have become the second largest health care providers in the Western United States; and

WHEREAS, The Sisters of Providence continuously strive to increase the quality of life for all people by continuing to build new health care facilities and to modernize old health care facilities;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commemorates the founding of the Providence Medical Center on its centennial anniversary and pays homage to the Sisters of Providence for their benevolence to the beneficiaries, the people of the state of Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to the Administrator of Providence Medical Center and to the President of the Provincial Council.

On motion of Ms. Maxie, the resolution was adopted.

MOTIONS

On motion of Mr. Bender, ENGROSSED SUBSTITUTE SENATE BILL NO. 3027 was rereferred from Committee on Judiciary to Committee on Institutions.

On motion of Mr. King, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1203, by Representative McKibbin:

Relating to education.

The bill was read the second time.

On motion of Mr. Clemente, Substitute House Bill No. 1203 was substituted for House Bill No. 1203, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1203 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1277, by Representatives McKibbin, Clemente, Barnes, Bauer, Dunlap, Erickson, Shinpoch and Haley (by Executive request of Governor Ray):

Providing for a Washington state commission on educational structure and management.

On motion of Mr. Clemente, Substitute House Bill No. 1277 was substituted for House Bill No. 1277, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1277 was read the second time and passed to Committee on Rules for third reading.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 451, by Committee on Transportation (Originally sponsored by Representatives Kilbury and Lux):

Requiring reflectors at railroad crossings.

The bill was read the third time and placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 451, and the bill passed the House by the following vote: Yeas, 71; nays, 19; not voting, 8.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Schmittin, Sherman, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Chandler, Clayton, Craswell, Dunlap, Gilleland, Greengo, Lee, Nelson G. A., Newhouse, Pardini, Paris, Patterson, Polk, Sanders, Shinoda, Struthers, Taller.

Not voting: Representatives Barr, Bond, Flanagan, Grier, Maxie, Oliver, Shinpoch, Tilly.

Substitute House Bill No. 451, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 673, by Committee on Transportation (Originally sponsored by Representatives Smith, Fortson, Chandler, Charnley, Monohon, Berentson, Wilson and Salatino):

Specifying rest time for ships' pilots.

The bill was read the third time and placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 673, and the bill passed the House by the following vote: Yeas, 87; nays, 5; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fortson, Fuller, Gaines, Gallagher, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino,

Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Fischer, Gilleland, Nelson G. A., Shinoda, Struthers.

Not voting: Representatives Bond, Flanagan, Grier, Maxie, Oliver, Paris.

Substitute House Bill No. 673, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 10, by Representatives Fischer and Hughes:

Revising law on public employees' collective bargaining.

The bill was read the third time and placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 10, and the bill passed the House by the following vote: Yeas, 58; nays, 32; not voting, 8.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Enbody, Eng, Erak, Fischer, Fortson, Gaines, Gallagher, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., O'Brien, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Clayton, Craswell, Deccio, Dunlap, Ehlers, Erickson, Fancher, Fuller, Gilleland, Greengo, Hansen, Lee, Nelson G. A., Newhouse, North, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Smith, Struthers, Taller, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Bond, Douthwaite, Flanagan, Grier, Maxie, Moreau, Oliver, Owen.

Engrossed House Bill No. 10, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 2315, by Senators Wojahn, Marsh, Morrison and Beck:

Increasing the fees for real estate brokers and salesmen's licenses.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, 15th Day ex. sess., March 25, 1977.)

On motion of Mr. Warnke, the committee amendment to page 5, adding new sections, was adopted.

Mr. Polk moved adoption of the following amendment:

On page 1, line 24 beginning with "Any" strike all the material down to and including "examination." on line 25

Representatives Polk and Hurley (George) spoke in favor of the amendment, and Representatives Warnke and Greengo spoke against it.

Mr. Polk spoke again in favor of the amendment, and it was adopted.

On motion of Mr. Warnke, the committee amendment to the title was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2315 as amended by the House was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2315 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite,

Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eng, Williams.

Not voting: Representatives Bond, Flanagan, Grier, Keller, Maxie, Oliver, Wilson.

Senate Bill No. 2315 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 CONCURRENT RESOLUTION NO. 117, by Senators Walgren, Sandison, Matson and Newschwander:

Amending Senate Concurrent Resolution No. 113.

The resolution was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 117 was placed on final passage.

Mr. King spoke in favor of passage of the resolution.

MOTION

Mr. Haley moved that the rules be suspended, and Senate Concurrent Resolution No. 117 be returned to second reading for the purpose of amendment.

Mr. Haley spoke in favor of the motion, and Mr. King spoke against it.

With the consent of the House, Mr. Haley withdrew the motion.

Senate Concurrent Resolution No. 117 was adopted.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SENATE BILL NO. 2387.

HOUSE BILL NO. 625, by Representatives Becker, Polk, Bauer, Gaines, Lux, Hanna, Conner, Salatino, Eng, Maxie, Keller, Kreidler, McKibbin, Nelson (Gary) and Williams:

Authorizing and setting forth rights and powers of central credit unions.

On motion of Mr. Eng, Substitute House Bill No. 625 was substituted for House Bill No. 625, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 625 was read the second time.

Mr. Pardini moved adoption of the following amendment:

On page 1, line 4 after "Section 1." strike "One" and insert "A"

Representatives Pardini and Hurley (Margaret) spoke in favor of the amendment, and it was adopted.

The Clerk read the following amendment by Representative Eng:

On page 1, line 22 after "supervisor" strike all the material down through "act" on line 23

With the consent of the House, Mr. Eng withdrew the amendment.

On motion of Mr. Nelson (Gary), the following amendment was adopted:

On page 1, line 21 after "(4)" strike all language down to and including "act" on line 23 and insert "Employees of credit union trade associations"

Mr. Kreidler moved adoption of the following amendment:

On page 1, lines 12 through 23 strike all of section 2 and insert the following:

"NEW SECTION, Sec. 2. An employer, on behalf of seven or more full time employees resident in this state may apply to the supervisor of savings and loan associations for permission for those employees to join a central credit union. In reviewing the application the supervisor shall, in addition to such other factors as he deems relevant, consider the following:

(1) The ability of the central credit union to serve the employees on whose behalf the application is made;

(2) The availability of other credit unions to serve the needs of the employees;

(3) The availability of payroll deductions; and

(4) Whether the group contains sufficient numbers to conduct the affairs of a separate credit union.

In the event a group of employees previously granted permission to participate in a central credit union, apply for and obtain a state or federal credit union charter, the central credit union shall assist in the orderly transfer of the employees' assets and liabilities to the new credit union."

Mrs. Hurley (Margaret) moved adoption of the following amendment by Representatives Hurley (Margaret) and Winsley to the Kreidler amendment:

On page 1, line 1 after "seven" strike "or more" and insert "or less"

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "If Representative Kreidler's amendment is adopted will the effect of that be to strike out the amendment by Representative Nelson that we just adopted?"

The Speaker (Mr. O'Brien presiding): "Representative Nelson's amendment struck subsection (4) of section 2 and inserted some new material and this amendment strikes all of section 2, including the subsection the House adopted in the amendment by Representative Nelson."

Representative Hurley (Margaret) spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Representative Hurley (Margaret) yielded to question by Representative Owen.

Mr. Owen: "Are you trying to eliminate those employers with more than seven employees?"

Mrs. Hurley (Margaret): "I think the present law does provide that seven or more employees with a common bond can now establish a credit union. I think they would already be covered by the present law."

Representatives Winsley and Hurley (Margaret) spoke in favor of the amendment to the amendment, and Representatives Lux, Becker, Nelson (Gary) and Kreidler spoke against it.

The amendment to the amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Kreidler.

Mr. Kreidler spoke in favor of the amendment, and Representatives Eng, Newhouse and Deccio spoke against it.

Mr. King demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kreidler to Substitute House Bill No. 625, and the amendment was not adopted by the following vote: Yeas, 30; nays, 58; not voting, 10.

Voting yea: Representatives Becker, Bender, Boldt, Charnley, Conner, Enbody, Erak, Fischer, Fuller, Gaines, Gruger, Hanna, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Kreidler, Lux, McKibbin, Nelson D., Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Williams, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Blair, Burns, Chandler, Charette, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Fortson, Gallagher, Gililand, Greengo, Haley, Hansen, Hawkins, Kilbury, Knedlik, Knowles, Leckenby, Lee, Lysen, Martinis, May, McCormick, Nelson G. A., Newhouse, North, O'Brien, Patterson, Polk, Sanders, Schmitt, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Flanagan, Grier, Grimm, Maxie, Moreau, Oliver, Pardini, Paris, Vrooman.

Substitute House Bill No. 625 was ordered engrossed.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 625 was placed on final passage.

Ms. Becker 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. 625, and the bill passed the House by the following vote: Yeas, 87; nays, 4; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Decio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tallor, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Dunlap, Leckenby, Newhouse.

Not voting: Representatives Bond, Flanagan, Grier, Maxie, Moreau, Oliver, Paris.

Engrossed Substitute House Bill No. 625, having received the 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. 563, by Representatives King, Charette and Kilbury:

Extending the labor dispute disqualification for unemployment benefits.

The bill was read the second time.

On motion of Mr. Lux, Substitute House Bill No. 563 was substituted for House Bill No. 563, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 563 was read the second time.

On motion of Mr. King, the following amendments were adopted:

On page 5 after line 2 insert:

"Sec. 6. Section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100 are each amended to read as follows:

In determining whether work is suitable for an individual or whether an individual has left work voluntarily without good cause, the commissioner shall consider the degree of risk involved to ((his)) the individual's health, safety, and morals, ((his)) the individual's physical fitness and prior training, ((his)) the individual's experience and prior earnings, ((his)) the individual's length of unemployment and prospects for securing local work in ((his)) the individual's customary occupation, the distance of the available work from ((his)) the individual's residence, and such other factors as the commissioner may deem pertinent, including state and national emergencies."

Renumber the remaining section consecutively.

On page 5, after line 2 insert the following:

"Sec. 6. Section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030 are each amended to read as follows:

'Benefit year' with respect to each individual, means the fifty-two consecutive week period beginning with the first day of the calendar week ((with respect to)) in 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)) in which the individual next files an application for an initial determination after the expiration of ((his)) the individual's last preceding benefit year: PROVIDED, HOWEVER, That the foregoing limitation shall not be deemed to preclude the establishment of a new benefit year under the laws of another state pursuant to any agreement providing for the interstate combining of employment and wages and the interstate payment of benefits nor shall this limitation be deemed to preclude the commissioner from backdating an initial application at the request of the claimant either for the convenience of the department of employment security or for any other reason deemed by the commissioner to be good cause.

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.

No benefit year will be established unless it is determined that the individual earned wages in ((employment' during his base year of not less than the 'qualifying annual wage' computed for the calendar year preceding the last June 30th immediately preceding his benefit year and either had 'employment' in not less than sixteen weeks of his base year in each of which he earned the 'qualifying weekly wage' computed for the second calendar year preceding the calendar year in which each such week ends or had)) 'employment' in not less than six hundred hours of ((his)) the individual's base year: PROVIDED, HOWEVER, That a benefit year cannot be established if the base year wages include wages earned prior to the establishment of a prior benefit year unless the individual earned wages in 'employment' during the last two quarters of the new base year of not less than six times the weekly benefit amount computed for ((his)) the individual's new benefit year.

((As the change contained in the third paragraph of this section relating to the weeks worked qualification would invalidate basic data upon which benefit qualification determinations must be made the satisfaction of the weeks worked requirement will require as to base year weeks ending in the second two quarters of 1972 that the individual will have earned not less than the 'qualifying weekly wage' computed for the calendar year 1971. Nothing in this paragraph or in the preceding paragraph shall be deemed to justify or support

the redetermination of any monetary determination denying the establishment of a benefit year made prior to the effective date of this 1977 amendatory act.)

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 or her wages at regular intervals.

Sec. 7. Section 6, chapter 2, Laws of 1970 ex. sess. as last amended by section 1, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.04.355 are each amended to read as follows:

On or before the fifteenth day of June of each year an 'average annual wage', an 'average weekly wage', ((a 'qualifying annual wage', a 'qualifying weekly wage';)) and an 'average annual wage for contributions purposes' shall be computed from information for the preceding calendar year including corrections thereof reported within three months after the close of that year by all employers as defined in RCW 50.04.080. 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 if the result is not a multiple of one dollar, rounding the result to the next lower multiple of one dollar. The 'average annual wage' thus obtained shall be divided by fifty-two and if the result is not a multiple of one dollar, rounding the result to the next lower multiple of one dollar to determine the 'average weekly wage'. ((The 'qualifying annual wage' shall be computed by multiplying the 'average annual wage' by fifteen percent and if the result is not a multiple of fifty dollars, rounding the result to the next lower multiple of fifty dollars. The 'qualifying weekly wage' shall be computed by multiplying the 'average weekly wage' by fifteen percent and if the result is not a multiple of one dollar, rounding the result to the next lower multiple of one dollar.)) The 'average annual wage' for contribution purposes is the quotient derived by dividing total remuneration reported by all employers subject to contributions by the average number of workers reported for all months by these same employers and if the result is not a multiple of one dollar, rounding the result to the next lower multiple of one dollar.

Sec. 8. Section 46, chapter 35, Laws of 1945 as amended by section 2, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.12.070 are each amended to read as follows:

Each employing unit shall keep true and accurate work records, containing such information as the commissioner may prescribe. Such records shall be open to inspection and be subject to being copied by the commissioner or his or her authorized representatives at any reasonable time and as often as may be necessary. The commissioner may require from any employing unit any sworn or unsworn reports with respect to persons employed by it, which he or she deems necessary for the effective administration of this title. Each employer shall make periodic reports at such intervals as the commissioner may by regulation prescribe, setting forth the remuneration paid for employment to workers in its employ, the names of all such workers, and until April 1, 1978, the number of weeks for which the worker earned the 'qualifying weekly wage', and beginning July 1, 1977, the hours worked by each worker and such other information as the commissioner may by regulation prescribe.

In the event the employing unit fails or has failed to report the number of ((weeks)) hours in a reporting period for which a worker ((earned the 'qualifying weekly wage')) worked such number will be computed by the commissioner and given the same force and effect as if it had been reported by the employing unit. In computing the number of such ((weeks)) hours worked the total wages for the reporting period, as reported by the employing unit, shall be divided by the dollar amount of the ((qualifying weekly wage)) state's minimum wage in effect for such reporting period and the quotient, disregarding any remainder, shall be credited to the worker: PROVIDED, ((That the total number of weeks credited to the worker for any quarterly period shall not exceed thirteen weeks: PROVIDED, FURTHER;)) That the computation so made will not be subject to appeal by the employing unit."

Renumber the remaining section consecutively

On page 5, on line 11, after "1978" insert ": PROVIDED FURTHER, That the first paragraph of section 6 of this 1977 amendatory act shall take effect immediately and the remaining portion of section 6 of this 1977 amendatory act and all of section 7 of this 1977 amendatory act shall take effect commencing with benefit years beginning on and after October 1, 1978; and the first paragraph of section 8 of this 1977 amendatory act shall take effect on and after July 3, 1977 and the second paragraph of section 8 shall take effect on October 1, 1978"

On motion of Mr. King, the following amendments to the title were adopted:

On page 1, on line 12 of the title, after "50.24.010;" insert "amending section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100;"

On page 1, on line 12 of the title, after "50.24.010;" insert "amending section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030; amending section 6, chapter 2, Laws of 1970 ex. sess. as last amended by section 1, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.04.355; amending section 46, chapter 35, Laws of 1945 as amended by section 2, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.12.070;"

Substitute House Bill No. 563 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 563 was placed on final passage.

Mr. King 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. 563, and the bill passed the House by the following vote: Yeas, 68; nays, 22; not voting, 8.

Voting yea: Representatives Adams, Bauer, Becker, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bender, Chandler, Craswell, Dunlap, Fancher, Fuller, Gilleland, Greengo, Leckenby, Lee, Nelson G. A., Newhouse, Pardini, Polk, Sanders, Schmitt, Shinoda, Taller, Tilly.

Not voting: Representatives Bond, Conner, Flanagan, Grier, Maxie, Moreau, Oliver, Williams.

Engrossed Substitute House Bill No. 563, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:
 SUBSTITUTE SENATE BILL NO. 2052,
 SENATE BILL NO. 2325.

HOUSE BILL NO. 787, by Representatives Hawkins, Lee, Thompson, Pardini and Charette:

Authorizing counties to establish personnel systems.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 26th Day ex. sess., April 5, 1977.) On motion of Mr. Thompson, the committee amendment was adopted.

House Bill No. 787 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 787 was placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 787, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Gilleland.

Not voting: Representatives Barnes, Bond, Douthwaite, Flanagan, Grier, Maxie, Moreau, Oliver, Paris.

Engrossed House Bill No. 787, having received the 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 Douthwaite, Becker, Conner, Barnes, Burns, Charnley, Eng, Fortson, Grier, Hughes, Moreau, Nelson (Dick), North, Sherman, Walk and Wilson:

Extending the pilotage act to include waters from Port Angeles to Cape Flattery.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 41st Day ex. sess., April 20, 1977.)

On motion of Mr. Douthwaite, the committee amendment was adopted.

House Bill No. 116 was ordered engrossed.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 116 was placed on final passage.

Representatives Douthwaite, Kilbury, Burns and Barnes spoke in favor of passage of the bill, and Representatives Leckenby and Greengo spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 116, and the bill passed the House by the following vote: Yeas, 69; nays, 22; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Tilly, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Chandler, Clayton, Craswell, Deccio, Gallagher, Gilleland, Greengo, Grimm, Hansen, Leckenby, Martinis, Pardini, Sanders, Schmitt, Shinoda, Smith, Struthers, Taller, Walk, Whiteside.

Not voting: Representatives Bond, Flanagan, Grier, Maxie, Moreau, Oliver, Paris.

Engrossed 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.

HOUSE BILL NO. 671, by Representatives Smith, Fortson, Chandler, Charnley, Monohon, Conner, Knedlik and Douthwaite:

Listing readiness requirements for ships before pilotage.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 41st Day ex. sess., April 20, 1977.)

On motion of Mr. Charnley, the committee amendment was adopted.

House Bill No. 671 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 671 was placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 671, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Bond, Flanagan, Grier, Maxie, Oliver, Paris.

Engrossed House Bill No. 671, having received the 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. 614, by Representatives Hanna, Knowles, Smith, Deccio, Tilly, Fischer, Knedlik, Whiteside, Becker, Struthers, Greengo, Salatino and Grimm:

Providing for determinate sentencing for felony offenses.

On motion of Mr. Knowles, Substitute House Bill No. 614 was substituted for House Bill No. 614, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 614 was read the second time.

On motion of Mr. Taller, the following amendment was adopted:

On page 2, after subsection (4) insert a new subsection as follows:

"(5) 'Firearm' shall have the same meaning as provided in RCW 9A.41.025;"

Renumber the remaining subsections consecutively.

Mr. Tilly moved adoption of the following amendment:

On page 4, line 1 after "of" and before "years" strike "eight to ten" and insert "twelve to fifteen"

POINT OF PARLIAMENTARY INQUIRY

Mr. Hanna: "How can we be considering an amendment which assumes the adoption of something that will take place later on maybe? Amending this is assuming the Tilly amendments are all going to pass."

The Speaker (Mr. O'Brien presiding): "The body will have to determine whether or not these amendments shall be adopted and apparently if they are not adopted there will be some inconsistency."

Mr. Tilly moved adoption of the following amendment:

On page 23, after line 21 insert a new section as follows:

"Sec. 33. Section 9A.20.020, chapter 260, Laws of 1975 1st ex. sess. as amended by section 2, chapter 38, Laws of 1975-76 2nd ex. sess. and RCW 9A.20.020 are each amended to read as follows:

(1) Felony. Every person convicted of a classified felony shall be punished as follows:

(a) For a class A felony, by imprisonment in a state correctional institution for a maximum term fixed by the court of not less than twenty years, or by a fine in an amount fixed by the court of not more than ten thousand dollars, or by both such imprisonment and fine;

(b) For a class B felony, by imprisonment in a state correctional institution for a maximum term of not more than ((ten)) fifteen years, or by a fine in an amount fixed by the court of not more than ten thousand dollars, or by both such imprisonment and fine;

(c) For a class C felony, by imprisonment in a state correctional institution for a maximum term of not more than five years, or by a fine in an amount fixed by the court of not more than five thousand dollars, or by both such imprisonment and fine.

(2) Gross Misdemeanor. Every person convicted of a gross misdemeanor defined in Title 9A RCW shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than one year, or by a fine in an amount fixed by the court of not more than one thousand dollars, or by both such imprisonment and fine.

(3) Misdemeanor. Every person convicted of a misdemeanor defined in Title 9A RCW shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than five hundred dollars, or by both such imprisonment and fine."

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, both Tilly amendments would be considered as one.

Mr. Tilly spoke in favor of the amendments, and Mr. Hanna spoke against them.

The amendments were not adopted.

MOTIONS

On motion of Mr. Bender, HOUSE BILL NO. 615 was placed on the calendar for immediate consideration.

On motion of Mr. Bender, further consideration of Substitute House Bill No. 614 was deferred until after consideration of House Bill No. 615.

HOUSE BILL NO. 615, by Representatives Enbody, Knowles and McKibbin:

Enacting the "Comprehensive Sentencing Act of 1977."

On motion of Mr. Knowles, Substitute House Bill No. 615 was substituted for House Bill No. 615, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 615 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 3, line 22 strike "or intoxication"

Mr. Tilly spoke in favor of the amendment, and Mr. Smith spoke against it.

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Knedlik.

Mr. Knedlik: "Representative Tilly, by intoxication are you concerned both with regard to drugs and with regard to alcohol or with regard to alcohol only?"

Mr. Tilly: "The drugs are not mentioned in here and in the statutes we are not defining intoxication, but I thought that since we debated that issue on the floor, I feel that who knows what a jury might stretch for. My basis on this is something someone takes, swallows, smokes or something and it gets them into that state. I think someone could do this deliberately. Also, when we discussed mitigating circumstances in the committee, we learned that even though in statute a state can spell out the mitigating circumstances, which we are attempting to do here, a jury is not limited to those that are in statute. I do feel that this is going far beyond what should be in statute."

The amendment was adopted.

On motion of Mr. Tilly, the following amendment was adopted:

On page 4, line 11 after "imposition" strike "((or execution))" and insert "or execution"

On motion of Mr. Enbody, the following amendment by Representatives Smith, Enbody and Tilly was adopted:

On page 4, after line 24 insert the following new section:

"NEW SECTION, Sec. 5. The determination whether the sentence of death shall be imposed shall be made by the jury.

(1) If the jury does not unanimously return a written finding of an aggravating circumstance or circumstances, the court shall:

- (a) Dismiss the jury;
- (b) Enter a finding of guilty of murder in the first degree; and
- (c) Impose sentence as prescribed in RCW 9A.32.040.

(2) If the jury unanimously returns a written finding of one or more aggravating circumstances, and unanimously returns a written finding that there are not mitigating circumstances sufficiently substantial to call for leniency, the court shall:

- (a) Enter a finding of guilty of aggravated murder in the first degree; and
- (b) Reconvene the jury and conduct a separate sentencing proceeding pursuant to sections 6 and 7.

(3) If the jury unanimously returns a finding of one or more aggravating circumstances, but further finds that there are mitigating circumstances sufficiently substantial to call for leniency, the court shall:

- (a) Discharge the jury;
- (b) Impose a sentence of life imprisonment as prescribed in RCW 9A.32.046.

(4) If following trial the jury is unable to reach a unanimous agreement as to either the existence or nonexistence of aggravating or mitigating circumstances, the court, through the proper procedure, shall establish whether or not the jury is found to be deadlocked on the issue of aggravating circumstances, the court shall dismiss the jury and proceed under subsection (1) of this section. If the jury is deadlocked on the issue of mitigating circumstances but have found an aggravating circumstance or circumstances, the court shall discharge the jury and proceed as prescribed in subsection (3) of this section. If the jury is deadlocked on both issues, it shall be dismissed and the court shall proceed as prescribed in subsection (1) of this section.

(5) When a death penalty is imposed, neither the court nor the jury shall have the discretion to suspend or defer the imposition or execution of the sentence of death and the death sentence shall be imposed in accordance with chapter 10.70 RCW. The death sentence shall take place at the state penitentiary under the direction of and under arrangements made by the superintendent thereof, but the time of the execution shall be set by the trial judge at the time of imposing sentence and as a part of the sentence."

Re-number the remaining sections consecutively and correct internal references.

On motion of Mr. Enbody, the following amendments by Representatives Enbody, Smith and Tilly were adopted:

On page 5, line 6 after "evidence," insert "and following a unanimous finding of one or more aggravating circumstances and a unanimous finding that there are no mitigating circumstances sufficiently substantial to call for leniency,"

On page 5, line 26 after "act," insert "unanimously returns a finding of one or more aggravating circumstances but further find the existence of a mitigating circumstance sufficiently substantial to call for leniency"

On motion of Mr. Smith, the following amendment was adopted:

On page 5, beginning on line 8 following "trial" strike the remainder of subsection (a) and insert "establishes the guilt of the defendant with clear certainty; and"

Substitute House Bill No. 615 was ordered engrossed.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 615 was placed on final passage.

Mr. Enbody spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Smith, as Chairman of the subcommittee on this subject, I would like to have your opinion as to what the word 'probability' would mean—what percentage that would indicate? On page 5, line 10 it says, 'Where there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society.'"

Mr. Smith: "This, of course, is one of the questions a jury must answer unanimously in the affirmative before they can execute an individual. This language was taken from the Texas statute which has been upheld by the United States Supreme Court and the use of the word 'probability' in the law is that it would be more than fifty-one percent—or fifty-one percent more likely. It's the same as preponderance of evidence. The next would be beyond a reasonable doubt, which would be considerably higher."

Mr. Tilly spoke in favor of passage of the bill, and Representatives Shinpoch and Hanna spoke against it.

POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I understand there is an important court case with respect to Washington state death penalty. Would you explain to the body how this bill will dovetail or will match, I hope, if it does pass, that court case which is pending?"

Mr. Smith: "I will yield to Representative Knowles."

Mr. Knowles: "The conviction that you are speaking of occurred either in Pierce or King County. Of course, it's based on the initiative which is the current law in the state of Washington until our Supreme Court declares it unconstitutional. In the opinions rendered by the Attorney General and various prosecuting attorneys about the state, the initiative as it was passed by virtue of the Supreme Court case which was issued after that time, would be unconstitutional. It is my understanding also that there has been a conviction under that initiative and that the Superior Court in that case did hold it constitutional. So now it's up to the Supreme Court to determine whether or not that initiative is constitutional. This task force set about however to try to examine the laws dealing with capital punishment in those states whose capital punishment laws had been declared constitutional and attempted to put together a bill here that would meet the test of constitutionality."

POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Smith.

Mr. Smith: "Representative Knowles, can you describe for the record, what you understood to be the committee's intent in developing section 6(1)(a) particularly as it was amended here on the floor today?"

Mr. Knowles: "What the committee intended here was for the protection of those instances where an innocent man might be convicted, only to find later that someone else had committed that crime. The committee felt that just using the reasonable doubt standard, which is all that's necessary for conviction, but to use that reasonable doubt standard to determine whether or not you're going to take that man's life, we ought to have a little higher standard. I forget the exact language that was in the subcommittee bill, but there was a lowering of that standard by committee amendment and using that language that we've adopted today, it would satisfy the concerns of the Judiciary Committee in adopting that standard which is a little higher than a reasonable doubt."

Mr. Smith: "Representative Knowles, do you recall that the language in the substitute bill recommended by the committee was beyond any doubt?"

Mr. Knowles: "Yes, that was the language used."

Mr. Smith: "Section 3 describes the possible sentence following conviction of aggravated murder in the first degree shall be punishment by confinement in a state institution for life without possibility of release by the parole board for any reason. That is no work release, furlough, etc. Was it the intent of the committee to, in any way, affect the authority of the Governor to pardon a convicted offender by this section or any provision of the bill?"

Mr. Knowles: "No, there is nothing in the bill that would, in any way, restrict the right of any Governor to issue a pardon. That's an executive authority and I doubt seriously if we could change it by statute even if it was in the bill."

Representatives Smith, Struthers and Enbody 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 House Bill No. 615, and the bill failed to pass the House by the following vote: Yeas, 63; nays, 25; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Chandler, Clayton, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Haley, Hansen, Hughes, Hurley M., Keller, Kilbury, Knowles, Leckenby, Lee, Martinis, May, McCormick, McKibbin, Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Polk, Sanders, Schmitten, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Vrooman, Walk, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Burns, Charette, Charnley, Clemente, Douthwaite, Eng, Gruger, Hanna, Hawkins, Hurley G. S., King, Knedlik, Kreidler, Lux, Lysen, Nelson D., Nelson G. A., Pruitt, Salatino, Shinpoch, Thompson, Valle, Warnke, Williams.

Not voting: Representatives Bond, Flanagan, Grier, Heck, Maxie, Moreau, Oliver, Paris, Whiteside, Wilson.

Engrossed Substitute House Bill NO. 615, having failed to receive the two-thirds constitutional majority, was declared lost.

MOTION FOR RECONSIDERATION

Mr. Knedlik, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Engrossed Substitute House Bill No. 615 failed to pass the House.

Mr. Knedlik spoke in favor of the motion, and Mr. Hurley (George) spoke against it.

Mr. King demanded the previous question, and the demand was sustained.

The motion was carried.

MOTIONS

On motion of Mr. Pardini, further consideration of Engrossed Substitute House Bill No. 615 was deferred, and the bill was ordered placed at the top of the third reading calendar of the next working day.

On motion of Mr. King, the House adjourned until 11:00 a.m., Monday, May 2, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 2, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Martinis and Shinoda, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mary Coombs and Mike Tinsley. Prayer was offered by Reverend Richard W. Hart 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.

MESSAGES FROM THE SENATE

April 29, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 98,
HOUSE BILL NO. 573,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 29, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2107,
ENGROSSED SENATE BILL NO. 2327,
SENATE BILL NO. 2328,
SENATE BILL NO. 2331,
SUBSTITUTE SENATE BILL NO. 2356,
ENGROSSED SENATE BILL NO. 2359,
SUBSTITUTE SENATE BILL NO. 2445,
SENATE BILL NO. 2479,
SUBSTITUTE SENATE BILL NO. 2506,
SUBSTITUTE SENATE BILL NO. 2525,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2619,
ENGROSSED SENATE BILL NO. 2667,
ENGROSSED SUBSTITUTE SENATE BILL NO. 2952,
ENGROSSED SENATE BILL NO. 2990,
ENGROSSED SENATE BILL NO. 3014,
SENATE BILL NO. 3068,
SENATE JOINT RESOLUTION NO. 124,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 29, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2052, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 29, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2325, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 29, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2387,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 29, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 2208, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Kilbury, the House receded from its amendment to page 6, striking section 6, and asked the Senate to concur with the amendment to page 1, line 16.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2107, by Committee on Local Government (Originally sponsored by Senators Sellar, Talley and Fleming):

Allowing increased occupancy of drinking establishments under state building code.

To Committee on Commerce

ENGROSSED SENATE BILL NO. 2327, by Senators Rasmussen, Newschwander, Mardesich, Donohue and Odegaard (by Request of the Lieutenant Governor):

Reviewing personal service contracts of the executive and judicial branches.

To Committee on State Government

SENATE BILL NO. 2328, by Senators Donohue and Guess:

Authorizing the chief of the Washington state patrol to determine proposed rates of compensation for patrol officers.

To Committee on Appropriations

SENATE BILL NO. 2331, by Senators Goltz, Pullen and Van Hollebeke:

Permitting certain traffic offenders to plea by mail rather than requiring appearances.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 2356, by Committee on Constitution and Elections (Originally sponsored by Senators Grant and Lewis):

Revising methods of setting precinct boundaries.

To Committee on Elections and Governmental Ethics

ENGROSSED SENATE BILL NO. 2359, by Senators Beck, Guess, Walgren, Benitz, Bottiger, Bluechel and Sellar:

Regulating bicycles.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2445, by Committee on Commerce (Originally sponsored by Senators Wojahn, Mardesich and Donohue):

Regulating automotive repair.

To Committee on Commerce

SENATE BILL NO. 2479, by Senator Day:

Allowing a monthly earned income exemption for unemployable persons under the public assistance laws.

To Committee on Social and Health Services

SUBSTITUTE SENATE BILL NO. 2506, by Committee on Ways and Means (Originally sponsored by Senators Walgren, Day, Sandison and Buffington):

Redistributing moneys from the liquor revolving fund.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2525, by Committee on Transportation (Originally sponsored by Senator Henry):

Making changes in the laws relating to transportation committees and authorizing studies.

To Committee on Transportation

ENGROSSED SUBSTITUTE SENATE BILL NO. 2619, by Committee on Agriculture (Originally sponsored by Senators Benitz and Morrison):

Relating to irrigation projects.

To Committee on Agriculture

ENGROSSED SENATE BILL NO. 2667, by Senators Morrison and Matson:

Providing for the continued operation of the Yakima migrant labor housing project.

To Committee on Labor

ENGROSSED SUBSTITUTE SENATE BILL NO. 2952, by Committee on Education (Originally sponsored by Senators Gould and McDermott):

Implementing student learning objectives program.

To Committee on Education

ENGROSSED SENATE BILL NO. 2990, by Senator Francis:

Exempting from the gambling laws antique slot machines if not used for gambling purposes.

To Committee on Commerce

ENGROSSED SENATE BILL NO. 3014, by Senator Bluechel:

Requiring that the governmental agency requiring a building permit to furnish the taxpayer with the proper form for claiming tax exemption on home improvements.

To Committee on Revenue

SENATE BILL NO. 3068, by Senators Gould and Beck (by Superintendent of Public Instruction request):

Allowing school districts to start terms in August with apportionment credit therefor in succeeding school year beginning in September.

To Committee on Education

SENATE JOINT RESOLUTION NO. 124, by Senators Walgren, Matson, Marsh, Sandison, Clarke, Odegaard, Jones, Bottiger, Grant, Gould, Rasmussen, North, Van Hollebeke, Buffington, Day, Cunningham, Wilson, Bluechel, Goltz, Benitz, Mardesich, Murray, Talley, Morrison, Henry, Sellar, von Reichbauer, Newschwander, Gaspard, Scott, McDermott, Wanamaker, Guess, Peterson, Herr, Beck, Lewis, Donohue, Keefe, Hayner and Washington:

Revising convening procedure and duration of legislative sessions.

To Committee on State Government

REPORTS OF STANDING COMMITTEES

April 28, 1977

HOUSE BILL NO. 820, Prime Sponsor: Representative Adams, enacting the Victims of Sexual Assault Act. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill proposed by Social and Health Services Committee be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Blair, Ranking Minority Member; Becker, Chandler, Charette, Deccio, Ehlers, Heck, Hughes, Maxie, Thompson, Valle, Vrooman; Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

April 28, 1977

HOUSE BILL NO. 1306, Prime Sponsor: Representative King, establishing a schedule of salary increases for legislators. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Chandler, Charette, Ehlers, Hawkins, Keller, Maxie, Taller, Thompson, Valle, Vrooman, Warnke, Williams.

To Committee on Rules for second reading.

April 28, 1977

HOUSE BILL NO. 1321, Prime Sponsor: Representative Ehlers, establishing a schedule of salary increases for the executive branch officers. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Chandler, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Maxie, Taller, Thompson, Valle, Vrooman, Warnke, Williams.

To Committee on Rules for second reading.

April 28, 1977

ENGROSSED SENATE BILL NO. 2042, Prime Sponsor: Senator Talley, changing the requirements for a pilot's license. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 31 strike "a pilot(s)" and insert "pilots"

On page 3, line 23 after "quorum" strike the remainder of the sentence down through and including "business" on line 25

On page 8, line 19 after "licensed." insert "On and after January 1, 1982, pilot licenses shall expire and not be renewable for persons who have reached seventy years of age or older."

On page 9, line 7 strike "member" and insert "members"

On page 10, line 23 after "who shall" insert "knowingly"

On page 10, line 24 after "who shall" insert "knowingly"

On page 10, line 25 after "who shall" insert "knowingly"

On page 12, line 32 after "RCW." insert "The board shall prescribe the time of and method for retention of forms which have been signed by the master of a vessel in accordance with the provisions of this section."

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Berentson, Burns, Charnley, Clayton, Clemente, Gaines, Paris, Patterson, Sherman, Wilson.

To Committee on Rules for second reading.

April 28, 1977

SENATE BILL NO. 2061, Prime Sponsor: Senator Day, regulating proprietary hospitals. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 7 after "(1)" strike all material through "compile" and insert "(~~Immediately upon July 16, 1973 begin to compile~~) Compile"

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Haley, Lux, Pruitt, Schmittens.

To Committee on Rules for second reading.

April 28, 1977

SENATE BILL NO. 2080, Prime Sponsor: Senator Wilson, exempting local government public safety voluntary services from the state minimum wage laws. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 7 strike everything after the enacting clause and insert the following:

'NEW SECTION. Section 1. The legislature hereby recognizes that there does currently exist many opportunities whereby the citizenry of the state may volunteer their labor services to local governmental bodies or agencies and that such voluntary services provide an opportunity for such volunteers to assist in reducing the cost of governmental services and also provide a public service. The legislature also recognizes that traditionally the recipient unit of government compensates such volunteers for nominal out-of-pocket expenses associated with travel to and from the place where such services are rendered, clothing costs, laundry costs, and other similar costs by paying to such volunteers a uniform nominal amount per unit of voluntary service rendered. The legislature also recognizes that the receipt of such compensation does not normally constitute an income element to the recipient.

Sec. 2. Section 1, chapter 294, Laws of 1959 as last amended by section 1, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.010 are each amended to read as follows:

As used in this chapter:

- (1) 'Director' means the director of labor and industries;
- (2) 'Wage' means compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges, or allowances as may be permitted by regulations of the director under RCW 49.46.050;
- (3) 'Employ' includes to suffer or to permit to work;
- (4) 'Employer' includes any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee;
- (5) 'Employee' includes any individual employed by an employer but shall not include:
 - (a) Any individual employed (i) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (ii) in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; and the exclusions from the term 'employee' provided in this item shall not be deemed applicable with respect to commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption;
 - (b) Any individual employed in domestic service in or about a private home;
 - (c) Any individual employed in a bona fide executive, administrative, or professional capacity or in the capacity of outside salesman (as such terms are defined and delimited by regulations of the director: PROVIDED HOWEVER, That such terms shall be defined and delimited by the state personnel board pursuant to chapter 41.06 RCW and the higher education personnel board pursuant to chapter 28B.16 RCW for employees employed under their respective jurisdictions);
 - (d) Any individual engaged in the activities of an educational, charitable, religious, governmental agency or nonprofit organization where the employer-employee relationship does not in fact exist or where the services are rendered to such organizations gratuitously;
 - (e) Any newspaper vendor or carrier;
 - (f) Any carrier subject to regulation by Part 1 of the Interstate Commerce Act;
 - (g) Any individual engaged in forest protection and fire prevention activities;
 - (h) Any individual employed by any charitable institution charged with child care responsibilities engaged primarily in the development of character or citizenship or promoting health or physical fitness or providing or sponsoring recreational opportunities or facilities for young people or members of the armed forces of the United States;
 - (i) Any individual whose duties require that he reside or sleep at the place of his employment or who otherwise spends a substantial portion of his work time subject to call, and not engaged in the performance of active duties;
 - (j) Any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution.
 - (k) Any individual who holds a public elective or appointive office of the state, any county, city, town, municipal corporation or quasi municipal corporation, political subdivision, or any instrumentality thereof, or any employee of the state legislature.
 - (l) All vessel operating crews of the Washington state ferries operated by the state highway commission.

(m) Any individual employed as a seaman on a vessel other than an American vessel.

(n) Any individual who volunteers to perform activities on a part time basis and as a public service for a local governmental body or agency and who may receive reimbursement in lieu of compensation for normally incurred out-of-pocket expenses or receives a nominal amount of compensation per unit of voluntary service rendered.

(o) Any individual employed full time by any local governmental body or agency who provides voluntary services as a public service but only with regard to the provision of such voluntary services.

(p) Any volunteer fireman enrolled under the provisions of chapter 41.24 RCW.

'Occupation' means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

NEW SECTION, Sec. 3. There is added to chapter 49.46 RCW a new section to read as follows:

When an individual volunteers his labor to a local governmental body or agency on a part time basis as a public service and receives pursuant to an ordinance or resolution adopted by such political subdivision an in lieu reimbursement at a nominal rate for normally incurred expenses such reimbursement shall not be deemed a salary for the rendering of services.

NEW SECTION, Sec. 4. It is the intent of the legislature that if this bill and chapter ... (EHB 104), Laws of 1977 1st ex. sess., which is also being considered by this legislature, are enacted into law the provisions of both are to be given full force and effect.

NEW SECTION, Sec. 5. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On line 1 of the title after "government" and before "voluntary" delete "public safety"

On line 5 of the title before "; and" delete "a new section" and insert "new sections"

Signed by Representatives Lux, Chairman; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

April 26, 1977

ENGROSSED SENATE BILL NO. 2122, Prime Sponsor: Senator Van Hollebeke, providing for enforcement of foreign judgments. Reported by Committee on Judiciary.

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.** A copy of any foreign judgment authenticated in accordance with the act of congress or the statutes of this state may be filed in the office of the clerk of any superior court of any county of this state. The clerk shall treat the foreign judgment in the same manner as a judgment of the superior court of this state. A judgment so filed has the same effect and is subject to the same procedures, defenses, set-offs, counterclaims, cross-complaints, and proceedings for reopening, vacating, or staying as a judgment of a superior court of this state and may be enforced or satisfied in like manner.

NEW SECTION, Sec. 2. (1) At the time of the filing of the foreign judgment, the judgment creditor or the judgment creditor's lawyer shall make and file with the clerk of court an affidavit setting forth the name and last known post office address of the judgment debtor, and the judgment creditor.

(2) Promptly upon the filing of the foreign judgment and the affidavit, the clerk shall mail notice of the filing of the foreign judgment to the judgment debtor at the address given and shall make a note of the mailing in the docket. The notice shall include the name and post office address of the judgment creditor and the judgment creditor's lawyer if any in this state. In addition, the judgment creditor may mail a notice of the filing of the judgment to the judgment debtor and may file proof of mailing with the clerk. Lack of notice of filing by the clerk shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.

(3) No execution or other process for enforcement of a foreign judgment filed hereunder shall issue until ten days after the date the judgment is filed or until ten days after mailing the notice of filing, whether mailed by the clerk or judgment debtor, whichever is later.

NEW SECTION, Sec. 3. (1) If the judgment debtor shows the superior court of any county that an appeal from the foreign judgment is pending or will be taken, or that a stay of execution has been granted, the court shall stay enforcement of the foreign judgment until the appeal is concluded, the time for appeal expires, or the stay of execution expires or is vacated, upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state in which it was rendered.

(2) If the judgment debtor shows the superior court of any county any ground upon which enforcement of a judgment of a superior court of any county of this state would be stayed, the court shall stay enforcement of the foreign judgment for an appropriate period, upon requiring the same security for satisfaction of the judgment which is required in this state.

NEW SECTION, Sec. 4. The following acts or parts of acts are each repealed:

- (1) Section 2, chapter 191, Laws of 1953 and RCW 6.36.020;
- (2) Section 3, chapter 191, Laws of 1953 and RCW 6.36.030;
- (3) Section 4, chapter 191, Laws of 1953 and RCW 6.36.040;
- (4) Section 5, chapter 191, Laws of 1953 and RCW 6.36.050;
- (5) Section 6, chapter 191, Laws of 1953 and RCW 6.36.060;
- (6) Section 7, chapter 191, Laws of 1953 and RCW 6.36.070;

- (7) Section 8, chapter 191, Laws of 1953 and RCW 6.36.080;
 (8) Section 9, chapter 191, Laws of 1953 and RCW 6.36.090;
 (9) Section 10, chapter 191, Laws of 1953 and RCW 6.36.100;
 (10) Section 11, chapter 191, Laws of 1953 and RCW 6.36.110; and
 (11) Section 12, chapter 191, Laws of 1953 and RCW 6.36.120.

NEW SECTION. Sec. 5. Sections 1 through 3 of this 1977 act shall each be added to chapter 6.36 RCW.*

On page 1, on line 1 of the title, after "procedure," strike the remainder of the title and insert "adding new sections to chapter 6.36 RCW; repealing section 2, chapter 191, Laws of 1953 and RCW 6.36.020; repealing section 3, chapter 191, Laws of 1953 and RCW 6.36.030; repealing section 4, chapter 191, Laws of 1953 and RCW 6.36.040; repealing section 5, chapter 191, Laws of 1953 and RCW 6.36.050; repealing section 6, chapter 191, Laws of 1953 and RCW 6.36.060; repealing section 7, chapter 191, Laws of 1953 and RCW 6.36.070; repealing section 8, chapter 191, Laws of 1953 and RCW 6.36.080; repealing section 9, chapter 191, Laws of 1953 and RCW 6.36.090; repealing section 10, chapter 191, Laws of 1953 and RCW 6.36.100; repealing section 11, chapter 191, Laws of 1953 and RCW 6.36.110; and repealing section 12, chapter 191, Laws of 1953 and RCW 6.36.120."

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

April 28, 1977

ENGROSSED SENATE BILL NO. 2166, Prime Sponsor: Senator Odegaard, transferring the powers, duties, and functions of the printing and duplicating committee to the newly-created printing and duplicating management center. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass and amendments proposed by Committee on State Government be adopted. Signed by Representatives Shipoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Chandler, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Lee, Maxie, Taller, Thompson, Valle, Vrooman, Warnke, Zimmerman.

To Committee on Rules for second reading.

April 28, 1977

SENATE BILL NO. 2217, Prime Sponsor: Senator Day, authorizing travel and living expenses for candidates for administrative positions in public hospital districts. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Gruger, Haley, Lux, Pruitt, Schmitten.

To Committee on Rules for second reading.

April 28, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2268, Prime Sponsor: Senator Bausch, permitting OPP&FM to establish per diem rates. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

*Section 1. Section 43.03.050, chapter 8, Laws of 1965 as last amended by section 94, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.050 are each amended to read as follows:

(1) The director of the office of program planning and fiscal management shall prescribe ((for all state agencies per diem rates of allowance, not exceeding twenty-five dollars in-lieu-of)) reasonable allowances to cover reasonable and necessary subsistence and lodging ((to)) expenses for elective and appointive officials and state employees while engaged on official business away from their designated posts of duty((but within the state of Washington, and not exceeding thirty-five dollars per day while engaged on official business elsewhere)). The director of the office of program planning and fiscal management may ((within the limits established herein)) prescribe and regulate the ((per diem rates to be allowed)) allowances provided in lieu of subsistence and lodging expenses and may prescribe the conditions under which reimbursement for subsistence and lodging may be allowed. The schedule of allowances adopted by the office of program planning and fiscal management may include special allowances for foreign travel and other travel involving higher than usual costs for subsistence and lodging.

(2) Those persons appointed to serve without compensation on any state board, commission, or committee, if entitled to ((reimbursement)) payment of travel expenses, shall be ((reimbursed)) paid pursuant to ((a)) special ((schedule at the daily)) per diem rates prescribed in accordance with subsection (1) of this

section by the office of program planning and fiscal management((for each day or portion thereof spent on official business of the board, commission, or committee)).

(3) The initial schedule of allowances prescribed by the director under the terms of this section and any subsequent increases in any maximum allowance or special allowances for areas of higher than usual costs shall be subject to legislative approval.

Sec. 2. Section 43.03.060, chapter 8, Laws of 1965 as last amended by section 95, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.060 are each amended to read as follows:

(1) Whenever it becomes necessary for an elective or appointive official or employee of the state to travel away from his designated post of duty while engaged on official business, and it is found to be more advantageous and economical to the state that travel be by a privately-owned vehicle rather than a common carrier or a state-owned or operated vehicle, a mileage rate not to exceed ((thirteen cents a mile shall be allowed)) the rate established by the director of the office of program planning and fiscal management shall be allowed. The maximum rate established by the director shall be based on the estimated cost of using a privately-owned vehicle on state business.

(2) The director of the office of program planning and fiscal management may ((within the limits established in this section)) prescribe and regulate the specific mileage rate or other allowance for the use of privately-owned vehicles or common carriers on official business and the conditions under which reimbursement of transportation costs may be allowed: PROVIDED, That reimbursement or other payment for transportation expenses of any employee or appointive official of the state shall be based on the method deemed most advantageous and economical to the state.

(3) The initial maximum mileage rate established by the director of the office of program planning and fiscal management pursuant to this section and any subsequent changes thereto shall be subject to legislative approval.

NEW SECTION. Sec. 3. There is added to chapter 43.03 RCW a new section to read as follows:

'Legislative approval' for purposes of RCW 43.03.050 and 43.03.060 both as now or hereafter amended and sections 3 and 4 of this 1977 amendatory act shall consist of either a favorable vote by the senate ways and means committee and the house of representatives appropriations committee during times when the legislature is in session or a favorable vote by the legislative budget committee during periods when the legislature is not in session or has been in recess for three or more days.

NEW SECTION. Sec. 4. There is added to chapter 43.03 RCW a new section to read as follows:

The allowances prescribed pursuant to RCW 43.03.050 as now or hereafter amended may be paid as reimbursements to individuals for subsistence and lodging expenses during official travel. Alternatively, amounts not exceeding those allowances may be paid directly to appropriate suppliers of subsistence and lodging, when more economical and advantageous to the state, under general rules and regulations adopted by the director of the office of program planning and fiscal management with the advice of the state auditor. Payments to suppliers for subsistence and lodging expenses of individuals in travel status shall not result in a cost to the state in excess of what would be payable by way of reimbursements to the individuals involved.

NEW SECTION. Sec. 5. 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 except that any new schedule of allowances under either RCW 43.03.050 and 43.03.060 as now or hereafter amended shall not be effective until July 1, 1977 or later."

On page 1, on line 1 of the title, after "government;" strike the remainder of the title and insert "amending section 43.03.050, chapter 8, Laws of 1965 as last amended by section 94, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.050; amending section 43.03.060, chapter 8, Laws of 1965 as last amended by section 95, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.060; adding new sections to chapter 43.03 RCW; and declaring an emergency."

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Chandler, Charette, Deccio, Ehlers, Heck, Hughes, Maxie, Toller, Thompson, Valle, Vrooman, Warnke.

To Committee on Rules for second reading.

April 28, 1977

SENATE BILL NO. 2439, Prime Sponsor: Senator Buffington, extending the obligation of urban arterial trust funds for one more year. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clemente, Lysen, Paris, Sherman, Walk.

To Committee on Rules for second reading.

April 28, 1977

ENGROSSED SENATE BILL NO. 2452, Prime Sponsor: Senator Goltz, authorizing reasonable restraint of persons incapacitated by alcohol by medical personnel and limiting liability for actions in the course of official duty. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Barr, Fortson, Gruger, Haley, Lux, Pruitt, Schmitten.

To Committee on Rules for second reading.

April 28, 1977

ENGROSSED SENATE BILL NO. 2500, Prime Sponsor: Senator Sellar, creating state route 285. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Clayton, Clemente, Gaines, Grier, Lysen, Martinis, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

April 29, 1977

SUBSTITUTE SENATE BILL NO. 2634, Prime Sponsor: Senator Peterson, revising the legislative intent statement on environmental protection of the Columbia River Gorge. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Conner, Fuller, Gilleland, Greengo, May, Shinoda, Vrooman.

To Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 604, by Representatives Lux, Pearsall, Fischer and Pruitt (by Department of Labor and Industries request):

Revising the state industrial insurance laws.

The bill was read the second time.

On motion of Mr. Lux, Substitute House Bill No. 604 was substituted for House Bill No. 604, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 604 was read the second time.

Mr. Lux moved adoption of the following amendment by Representative Pardini:

On page 8, following section 9, insert a new section as follows:

"Sec. 10. Section 51.16.060, chapter 23, Laws of 1961, as amended by section 1, chapter 32, Laws of 1973 1st ex. sess. and RCW 51.16.060 are each amended to read as follows:

Every employer not qualifying as a self-insurer shall insure with the state and shall, on or before the last day of January, April, July and October of each year thereafter, furnish the department with a true and accurate payroll for the period in which ((workmen)) workers were employed by ((him)) it during the preceding calendar quarter, the total amount paid to such ((workmen)) workers during such preceding calendar quarter, and a segregation of employment in the different classes established pursuant to this title, and shall pay ((his)) its premium thereon to the appropriate fund. The sufficiency of such statement shall be subject to the approval of the director: PROVIDED, That the director may in his or her discretion and for the effective administration of this title require an employer in individual instances to furnish a supplementary report containing the name of each individual ((workman)) worker, his or her hours worked, his or her rate of pay and the class or classes in which such work was performed: PROVIDED, FURTHER, That in the event an employer shall furnish the department with four consecutive quarterly reports wherein each such quarterly report indicates that no premium is due the department may close the account: ((AND)) PROVIDED FURTHER, That the department may promulgate rules and regulations in accordance with chapter 34.04 RCW to establish other reporting periods and payment due dates in lieu of reports and payments following each calendar quarter, and may also establish terms and conditions for payment of premiums and assessments based on estimated payrolls, with such payments being subject to approval as to sufficiency of the estimated payroll by the department, and also subject to appropriate periodic adjustments made by the department based on actual payroll: AND PROVIDED FURTHER, That a temporary help company which provides workers on a temporary basis to other employers shall be considered the employer only for purposes of reporting and paying premiums and assessments under this title according to the appropriate rate classifications for such other employers."

Renumber the remaining sections consecutively.

Mr. Lux spoke in favor of the amendment, and it was adopted.

Mr. Lux moved adoption of the following amendments:

On page 15, line 36 after "((misdemeanor))" insert "class C"

On page 16, line 6 after "a" insert "class C"

Mr. Lux spoke in favor of the amendments, and Representatives Smith and Newhouse spoke against them.

The amendments were adopted.

On motion of Mr. Lux, the following amendment to the title by Representative Pardini was adopted:

On page 1, beginning on line 16 of the title after "RCW 51.14.030;" insert "amending section 51.16.060, chapter 23, Laws of 1961 as amended by section 1, chapter 32, Laws of 1973 1st ex. sess. and RCW 51.16.060;"

Substitute House Bill No. 604 was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE HOUSE BILL NO. 614, by Committee on Judiciary (Originally sponsored by Representatives Hanna, Knowles, Smith, Deccio, Tilly, Fischer, Knedlik, Whiteside, Becker, Struthers, Greengo, Salatino and Grimm):

Providing for determinate sentencing for felony offenses.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 50th Day ex. sess., April 29, 1977.)

On motion of Mr. Enbody, the following amendment was adopted:

On page 2, line 4 after "confinement" insert "for more than sixty days"

Mr. Taller moved adoption of the following amendment:

On page 9, strike section 11 and insert the following:

"NEW SECTION. Sec. 11. On every judgment of guilty or not guilty of a felony rendered on or after June 1, 1977, there shall be affixed to the original of every judgment and sentence of a felony conviction in every court in this state and every order adjudicating a juvenile to be a delinquent based upon conduct which would be a felony if committed by an adult, a fingerprint of the defendant or juvenile who is the subject of the order.

The clerk of the court shall attest that the fingerprints appearing on the judgment in sentence, order of adjudication of delinquency, or docket, is that of the individual who is the subject of the judgment or conviction, order, or docket entry."

Representatives Taller, Hanna and Knowles spoke in favor of the amendment, and it was adopted.

On motion of Mr. Taller, the following amendments were adopted:

On page 11, line 12 strike "two-thirds" and insert "three-fourths"

On page 16, line 8 strike "in a correctional facility"

On page 16, line 21 strike "by the following business day" and insert "or a designated representative or hearing officer within 72 hours"

Mr. Tilly moved adoption of the following amendment:

On page 21, line 22 after "1978" and before the semicolon insert ". In arriving at these recommendations, the board shall give due consideration to the protection of the public"

Representatives Tilly and Hanna spoke in favor of the amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment:

On page 23, line 5 after "enacted" strike everything down to the period on line 8

Mr. Tilly spoke in favor of the amendment, and Mr. Hanna spoke against it.

The amendment was not adopted.

On motion of Mr. Hanna, the following amendment was adopted:

On page 23, line 29 after "35." insert "There is hereby appropriated from the general fund to the board of prison terms and paroles \$76,435.00 or so much thereof as may be necessary for the implementation of this 1977 amendatory act."

Renumber the remaining new section as "36"

Mr. Tilly moved adoption of the following amendment:

On page 3, line 36 after "felony" strike "shall" through "ten" on page 4, line 1 and insert "shall, notwithstanding any other provision of law, include a range of total confinement of twelve to fifteen"

Mr. Tilly spoke in favor of the amendment, and Mr. Hanna spoke against it.

Mr. Tilly closed debate, speaking again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 3, line 36 of Substitute House Bill No. 614, and the amendment was not adopted by the following vote: Yeas, 31; nays, 60; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Hughes, Hurley M., Lee, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitten, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Gaines, Martinis, Pardini, Paris, Shinoda, Warnke.

MOTION

On motion of Mr. Bender, further consideration of Substitute House Bill No. 614 was deferred, and the bill was ordered placed on the second reading calendar immediately following House Bill No. 681.

HOUSE BILL NO. 681, by Representatives Clemente, Barnes, Heck, Bauer, Whiteside, Bender and Warnke:

Designating core services of educational service districts for budgeting purposes.

On motion of Mr. Clemente, Substitute House Bill No. 681 was substituted for House Bill No. 681, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 681 was read the second time.

Mr. Fuller moved adoption of the following amendment:

On page 9, line 5 strike section 14 and renumber the remaining sections consecutively.

Mr. Fuller spoke in favor of the amendment, and Representatives Clemente and Ehlers spoke against it.

Mr. Fuller closed debate, speaking again in favor of the amendment.

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment:

Beginning on page 10, line 6 strike sections 15, 16, 17, 18 and 19 and renumber the remaining sections consecutively.

Representatives Tilly, Ehlers, Erak and Schmitten spoke in favor of the amendment, and Representatives Clemente, Whiteside, Fortson and Heck spoke against it.

Mr. Tilly spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Substitute House Bill No. 681, and the amendment was not adopted by the following vote: Yeas, 36; nays, 58; not voting, 4.

Voting yea: Representatives Becker, Bender, Berentson, Boldt, Charette, Clayton, Ehlers, Enbody, Erak, Fischer, Flanagan, Fuller, Grier, Gruger, Hanna, Hawkins, Hughes, Kilbury, King, Knedlik, Lux, Moreau, North, Oliver, Owen, Paris, Pearsall, Polk, Salatino, Schmitten, Sherman, Taller, Thompson, Tilly, Walk, Wilson.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Blair, Burns, Chandler, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erickson, Fancher, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grimm, Haley, Hansen, Heck, Hurley G. S., Hurley M., Keller, Knowles, Kreidler, Leckenby, Lee, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., O'Brien, Pardini, Patterson, Pruitt, Sanders, Shipoch, Smith, Sommers, Struthers, Valle, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Martinis, Newhouse, Shinoda.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond and Martinis, who were excused.

SECOND READING

HOUSE BILL NO. 417, by Representatives Sherman, Warnke, Ehlers and Lysen:

Restricting taxes on bingo, raffles, or amusement games only under specified conditions.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and House Bill No. 417 was placed on final passage.

Representative Sherman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 417, and the bill passed the House by the following vote: Yeas, 76; nays, 4; not voting, 18.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Burns, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Sommers, Struthers, Taller, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley.

Voting nay: Representatives Blair, Chandler, Greengo, Zimmerman.

Not voting: Representatives Boldt, Bond, Charette, Eng, Erak, Flanagan, Hurley G. S., Lux, Lysen, Martinis, Moreau, Paris, Shinoda, Smith, Thompson, Tilly, Wilson, and Mr. Speaker.

House Bill No. 417, having received the 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. 768, by Representatives Moreau and Erickson:

Implementing the law relating to granting of degrees at certain state colleges including financial impact review.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 768 was placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 768, and the bill passed the House by the following vote: Yeas, 84; nays, 3; not voting, 11.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Greengo.

Not voting: Representatives Bond, Charette, Eng, Hurley G. S., Lux, Martinis, Moreau, Shinoda, Thompson, Wilson, Zimmerman.

House Bill No. 768, having received the 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. 848, by Representatives Hanna, Adams, Deccio and Haley:

Modifying the financial responsibility provisions for residents of state residential schools.

The bill was read the second time.

Committee on Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 27th Day ex. sess., April 6, 1977.)

On motion of Mr. Hanna, the committee amendments were adopted.

House Bill No. 848 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 848 was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 848, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Chandler.

Not voting: Representatives Bond, Charette, Deccio, Martinis, Moreau, Shinoda, Thompson, Wilson.

Engrossed House Bill No. 848, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. 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 Bond and Martinis.

MOTION

On motion of Mr. King, the absent members were excused and the House proceeded with business under the Call of the House.

SUBSTITUTE HOUSE BILL NO. 681:

The House resumed consideration of the bill on second reading.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 681 was placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 681, and the bill passed the House by the following vote: Yeas, 87; nays, 9; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Ehlers, Gallagher, Pearsall, Salatino, Shinoda, Thompson, Tilly, Walk.

Not voting: Representatives Bond, Martinis.

Substitute House Bill No. 681, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 614:

The House resumed consideration of the bill on second reading.

On motion of Mr. Hanna, the following amendments were adopted:

On page 8, following line 22 insert the following new section:

"NEW SECTION. Sec. 9. The following factors shall never be considered in connection with the sentence to be imposed:

- (1) The sex of the defendant;
- (2) The race or color of the defendant;
- (3) The creed or religion of the defendant; or
- (4) The economic or social class of the defendant."

Renumber the remaining sections consecutively.

On page 9, after line 28 strike all of section 12 and renumber the remaining sections consecutively.

Mr. Enbody moved adoption of the following amendment:

On page 23, after line 8 insert the following new section:

"Sec. 31. Section 9A.32.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.060 are each amended to read as follows:

(1) A person is guilty of manslaughter in the first degree when:
 (a) He recklessly causes the death of another person; or
 (b) He intentionally and unlawfully kills an unborn quick child by inflicting any injury upon the mother of such child; or

(c) He commits or attempts to commit second or third degree assault, and in the course of and in furtherance of such crime causes the death of any person so assaulted, and notwithstanding the provisions of RCW 9A.32.050(1)(b), may not be charged with second degree murder for the death of the assaulted person.

(2) Manslaughter in the first degree is a class B felony."

Renumber the remaining sections consecutively.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Enbody to Substitute House Bill No. 614, and the amendment was adopted by the following vote: Yeas, 77; nays, 19; not voting, 2.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Chandler, Craswell, Dunlap, Fancher, Gilleland, Greeno, Haley, Lee, Nelson G. A., Pardini, Patterson, Polk, Sanders, Struthers, Wilson.

Not voting: Representatives Bond, Martinis.

On motion of Mr. Enbody, the following amendment to the title was adopted:

On page 1, line 2 of the title after "9.95.001;" insert "amending section 9A.32.060, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.060;"

On motion of Mr. Hanna, the following amendment to the title was adopted:

On page 1, line 3 of the title after "penalties;" insert "making an appropriation;"

Substitute House Bill No. 614 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 614 was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Amen.

Mr. Amen: "Representative Hanna, the amendment we just passed adds a new section 9, which says the following factors shall never be considered—sex, race, creed, social class; and then you took out section 12. You said you were taking out what we had put in, but section 12 pertains to something entirely different. It pertains to when a court imposes sentence for more than one sentence. I don't understand what we did there, would you please explain it?"

Mr. Hanna: "I said that those two amendments would bring the bill back into the form passed by the House Judiciary Committee. If you think there is some fine tuning we need to do on that, I think we can get at it in the Senate. What I was trying to do was to amend the bill back into the shape the Judiciary Committee has passed to the body. We made those decisions in the Judiciary Committee and that was the purpose of the amendments."

Mr. Amen: "When you spoke on the amendments you were saying that this was taking out something that we just put in the bill, but these are two entirely different subjects. If section 12 is taken out, does this appear any other place in the bill?"

Mr. Hanna: "My understanding from the staff is that in this section on mitigating aspects, we have already taken care of that. In that section the changes we have made now make the whole bill consistent."

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Newhouse.

Mr. Newhouse: "What then was the purpose—this is a substitute bill proposed by the Judiciary Committee. Do you mean that it was a misprint?"

Mr. Hanna: "Either the mistake was made by staff of Judiciary Committee or by the Code Reviser's Office, but the amendment I offered brought it back into the shape we passed it out of committee."

Mr. Taller spoke in favor of passage of the bill, and Mr. Shipoch spoke against it.

Mr. Hanna closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 614, and the bill passed the House by the following vote: Yeas, 79; nays, 17; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Chandler, Clayton, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Kaedlik, Knowles, Kreidler, Leckenby, Lee, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Sommers, Struthers, Taller, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Burns, Charette, Charnley, Clemente, Douthwaite, Eng, Gruger, King, Lux, Lysen, Schmitten, Shipoch, Smith, Thompson, Tilly, Williams, Zimmerman.

Not voting: Representatives Bond, Martinis.

Engrossed Substitute House Bill No. 614, having received the 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. 254, by Representatives Adams, Kreidler, Fortson, Pruitt, Lux, Hanna and Fischer:

Providing a patients bill or rights.

On motion of Mr. Adams, Substitute House Bill No. 254 was substituted for House Bill No. 254, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 254 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 92, by Representatives Gaines, Conner, Fortson, Gallagher and Martinis:

Establishing a state lottery.

The bill was read the second time.

Mr. Newhouse moved adoption of the following amendment:
On page 2, line 32 strike "forty-five" and insert "sixty"

Mr. Newhouse spoke in favor of the amendment, and Mr. Gaines spoke against it.

MOTION

Mr. Pruitt moved that House Bill No. 92 be rereferred to Committee on Commerce.

Representatives Pruitt and Boldt spoke in favor of the motion.

Mr. Patterson demanded an electric roll call, and the demand was sustained.

Representatives Warnke and Gaines spoke against the motion, and Mr. Greengo spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 92 to Committee on Commerce, and the motion was lost by the following vote: Yeas, 44; nays, 52; not voting, 2.

Voting yea: Representatives Amen, Barnes, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Deccio, Douthwaite, Dunlap, Eng, Fischer, Flanagan, Fuller, Greengo, Gruger, Hanna, Hurley G. S., Leckenby, Lee, Lux, Lysen, Moreau, Newhouse, Oliver, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Struthers, Tally, Valle, Vrooman, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barr, Bauer, Bender, Charette, Clemente, Conner, Craswell, Ehlers, Enbody, Erak, Erickson, Fancher, Fortson, Gaines, Gallagher, Gilleland, Grier, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Pearsall, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Walk, Warnke, Wilson, and Mr. Speaker.

Not voting: Representatives Bond, Martinis.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

The House resumed consideration of House Bill No. 92 on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Newhouse.

With the consent of the House, Mr. Newhouse withdrew the amendment.

The Clerk read the following amendment by Representative Greengo:

On page 10, line 16 add a new section:

***NEW SECTION.** Sec. 26. The 1977 act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state 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."

Remember the remaining section.

With the consent of the House, Mr. Greengo withdrew the amendment.

House Bill No. 92 was passed to Committee on Rules for third reading.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 615, by Committee on Judiciary (Originally sponsored by Representatives Enbody, Knowles and McKibbin):

Enacting the "Comprehensive Sentencing Act of 1977."

The House resumed reconsideration of final passage of the bill.

Representatives Enbody, Knowles and Smith spoke in favor of passage of the bill, and Representatives Lux and Hurley (George) spoke against it.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 615, and the bill passed the House by the following vote: Yeas, 69; nays, 27; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Chandler, Clayton, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilicland, Greengo, Grier, Grimm, Haley, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, Knedlik, Knowles, Leckenby, Lee, Lysen, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Vrooman, Walk, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Burns, Charéte, Charnley, Clemente, Conner, Douthwaite, Eng, Gruger, Hanna, Hawkins, Hurley G. S., King, Kreidler, Lux, Maxie, Moreau, Nelson D., Paris, Pruitt, Salatino, Shipoch, Thompson, Valle, Warnke, Williams, Wilson.

Not voting: Representatives Bond, Martinis.

Engrossed Substitute House Bill No. 615, having received the constitutional two-thirds majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

May 2, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3060,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SENATE BILL NO. 3060.

MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 11:00 a.m., Tuesday, May 3, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 3, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Dunlap, Grimm and Martinis, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Bonnie Mohan and Alan Eckersley. Prayer was offered by Reverend Richard W. Hart 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.

MESSAGES FROM THE SENATE

May 2, 1977

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 117,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 2, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2244,
 ENGROSSED SENATE BILL NO. 2429,
 REENGROSSED SUBSTITUTE SENATE BILL NO. 2527,
 ENGROSSED SENATE BILL NO. 2554,
 SENATE BILL NO. 2675,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2731,
 SUBSTITUTE SENATE BILL NO. 2811,
 SENATE BILL NO. 2839,
 SUBSTITUTE SENATE BILL NO. 3010,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3044,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2244, by Committee on Commerce (Originally sponsored by Senators Henry, Guess and Beck - by Department of Motor Vehicles request):

Revising laws governing car dealers and salesmen.

To Committee on Commerce

ENGROSSED SENATE BILL NO. 2429, by Senators Francis, Buffington, Marsh, Matson and Van Hollebeke (by Department of Motor Vehicles request):

Revising the regulation of charitable solicitations.

To Committee on Commerce

REENGROSSED SUBSTITUTE SENATE BILL NO. 2527, by Committee on Transportation (Originally sponsored by Senator Henry):

Defining criminal process of leased and rented motor vehicles and providing penalties.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2554, by Senators Benitz, Gaspard, Wanamaker and Morrison:

Imposing a one-eighth of one percent business and occupation tax on the business of manufacturing tritcale into flour.

To Committee on Revenue

SENATE BILL NO. 2675, by Senators Francis and Clarke:

Modifying the penalty for the taking of certain merchandise.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 2731, by Committee on Commerce (Originally sponsored by Senators Ridder, Morrison and Grant):

Providing for designation of specialty plumbers and revising other laws on plumbing.

To Committee on Labor

SUBSTITUTE SENATE BILL NO. 2811, by Committee on Education (Originally sponsored by Senator McDermott):

Providing for disposal of moneys in associated student body program fund, including moneys received by students for private purposes.

To Committee on Education

SENATE BILL NO. 2839, by Senators Marsh, Henry and Talley:

Exempting certain transmission and reception property of nonprofit corporations from property taxation.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 3010, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Matson – by Office of Program Planning and Fiscal Management request):

Making an appropriation to the tort claims revolving fund.

To Committee on Appropriations

ENGROSSED SUBSTITUTE SENATE BILL NO. 3044, by Committee on Labor (Originally sponsored by Senators Sellar and Ridder):

Regulating services and fees of physicians' assistants in support of industrial insurance recipients.

To Committee on Labor

REPORTS OF STANDING COMMITTEES

April 28, 1977

HOUSE BILL NO. 519, Prime Sponsor: Representative Burns, exempting from fees at institutions of higher education students pursuing high school diplomas or certificates. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass and amendment proposed by Committee on Higher Education be adopted. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Charette, Deccio, Ehlers, Heck, Hughes, Keller, Thompson, Valle, Williams, Zimmerman.

To Committee on Rules for second reading.

April 28, 1977

HOUSE BILL NO. 1322, Prime Sponsor: Representative Ehlers, establishing a schedule of salary increases for the judicial branch. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Chandler, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Maxie, Taller, Thompson, Valle, Warnke, Williams.

To Committee on Rules for second reading.

May 2, 1977

ENGROSSED SENATE BILL NO. 2160, Prime Sponsor: Senator McDermott, authorizing certain contracts for school districts and educational service districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 strike ", motor vehicles,"

On page 1, line 16 strike ", motor vehicles,"

On page 2, line 5 strike ", motor vehicles,"

On page 2, line 7 strike ", motor vehicles,"

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Boldt, Craswell, Ehlers, Fortson, Fuller, Lee, Schmitten, Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

April 27, 1977

ENGROSSED SENATE BILL NO. 2419, Prime Sponsor: Senator Woody, excluding law enforcement officers from the prohibition on recording private communications. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause 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:

(1) Except as otherwise provided in this chapter, it shall be unlawful for any individual, partnership, corporation, association, or the state of Washington, its agencies, and political subdivisions to intercept, ~~((record or divulge))~~ or record any:

((††)) (a) Private communication transmitted by telephone, telegraph, radio, or other device between two or more individuals between points within or without the state by any device electronic or otherwise designed to record and/or transmit said communication regardless how such device is powered or actuated, without first obtaining the consent of all the participants in the communication;

((††)) (b) Private conversation, by any device electronic or otherwise designed to record or transmit such conversation regardless how the device is powered or actuated without first obtaining the consent of all the persons engaged in the conversation.

(2) Communications or conversations (a) of an emergency nature, such as the reporting of a fire, crime, or other disaster, or (b) which convey threats of extortion, blackmail, bodily harm, or other unlawful requests or demands, or (c) which use primarily lewd, lascivious, profane, indecent, or obscene words or language, or (d) which occur anonymously or repeatedly or at an extremely inconvenient hour, whether or not conversation ensues without the purpose of legitimate conversation are not, for the purposes of this section, private.

(3) Consent shall be considered obtained whenever one party has announced to all other parties engaged in the communication or conversation, in any reasonably effective manner, that such communication or conversation is about to be recorded or transmitted: PROVIDED, That if the conversation is to be recorded that said announcement shall also be recorded.

(4) An employee of any regularly published newspaper, magazine, wire service, radio station, or television station acting in the course of bona fide news gathering duties on a full time or contractual or part time basis, shall be deemed to have consent to record and divulge communications or conversations otherwise prohibited by this chapter if the consent is expressly given or if the recording or transmitting device is readily apparent or obvious to the speakers. Withdrawal of the consent after the communication has been made shall not prohibit any such employee of a newspaper, magazine, wire service, radio or television station from divulging the communication or conversation.

Sec. 2. Section 1, chapter 48, Laws of 1970 ex. sess. and RCW 9.73.090 are each amended to read as follows:

(1) The provisions of RCW 9.73.030 through 9.73.080 shall not apply to police and fire personnel in the following instances:

((††)) (a) Recording incoming telephone calls to police and fire stations ~~((for the purpose and only for the purpose of verifying the accuracy of reception of emergency calls));~~

((††)) (b) Video and/or sound recordings may be made of arrested persons by police officers responsible for making arrests or holding persons in custody before their first appearance in court. Such video and/or sound recordings shall conform strictly to the following:

((††)) (i) The arrested person shall be informed that such recording is being made and the statement so informing him shall be included in the recording((:));

((††)) (ii) The recording shall commence with an indication of the time of the beginning thereof and terminate with an indication of the time thereof((:));

((††)) (iii) At the commencement of the recording the arrested person shall be fully informed of his constitutional rights, and such statements informing him shall be included in the recording((:));

((††)) (iv) The recordings shall only be used for valid police or court activities.

(2) It shall not be unlawful for a law enforcement officer acting in the performance of the officer's official duties to intercept, record, or disclose an oral communication or conversation where the officer is a party to the communication or conversation or one of the parties to the communication or conversation has given prior consent to the interception, recording, or disclosure: PROVIDED, That prior to the interception, transmission, or recording the officer shall obtain written or telephonic authorization from a judge or magistrate, who shall approve the interception, recording, or disclosure of communications or conversations with a nonconsenting party for a reasonable and specified period of time, if there is probable cause to believe that the nonconsenting party has committed, is engaged in, or is about to commit a felony: PROVIDED HOWEVER, That if such authorization is given by telephone the authorization and officer's statement justifying such authorization must be electronically recorded by the judge or magistrate on a recording device in the custody of the judge or magistrate at the time transmitted and the recording shall be retained in the court records and reduced to writing as soon as possible thereafter.

(3) Notwithstanding subsection (2) of this section, when a law enforcement officer has probable cause to believe that the nonconsenting party has committed, is about to commit, or is engaged in controlled substance trafficking or buying, selling, or possessing stolen property, the officer may intercept, record, or disclose such communications or conversations when they occur within a defined location and determined period of time, if authorization is obtained in writing or by telephone by the county prosecuting attorney or deputy prosecuting attorney: PROVIDED HOWEVER, That if authorization is by telephone the authorization and statement of the officer justifying such authorization shall be recorded by the prosecuting attorney or deputy prosecuting attorney on a recording device in the custody of the prosecuting attorney or deputy prosecuting attorney at the time transmitted and the recording shall be retained and reduced to writing as soon as possible thereafter.

All recordings of communications or conversations made pursuant to this subsection shall be retained by the prosecuting attorney for as long as any crime may be charged based on the events or communications or conversations recorded.

Recordings of communications or conversations made pursuant to this subsection shall only be admissible in trials arising from indictments or informations for violations of chapter 69.50 RCW and RCW 9A.56.140 through 9A.56.170.

(4) Communications or conversations authorized to be intercepted, recorded, or disclosed by this section shall not be inadmissible under RCW 9.73.050.

(5) Authorizations issued under this section shall be effective for seven days, after which period the issuing authority may upon application of the officer who secured the original authorization renew or continue the authorization for an additional period not to exceed seven days.

NEW SECTION. Sec. 3. There is added to chapter 9.73 RCW a new section to read as follows:

It shall not be unlawful for the owner or person entitled to use and possession of a building, as defined in RCW 9A.04.110(5), or the agent of such person, to intercept, record, or disclose communications or conversations which occur within such building if the persons engaged in such communication or conversation are engaged in a criminal act at the time of such communication or conversation by virtue of unlawful entry or remaining unlawfully in such building.'

In line 1 of the title, after "privacy;" strike "and"

In line 2 of the title, after "9.73.030" insert "; amending section 1, chapter 48, Laws of 1970 ex. sess. and RCW 9.73.090; and adding a new section to chapter 9.73 RCW"

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Hanna, Newhouse, Smith, Winsley.

To Committee on Rules for second reading.

May 2, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2593, Prime Sponsor: Senator Sandison, authorizing certain community college programs for military personnel and their dependents, department of defense civilians and their dependents and for U.S. veterans. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Chandler, Ranking Minority Member; Enbody, Haley, Moreau, Oliver, Thompson.

To Committee on Rules for second reading.

May 2, 1977

SENATE BILL NO. 2831, Prime Sponsor: Senator McDermott, making changes in the RCW code to reflect other laws relating to education. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bender, Boldt, Craswell, Ehlers, Fortson, Fuller, Lee, Schmitten, Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

May 2, 1977

ENGROSSED SENATE BILL NO. 3004, Prime Sponsor: Senator Francis, adding three members to the judicial council. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Shinpoch, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

May 2, 1977

ENGROSSED SENATE BILL NO. 3058, Prime Sponsor: Senator Sellar, authorizing coverage of volunteer law enforcement officers under the industrial insurance laws. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

May 2, 1977

SENATE JOINT RESOLUTION NO. 113, Prime Sponsor: Senator Van Hollebeke, amending the Constitution to increase the jurisdictional limits of justices of the peace. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Shinpoch, Smith, Tilly, Winsley.

MOTION

On motion of Mr. Bender, Senate Joint Resolution No. 113 was rereferred to Committee on Constitution.

SENATE AMENDMENTS TO HOUSE BILL

May 2, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 312 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100 are each amended to read as follows:

The board of regents and board of trustees at each of the state(^(s)) colleges, community colleges, and universities shall charge to and collect from each of the students registering at the particular institution for any quarter or semester such general tuition fees, operating fees, services and activities fees, and other fees as such board shall in its discretion determine, the total of all such fees, the general tuition fee, operating fee, or services and activities fee, to be rounded-out to the nearest whole dollar amount: PROVIDED, That such general tuition fees and operating fees for quarters or semesters other than summer session shall be in at least the amounts for the respective institutions as otherwise set forth in ((RCW 28B.15.200, 28B.15.300, 28B.15.400 and 28B.15.500)) this chapter, as now or hereafter amended((~~PROVIDED FURTHER, That the fees charged by boards of trustees of community college districts shall be consistent with RCW 28B.15.500 as now or hereafter amended~~)).

NEW SECTION, Sec. 2. General tuition fees, operating fees, and services and activities fees at the University of Washington and at Washington State University for other than summer quarters or semesters shall be as follows:

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of tuition and operating fees shall be twenty-five percent of educational costs computed as provided in sections 5 and 6 of this 1977 amendatory act: PROVIDED, That the amount of general tuition fees charged shall not exceed thirty-nine dollars per quarter at the University of Washington and fifty-eight dollars and fifty cents per semester at Washington State University. The services and activities fees charged such students shall be set by the boards of regents of the respective institutions and shall not exceed twenty-five percent of the tuition and operating fees set for such students.

(2) For full time resident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of tuition and operating fees shall be one hundred and fifteen percent of the tuition and operating fees charged to resident undergraduate students: PROVIDED, That the amount of general tuition fees and services and activities fees charged such students shall not exceed that charged undergraduate resident students.

(3) For full time resident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of tuition and operating fees shall be one hundred and sixty percent of the tuition and operating fees paid by resident undergraduate students: PROVIDED, That the amount of general tuition fees charged shall not exceed one hundred eleven dollars per quarter at the University of Washington and one hundred sixty-six dollars and fifty cents per semester at Washington State University. The services and activities fees charged such students shall not exceed that charged undergraduate resident students.

(4) For full time nonresident undergraduate students and such other full time nonresident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, or doctor of veterinary medicine, the total of tuition and operating fees shall be ninety percent of educational costs computed as provided in sections 5 and 6 of this 1977 amendatory act: PROVIDED, That the amount of general tuition fees charged such students shall not exceed one hundred fifteen dollars per quarter at the University of Washington and one hundred seventy-two dollars and fifty cents per semester at Washington State University. The services and activities fees charged such students shall equal that charged undergraduate resident students.

(5) For full time nonresident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of tuition and operating fees shall be one hundred and fifteen percent of the tuition and operating fees paid by nonresident undergraduate students: PROVIDED, That the amount of general tuition fees and services and activities fees charged such students shall not exceed that charged undergraduate resident students.

(6) For full time nonresident graduate students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total of tuition and operating fees shall be one hundred and sixty percent of the tuition and operating fees paid by nonresident undergraduate students: PROVIDED, That the amount of general tuition fees charged such students shall not exceed one hundred eighty-one dollars per quarter at the University of Washington and two hundred seventy-one dollars and fifty cents per semester at Washington State University. The services and activities fees charged such students shall not exceed that charged undergraduate resident students.

NEW SECTION. Sec. 3. General tuition fees, operating fees, and services and activities fees at state colleges for other than summer quarters or semesters shall be as follows:

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs, the total of tuition and operating fees shall be eighty percent of the total of tuition and operating fees as computed for the purposes of section 2(1) of this 1977 amendatory act: PROVIDED, That the amount of general tuition fees charged shall not exceed twenty-five dollars per quarter. The services and activities fees for such students shall be set by the boards of trustees of each such institution and shall not exceed forty percent of the tuition and operating fees set for such students.

(2) For full time resident graduate students, the total of tuition and operating fees shall be one hundred and fifteen percent of the tuition and operating fees charged to resident undergraduate students: PROVIDED, That the amount of general tuition fees and services and activities fees charged such students shall not exceed that charged undergraduate resident students.

(3) For full time nonresident undergraduate students and all other full time nonresident students not in graduate study programs, the total of tuition and operating fees shall be eighty percent of the total of tuition and operating fees as computed for the purposes of section 2(4) of this 1977 amendatory act: PROVIDED, That the amount of general tuition fees charged such students shall not exceed ninety-six dollars per quarter. The services and activities fees charged such students shall equal that charged undergraduate resident students.

(4) For full time nonresident graduate students, the total of tuition and operating fees shall be one hundred and fifteen percent of the tuition and operating fees paid by nonresident undergraduate students: PROVIDED, That the amount of general tuition fees and services and activities fees charged such students shall not exceed that charged undergraduate nonresident students.

Sec. 4. Section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500 are each amended to read as follows:

General tuition fees, operating fees and services and activities fees charged students registered at each community college other than at summer quarters shall be as follows:

(1) ((Full-time resident students:

(a) General tuition fee, forty-one dollars and fifty cents per quarter;

(b) Operating fees, twenty-seven dollars per quarter; and

(c) Services and activities fees, not more than fourteen dollars and fifty cents per quarter.

(2) Full-time nonresident students:

(a) General tuition fee, one hundred thirty-one dollars and fifty cents per quarter;

(b) Operating fees, eighty-one dollars per quarter; and

(c) Services and activities fees, not more than fourteen dollars and fifty cents per quarter.)) For full

time resident students, the total of tuition and operating fees shall be fifty percent of the total of tuition and operating fees computed for the purposes of section 2(1) of this 1977 amendatory act: PROVIDED, That the amount of general tuition fees charged shall not exceed forty-one dollars and fifty cents per quarter. The services and activities fees set by the trustees at such institutions may not exceed twenty percent of the total tuition and operating fees set for such students.

(2) For full time nonresident students, the total of tuition and operating fees shall be fifty percent of the total of tuition and operating fees computed for the purposes of section 2(4) of this 1977 amendatory act:

PROVIDED, That the amount of general tuition fees charged such students shall not exceed one hundred thirty-one dollars and fifty cents per quarter. The services and activities fees charged such students shall equal that charged resident students.

(3) Tuition, operating fees and services and activities fees consistent with the above schedule will be fixed by the state board for community colleges for summer school students.

The board of trustees shall charge such fees for part time students, ungraded courses, noncredit courses, and short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

NEW SECTION. Sec. 5. Tuition and operating fees shall be established and adjusted biennially under the provisions of this chapter beginning with the 1977-79 biennium. The budgeted level, including the funding and enrollment amounts, of the 1975-77 biennium, shall be utilized in the 1977-79 biennium adjustment. Such fees shall be identical, subject to other provisions of this chapter, for students enrolled at either state university, for students enrolled at any state college and for students enrolled at any community college. The tuition and operating fees shall reflect proportional educational costs of the state universities in the amounts herein prescribed. For the purposes of this chapter, educational costs shall include, but not be limited to, the costs of instruction, library services, student services, administration, and plant maintenance and operation: **PROVIDED, That educational costs shall not include the following:** Direct and indirect costs of research and public service activities, self-sustaining activities, capital amortization costs, summer programs, intercollegiate athletics, auxiliary enterprises, financial aid grants, and student activity programs financed from services and activities fees.

NEW SECTION. Sec. 6. Undergraduate resident fees for each ensuing biennium based on educational costs shall be calculated on the basis of the state universities' budgeted levels for the current biennium then in effect through application of criteria, definitions and procedures derived from the most recent council for postsecondary education cost analysis. The budgeted levels shall be the funding and enrollment amounts used in the budget on which original appropriations for the current biennium were based as adjusted by subsequent legislative and executive action prior to July 1st of each even-numbered year. The cost of educational services as set forth in section 5 of this 1977 amendatory act shall be determined for undergraduate students in accordance with criteria, definitions, and procedures adopted by the council for postsecondary education and approved by the office of program planning and fiscal management. In subsequent even-numbered years, modifications of such criteria, definitions and procedures must be approved prior to July 1st of that year or the previously approved criteria, definitions and procedures will remain in effect.

NEW SECTION. Sec. 7. The council for postsecondary education shall transmit amounts constituting approved educational cost to the several boards of regents and trustees of the state institutions of higher education and the state board for community college education at the earliest possible time. General tuition fees and operating fees shall be based on such costs in accordance with the provisions of this chapter. The council, in carrying out its responsibilities as directed by RCW 28B.10.806, shall take into account increases in tuition and fees authorized by this 1977 amendatory act.

Sec. 8. Section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.380 are each amended to read as follows:

In addition to any other exemptions as may be provided by law, the board of regents at the universities may exempt the following classes of persons from the payment of general tuition fees, operating fees, or services and activities fees except for individual instruction fees: (1) All veterans as defined in RCW 41.04.005: **PROVIDED, That such persons are no longer entitled to federal vocational or educational benefits conferred by virtue of their military service: AND PROVIDED FURTHER, That if any such veterans have not resided in this state for one year prior to registration said board may exempt them up to one-half of the tuition payable by other nonresident students: AND, PROVIDED FURTHER, That such exemptions shall be provided only to those persons otherwise covered who were enrolled in universities on or before October 1, 1977.** (2) Members of the staffs of the University of Washington and Washington State University. (3) Teachers in the public schools of the state who supervise the cadet teachers from the University of Washington. (4) Children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 9. Section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 3, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.40.361 are each amended to read as follows:

The boards of trustees may exempt from the payment of general tuition, operating fees, or services and activities fees, except for individual instruction fees, (1) all veterans who served in the armed forces of the United States who have served the United States during any period of war as defined in RCW 41.04.005 and who shall have served with evidence of conduct other than undesirable, bad conduct or dishonorable upon release from active service: **PROVIDED, That such person is no longer entitled to federal vocational or educational benefits conferred by virtue of his military service: PROVIDED FURTHER, That such exemptions shall be provided only to those persons otherwise covered who were enrolled in state colleges on or before October 1, 1977, and (2) all children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.**

NEW SECTION. Sec. 10. For the period commencing August 1, 1977, and ending July 31, 1981, those students enrolled in undergraduate programs at Washington state colleges and universities who are residents of the Canadian province of British Columbia, shall pay the same amount of tuition, operating, and services and activities fees charged Washington resident students enrolled in the same programs: **PROVIDED, That**

if a different tuition and fee schedule shall be charged Washington state students attending institutions of higher education located in the Canadian province of British Columbia than for resident students thereof, the provisions of this section shall cease to be in effect at the end of the fiscal year in which the different tuition and fee schedule is so charged.

The council for postsecondary education shall review the costs of such pilot program and make recommendations to the legislative session, commencing January, 1981, on the possible continuation of this experimental program. Following such review, the legislature shall make the determination to extend or terminate the program.

NEW SECTION. Sec. 11. Notwithstanding any other section of this 1977 amendatory act, the boards of regents and trustees of the respective institutions of higher education shall set aside from tuition and fees charged an amount heretofore pledged and necessary for the purposes of bond retirement until such time as any such debt has been satisfied.

NEW SECTION. Sec. 12. The following acts or parts of acts are hereby repealed:

(1) Section 28B.15.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200;

(2) Section 28B.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300;

(3) Section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400;

(4) Section 22, chapter 279, Laws of 1971 ex. sess., section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; and

(5) Section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630.

NEW SECTION. Sec. 13. Sections 2 and 3, 5 through 7 and 10 of this 1977 amendatory act are added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

NEW SECTION. Sec. 14. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 15. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

On line 2 of the title after "education," strike the remainder of the title and insert "amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.380; amending section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 3, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.40.361; setting forth new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 28B.15.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200; repealing section 28B.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300; repealing section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; repealing section 22, chapter 279, Laws of 1972 ex. sess. and RCW 28B.15.620; providing for the expiration of a certain section hereof; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Representative Erickson, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 312, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Erickson, Enbody and Chandler as conferees on Engrossed Substitute House Bill No. 312.

SECOND READING

HOUSE BILL NO. 292, by Representatives Valle, Chandler, Thompson and Fischer:

Changing water district comprehensive planning and finance law.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 292 was substituted for House Bill No. 292, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 292 was read the second time.

The Clerk read the following amendment by Representatives Fischer and Valle:

On page 1, line 15 after "Section 1." add a section as follows:

"Section 3, chapter 108, Laws of 1959 and RCW 57.08.090 are each amended to read as follows:

The district may, at any time after the connection charges or rates and charges for water supplied and penalties are delinquent for a period of sixty days, bring suit in foreclosure by civil action in the superior court of the county in which the district is situated. The court may allow, in addition to the costs and disbursements provided by statute, such an attorney's fee as it adjudges reasonable. The action shall be in rem, and may be brought in the name of the district against an individual, or against all of those who are delinquent in one action, and the laws and rules of the court shall control as in other civil actions.

In addition to the right to foreclose provided in this section, the district may also cut off all or part of the service after charges for water supplied are delinquent for a period of sixty days.

Sec. 2."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Nelson (Gary): Mr. Speaker, I would like to have you rule on the scope and object of this amendment. As I read this bill it deals with a comprehensive water plan; it deals with resolutions for permitting revenue bonds as well as LID and LID procedures. This amendment deals with cutting off someone's water."

MOTION

On motion of Mr. Bender, further consideration of Substitute House Bill No. 292 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 365.

HOUSE BILL NO. 293, by Representatives Valle, Chandler, Thompson and Fischer:

Clarifying and changing sewer district finance law.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 293 was substituted for House Bill No. 293, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 293 was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 7, line 5 after "35.44 RCW" strike ", and RCW 35.43.250"

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

HOUSE BILL NO. 447, by Representatives Warnke, Greengo and Polk (by Department of Motor Vehicles request):

Extending the grounds for suspension or revocation of real estate sales licenses, and exempting brokers from the vehicle dealers' and salemen's license requirements in certain cases.

The bill was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and House Bill No. 447 was placed on final passage.

POINT OF ORDER

Mr. Polk: "Mr. Speaker, when we recessed we were considering House Bill No. 293. To my knowledge no motion was made to defer any further action on that bill, and it was just left before us."

The Speaker: "We went at ease and the Rules Committee has established that the consent calendar begins at 1:30."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 447, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 3; not voting, 47.

Voting yea: Representatives Amen, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Craswell, Eng, Erak, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Gruger, Hansen, Hawkins, Hughes, Kilbury, Knedlik, Knowles, Leckenby, Lee, Lysen, May, McCormick,

McKibbin, Nelson D., Nelson G. A., North, O'Brien, Patterson, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinpoch, Sommers, Thompson, Valle, Wilson, and Mr. Speaker.

Voting nay: Representatives Greengo, King, Williams.

Not voting: Representatives Adams, Barnes, Barr, Blair, Bond, Chandler, Clayton, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Flanagan, Gaines, Grier, Grimm, Haley, Hanna, Heck, Hurley G. S., Hurley M., Keller, Kreidler, Lux, Martinis, Maxie, Moreau, Newhouse, Oliver, Owen, Pardini, Paris, Pearsall, Sanders, Shinoda, Smith, Struthers, Taller, Tilly, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

House Bill No. 447, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. King, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Bill No. 447 failed to pass the House.

HOUSE BILL NO. 534, by Representative Martinis:

Allowing the revocation of food fish and shellfish licenses for violations of food fish and shellfish laws.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 534 was substituted for House Bill No. 534, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 534 was read the second time.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 534 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 854, by Representatives Hanna, Adams, Kreidler, Deccio and Haley:

Modifying the law on residential school placement review.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 854 was substituted for House Bill No. 854, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 854 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 854 was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 854, and the bill passed the House by the following vote: Yeas, 86; nays, 1; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bond, Deccio, Dunlap, Gaines, Grimm, Hanna, Martinis, Moreau, Oliver, Owen, Struthers.

Substitute House Bill No. 854, having received the 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. 1293, by Representative Hawkins:

Clarifying which public officials must disclose their finances.

The bill was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and House Bill No. 1293 was placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1293, and the bill passed the House by the following vote: Yeas, 80; nays, 6; not voting, 12.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charney, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Fuller, Lee, Newhouse, Zimmerman.

Not voting: Representatives Bond, Charette, Dunlap, Gaines, Grimm, Martinis, Moreau, Oliver, Owen, Struthers, Thompson, Tilly.

House Bill No. 1293, having received the constitutional two-thirds majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House immediately reconsider the vote by which House Bill No. 447 failed to pass the House.

The motion was carried.

The Speaker stated the question before the House to be reconsideration of final passage of House Bill No. 447.

Mr. Warnke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of House Bill No. 447, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charney, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Charette, Dunlap, Gaines, Grimm, Hanna, Martinis, Moreau, Oliver, Owen, Struthers, Thompson.

House Bill No. 447, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 293:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment offered by Representative Polk.

The amendment was adopted.

Substitute House Bill No. 293 was ordered engrossed.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 293 was placed on final passage.

Mrs. Valle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 293, and the bill passed the House by the following vote: Yeas, 75; nays, 13; not voting, 10.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gallagher, Greengo, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, O'Brien, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Charette, Fancher, Flanagan, Gilleland, Hansen, Hurley G. S., Leckenby, North, Pardini, Patterson, Sherman.

Not voting: Representatives Bond, Dunlap, Enbody, Gaines, Grimm, Martinis, Moreau, Oliver, Owen, Struthers.

Engrossed Substitute 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. 1254, by Representatives Charnley, Leckenby, McKibbin and Blair:

Regulating boating.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1254 was substituted for House Bill No. 1254, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1254 was read the second time.

On motion of Mr. O'Brien, the following amendments by Representatives O'Brien and Charnley were adopted:

On page 1, on line 6 strike "12" and insert "13"

On page 3, after line 10 insert the following:

NEW SECTION. Sec. 5. It shall be unlawful to anchor any vessel within five hundred feet of a public bathing beach.

Renumber the remaining sections consecutively.

On page 3, line 15 strike "5" and insert "6"

On motion of Mr. Pardini, the following amendments were adopted:

On page 1, line 16 strike "any means of"

On page 1, line 16 after "propulsion" insert "of greater than five horsepower"

Substitute House Bill No. 1254 was ordered engrossed.

Mr. Boldt moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1254 be placed on final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules to place Engrossed Substitute House Bill No. 1254 on final passage, and the motion was lost by the following vote: Yeas, 55; nays, 32; not voting, 11.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Gallagher, Grier, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Fancher, Fortson, Gilleland, Greengo, Gruger, Haley, Leckenby, Lee, Nelson G. A., Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Smith, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Dunlap, Fuller, Gaines, Grimm, Martinis, Moreau, Newhouse, Oliver, Owen, Struthers.

Engrossed Substitute House Bill No. 1254 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 773, by Representatives Fuller, Ehlers, Paris, Berentson, Zimmerman and Thompson:

Modifying the forest excise tax laws.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 773 was substituted for House Bill No. 773, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 773 was read the second time.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 773 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 365, by Representatives Lysen, Sherman and Knedlik:

Requiring total life-cycle cost analysis of proposed action by governmental unit or agency.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 43rd Day ex. sess., April 22, 1977.)

On motion of Mr. Ehlers, the committee amendment was adopted.

House Bill No. 365 was ordered engrossed.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 365 was placed on final passage.

Mr. Lysen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 365, and the bill passed the House by the following vote: Yeas, 79; nays, 10; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lockenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shipoch, Smith, Sommers, Taller, Tilly, Valle, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Ehlers, Erak, Flanagan, Hawkins, Pardini, Shinoda, Thompson, Walk, Williams.

Not voting: Representatives Bond, Dunlap, Gaines, Grimm, Martinis, Moreau, Oliver, Owen, Struthers.

Engrossed House Bill No. 365, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 292:

The House resumed consideration of the bill on second reading.

SPEAKER'S RULING

The Speaker: "The question before the House is the point of order by Representative Nelson. The Speaker rules that the amendment by Representative Fischer is within the scope and object."

Mr. Fischer moved adoption of the amendment and spoke in favor of it.

The amendment was adopted.

Representative Craswell moved adoption of the following amendment:

On page 1, line 15 insert a new section as follows:

"Section 1. Section 1, chapter 50, Laws of 1953 and RCW 57.08.015 are each amended to read as follows:

The board of commissioners of a water district may sell, at public or private sale, property belonging to the district if the board determines by unanimous vote of the elected members of the board that the property is not and will not be needed for district purposes and if the board gives notice of intention to sell as in this section provided: PROVIDED, That no such notice of intention shall be required to sell personal property of less than two hundred-fifty dollars in value.

The notice of intention to sell shall be published once a week for three consecutive weeks in a newspaper of general circulation in the district. The last publication shall be at least twenty days but not more than thirty days before the date of sale. The notice shall describe the property and state the time and place at

which it will be sold or offered for sale, the terms of sale, whether the property is to be sold at public or private sale, and if at public sale the notice shall call for bids, fix the conditions thereof and shall reserve the right to reject any and all bids."

Remember the remaining sections consecutively.

Representatives Craswell and Thompson spoke in favor of the amendment, and it was adopted.

Mr. Polk moved adoption of the following amendment:

On page 9, line 15 strike section 7

Representatives Polk and Thompson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Fischer, the following amendment to the title was adopted:

On line 1 of the title after "districts;" and before "amending" insert "amending section 3, chapter 108, Laws of 1959 and RCW 57.08.090;"

On motion of Representative Craswell, the following amendment was adopted:

On page 1, line 1 of the title after "districts;" insert "amending section 1, chapter 50, Laws of 1953 and RCW 57.08.015;"

Substitute House Bill No. 292 was ordered engrossed.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 292 was placed on final passage.

Mrs. Valle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 292, and the bill passed the House by the following vote: Yeas, 74; nays, 16; not voting, 8.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fuller, Gallagher, Greengo, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., O'Brien, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Shinpoch, Smith, Sommers, Toller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Fancher, Flanagan, Fortson, Gilleland, Hansen, Hurley M., Leckenby, Newhouse, North, Oliver, Patterson, Polk, Sherman, Shinoda, and Mr. Speaker.

Not voting: Representatives Bond, Dunlap, Gaines, Grimm, Martinis, Moreau, Owen, Struthers.

Engrossed Substitute 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.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 1189, by Representatives Fortson, Shinpoch, Haley, Newhouse, Adams, Hanna, Whiteside and Lux:

Requiring independent audits for nursing homes.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 1189 was substituted for House Bill No. 1189, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1189 was read the second time.

On motion of Mr. Newhouse, the following amendments by Representatives Newhouse and Adams were adopted:

On page 2, line 36 after "on" strike "their federal tax year, which shall coincide with a common fiscal" and insert "common reporting"

On page 3, after line 14 insert the following:

"NEW SECTION. Sec. 5. Payment rates shall:

(1) Not be set lower prospectively than the level which may reasonably be expected to reimburse in full for actual allowable costs under federal regulations for a nursing home which is economically and efficiently operated;

(2) Realistically take into account economic conditions and trends during the time period covered by the rates;

(3) Be at least annually redetermined;

- (4) Permit as allowable those expenses necessary to meet all items of expense which operators of nursing homes must incur to provide federally defined skilled or intermediate care services;
- (5) Meet the reasonable cost of patient assessment activity; and
- (6) Meet the reasonable cost of accounting requirements.

Reasonable costs shall be determined independently of the level of funding available, in accordance with federal regulations and guidelines."

Remember the remaining sections consecutively.

Mr. Pardini moved adoption of the following amendment:

On page 3, line 13, strike "twenty-five" and insert "twelve"

Mr. Pardini spoke in favor of the amendment, and Ms. Becker spoke against it.

Mr. Pardini spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to Substitute House Bill No. 1189, and the amendment was adopted by the following vote: Yeas, 68; nays, 19; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Chandler, Clayton, Conner, Craswell, Deccio, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knowles, Leckenby, Lee, Lysen, Maxie, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Smith, Taller, Tilly, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Becker, Burns, Charette, Charnley, Clemente, Douthwaite, Hurley G. S., Kreidler, Lux, Nelson D., Pruitt, Salatino, Sherman, Shinpoch, Sommers, Thompson, Valle, Vrooman, Warnke.

Not voting: Representatives Bond, Dunlap, Enbody, Gaines, Grimm, Knedlik, Martinis, Moreau, Owen, Struthers, and Mr. Speaker.

Substitute House Bill No. 1189 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1189 was placed on final passage.

Mrs. Fortson 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. 1189, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Bond, Dunlap, Gaines, Grimm, Martinis, Moreau, Owen, Polk, Struthers.

Engrossed Substitute House Bill No. 1189, having received the 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. 43, by Representatives Hurley (Margaret), Lec, North and Gaines:
Planning urban area state parks.

The bill was read the second time.

On motion of Representative Hurley (Margaret), Substitute House Bill No. 43 was substituted for House Bill No. 43, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 43 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 43 was placed on final passage.

Representatives Hurley (Margaret) and Lux spoke in favor of passage of the bill, and Representative Craswell spoke against it.

Mrs. Hurley (Margaret) spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 43, and the bill passed the House by the following vote: Yeas, 64; nays, 26; not voting, 8.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Gallagher, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Pardini, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Boldt, Charette, Clayton, Craswell, Deccio, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Hansen, Newhouse, Oliver, Patterson, Polk, Sanders, Schmitt, Shinoda, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Bond, Dunlap, Gaines, Grimm, Martinis, Moreau, Owen, Struthers.

Substitute House Bill No. 43, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:
SENATE CONCURRENT RESOLUTION NO. 117.

HOUSE JOINT MEMORIAL NO. 10, by Representatives Lux, Shipoch, Nelson (Dick), Kreidler, Burns, Pruitt, Maxie, Adams, Sherman, Eng, Fortson, Hurley (George), Douthwaite, Conner, Williams, Charnley, May, Gallagher, Valle and Lysen:

Requesting passage of the Kennedy-Corman Health Security Act.

The memorial was read the second time.

Mr. Newhouse moved adoption of the following amendment:

On page 1, line 11 after "1976" insert "and received unprecedented high quality health care"

Mr. Newhouse spoke in favor of the amendment, and Mr. Lux spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to page 1, line 11 of House Joint Memorial No. 10, and the amendment was not adopted by the following vote: Yeas, 37; nays, 49; not voting, 12.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Ehlers, Enbody, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Knowles, Leckenby, Lee, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Erak, Fischer, Fortson, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Maxie, May, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Not voting: Representatives Bond, Dunlap, Eng, Erickson, Gaines, Grimm, Martinis, Moreau, Owen, Smith, Struthers, and Mr. Speaker.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 17 strike "Only the" and insert "The"

Mr. Tilly spoke in favor of the amendment, and Mr. Lux spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 1, line 17 of House Joint Memorial No. 10, and the amendment was not adopted by the following vote: Yeas, 33; nays, 55; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Fortson, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Bond, Dunlap, Erickson, Gaines, Grimm, Martinis, Moreau, Owen, Smith, Struthers.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 21 strike "equitable" and insert "an unprecedented, record-breaking burdensome"

Mr. Tilly spoke in favor of the amendment, and Mr. Lux spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 1, line 21 of House Joint Memorial No. 10, and the amendment was not adopted by the following vote: Yeas, 34; nays, 54; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Fortson, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Bond, Dunlap, Erickson, Gaines, Grimm, Martinis, Moreau, Owen, Smith, Struthers.

Mr. Polk moved adoption of the following amendment:

On page 1, line 17 strike "Only the Kennedy-Corman Health Security Act (S.3/H.R.21) would" and insert "there is a need for decentralized, locally controlled, health care system which would"

Mr. Polk spoke in favor of the amendment.

MOTION

On motion of Mr. Charnley, further consideration of House Joint Memorial No. 10 was deferred and the memorial was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 191, by Representatives Charnley, Haley, Chandler, Hawkins, Blair, Boldt, Valle, Ehlers, Hanna and Zimmerman:

Providing for the creation and management of a scenic river system.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments, see Journal, 32nd Day ex. sess., April 11, 1977.)

On motion of Mrs. Valle, the committee amendments were adopted.

Committee on Appropriations recommendation: Majority do pass as amended. (For amendments see Journal, 46th Day ex. sess., April 25, 1977.)

Mrs. Valle moved adoption of the committee amendment to page 7, adding a new section 10.

Mr. Schmitten moved adoption of the following amendment to the committee amendment: On line 2 of the amendment after "of" strike "game" and insert "natural resources"

Mr. Schmitten spoke in favor of the amendment to the committee amendment, and Representatives Charnley, Chandler and Douthwaite spoke against it.

Mr. Schmitten spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schmitten to the committee amendment to House Bill No. 1191, and the amendment to the amendment was not adopted by the following vote: Yeas, 36; nays, 52; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Berentson, Chandler, Charette, Clayton, Craswell, Deccio, Enbody, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Leckenby, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Walk, Whiteside, Wilson, Winsley.

Voting nay: Representatives Becker, Bender, Blair, Boldt, Burns, Charnley, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, Zimmerman.

Not voting: Representatives Bauer, Bond, Clemente, Dunlap, Gaines, Grimm, Martinis, Moreau, Owen, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by the Committee on Appropriations to page 7.

Representatives Sanders, Hurley (Margaret), Valle and Barr spoke against adoption of the amendment, and Mr. Charnley spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 7 of House Bill No. 1191, and the amendment was not adopted by the following vote: Yeas, 29; nays, 53; not voting, 16.

Voting yea: Representatives Barnes, Becker, Blair, Boldt, Burns, Charnley, Clemente, Deccio, Douthwaite, Ehlers, Eng, Gruger, Haley, Hanna, Hawkins, Hughes, Hurley G. S., Kilbury, King, Leckenby, Lux, Nelson D., O'Brien, Sherman, Shinpoch, Sommers, Thompson, Williams, Winsley.

Voting nay: Representatives Adams, Amen, Barr, Bender, Berentson, Chandler, Charette, Clayton, Conner, Craswell, Enbody, Erak, Fancher, Fischer, Flanagan, Fortson, Gallagher, Gilleland, Greengo, Grier, Hansen, Heck, Hurley M., Keller, Knedlik, Knowles, Lee, Lysen, Maxie, May, McCormick, McKibbin, Newhouse, North, Oliver, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bauer, Bond, Dunlap, Erickson, Fuller, Gaines, Grimm, Kreidler, Martinis, Moreau, Nelson G. A., Owen, Paris, Polk, Smith, and Mr. Speaker.

Mr. Schmitten moved adoption of the following amendments:

On page 1, line 27 after "of" strike "game" and insert "natural resources"

On page 4, line 24 after "of" strike "game" and insert "natural resources"

Mr. Schmitten spoke in favor of the amendments, and Mr. Charnley spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Schmitten to House Bill No. 1191, and the amendments were not adopted by the following vote: Yeas, 37; nays, 50; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Enbody, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Hurley M., Keller, Knedlik, Leckenby, Nelson G. A., Newhouse, Oliver, Pardini, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Walk, Whiteside, Wilson, Winsley.

Voting nay: Representatives Adams, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, Zimmerman.

Not voting: Representatives Bauer, Bond, Dunlap, Gaines, Grimm, Martinis, Moreau, Owen, Paris, Patterson, and Mr. Speaker.

Mr. Chandler moved adoption of the following amendment:

On page 1, line 27 strike "game" and insert "parks and recreation"

Representatives Chandler and Hurley (Margaret) spoke in favor of the amendment, and Representatives Charnley and Hurley (George) spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Chandler to page 1, line 27 of House Bill No. 1191, and the amendment was not adopted by the following vote: Yeas, 37; nays, 50; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Burns, Chandler, Clayton, Craswell, Deccio, Enbody, Eng, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Haley, Hansen, Hurley M., Knedlik, Lee, Nelson G. A., Newhouse, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

Voting nay: Representatives Bauer, Becker, Bender, Blair, Boldt, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erak, Erickson, Fischer, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Oliver, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Not voting: Representatives Adams, Bond, Dunlap, Gaines, Grimm, Leckenby, Martinis, Moreau, Owen, Zimmerman, and Mr. Speaker.

Mr. Schmitt moved adoption of the following amendment:

On page 2, line 17 after "of" strike "one-quarter mile" and insert "two hundred feet"

Mr. Schmitt spoke in favor of the amendment, and Representatives Hawkins and Charnley spoke against it.

Mr. Schmitt spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 7, line 3 after "7." strike lines 3 through 7.

Mr. Tilly spoke in favor of the amendment, and Mr. Charnley spoke against it.

The amendment was not adopted.

MOTION FOR RECONSIDERATION

Mrs. Valle, having voted on the prevailing side, moved that the House reconsider the vote by which the Appropriations Committee amendment to page 7 was not adopted.

POINT OF ORDER

Mr. Polk: "Mr. Speaker, I believe we've had action subsequent to the amendment which deals with the same area and that would preempt the ability to move for reconsideration."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "There has been no action of consequence to this amendment that would prohibit the motion to reconsider. Your point of order is not well taken."

Representatives Valle, Hawkins and Douthwaite spoke in favor of the motion, and Representatives Barr, Hurley (Margaret) and Deccio spoke against it.

Mr. Hurley (George) demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to reconsider the Committee on Appropriations amendment to page 7, and the motion was carried by the following vote: Yeas, 54; nays, 34; not voting, 10.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, May, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Tally, Thompson, Valle, Vrooman, Walk, Williams, Zimmerman.

Voting nay: Representatives Amen, Barr, Berentson, Charette, Clayton, Craswell, Deccio, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Hurley M., Knowles, Leckenby, Lee, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tilly, Whiteside, Wilson, Winsley.

Not voting: Representatives Bond, Dunlap, Gaines, Grimm, Martinis, Maxie, Moreau, Owen, Warnke, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment to page 7 by the Committee on Appropriations.

ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Committee on Appropriations to page 7 of House Bill No. 1191, and the amendment was adopted by the following vote: Yeas, 52; nays, 32; not voting, 14.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fuller, Gallagher, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Lee, Lux, Lysen,

Maxie, May, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Clayton, Craswell, Deccio, Fancher, Flanagan, Fortson, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Knowles, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Tilly, Whiteside, Wilson, Winsley.

Not voting: Representatives Bond, Dunlap, Erak, Gaines, Grimm, Knedlik, Leckenby, Martinis, Moreau, Owen, Shinoda, Smith, Zimmerman, and Mr. Speaker.

On motion of Mr. Shipoch, the committee amendment to the title was adopted.

House Bill No. 1191 was ordered engrossed.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 1191 be placed on final passage.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed House Bill No. 1191 on final passage, and the motion was lost by the following vote: Yeas, 52; nays, 37; not voting, 9.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Maxie, May, McKibbin, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Fancher, Flanagan, Gilleland, Greengo, Haley, Hansen, Hurley M., Knowles, Leckenby, Lee, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Dunlap, Gaines, Grimm, Martinis, Moreau, Owen, Smith, and Mr. Speaker.

Engrossed House Bill No. 1191 was passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 773:

The House resumed consideration of the bill on second reading.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 773 was placed on final passage.

Representatives Fuller and Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 773, and the bill passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Charette, Nelson G. A.

Not voting: Representatives Bond, Dunlap, Gaines, Grimm, Martinis, Moreau, Oliver, Owen, and Mr. Speaker.

Substitute House Bill No. 773, having received the 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. 348, by Representatives Fortson, Kreidler, Lux, Adams, Pearsall, Pruitt and Haley:

Permitting emergency suspension or restriction of nursing home operations.

On motion of Mr. Adams, Substitute House Bill No. 348 was substituted for House Bill No. 348, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 348 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 348 was placed on final passage.

Mrs. Fortson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 348, and the bill passed the House by the following vote: Yeas, 85; nays, 2; not voting, 11.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes.

Not voting: Representatives Bond, Dunlap, Gaines, Grimm, Leckenby, Martinis, Moreau, Newhouse, Oliver, Owen, and Mr. Speaker.

Substitute House Bill No. 348, having received the 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. 508, by Representatives O'Brien, Fischer and Lux:

Regulating the sale of hypodermic needles.

On motion of Mr. Adams, Substitute House Bill No. 508 was substituted for House Bill No. 508, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 508 was read the second time.

On motion of Mr. Nelson (Gary), the following amendment was adopted:

On page 1, line 8 after "podiatrist" insert ", or unless the sale is made to an animal control agent registered with the state board of pharmacy"

Substitute House Bill No. 508 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 508 was placed on final passage.

Mr. Fischer spoke in favor of passage of the bill, and Mr. Blair spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 508, and the bill passed the House by the following vote: Yeas, 79; nays, 7; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Chandler, Erak, Haley, Hawkins, Williams, Winsley.

Not voting: Representatives Bond, Clayton, Dunlap, Gaines, Grimm, Leckenby, Martinis, Moreau, Newhouse, Oliver, Owen, Paris.

Engrossed Substitute House Bill No. 508, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

HOUSE BILL NO. 1133, by Representatives Conner, Kilbury, Gallagher, Knowles, McCormick, Hanna, Grier, Struthers, Fuller and Gaines:

Authorizing certain golfing sweepstakes under gambling act.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Mr. Warnke, the committee amendments were adopted.

House Bill No. 1133 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1133 was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1133, and the bill passed the House by the following vote: Yeas, 60; nays, 14; not voting, 24.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Chandler, Charette, Clemente, Conner, Craswell, Deccio, Ehlers, Enbody, Erak, Fancher, Fischer, Fuller, Gaines, Gallagher, Gilleland, Gruger, Haley, Hanna, Hawkins, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Polk, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Burns, Charnley, Eng, Greengo, Lee, Paris, Pruitt, Tilly, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Berentson, Blair, Boldt, Bond, Clayton, Douthwaite, Dunlap, Erickson, Flanagan, Fortson, Grier, Grimm, Hansen, Heck, Hurley G. S., Kreidler, Leckenby, Lux, Martinis, Moreau, Oliver, Schmitten, Shinoda, Walk.

Engrossed House Bill No. 1133, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1164, by Representative Smith:

Modifying the laws regulating driving while under the influence of intoxicating liquor.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Mr. Knowles, the committee amendments were adopted.

House Bill No. 1164 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1164 was placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Smith, I wonder if you could explain to me why the language on page 5, subsections (2) and (3) was struck? This was money that was being levied into the highway safety fund and the minimum amount was twenty-five percent."

Mr. Smith: "That was a controversial provision of existing law and it was my intent in introducing this bill that we would repeal that section, but because it was felt it would probably bog this bill down, we have stricken that."

Mr. Charnley: "This is in existing law and the language is being struck. I'm concerned about the money that would go into the highway safety fund. What impact is this going to have on that fund?"

Mr. Smith: "It's not going to have any, because that language was taken out of the bill by committee amendment."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1164, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier,

Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Nelson D., Nelson G. A., Newhouse, O'Brien, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Boldt, Bond, Conner, Deccio, Grimm, Hurley G. S., Martinis, McCormick, Moreau, North, Oliver, Pardini, Paris.

Engrossed House Bill No. 1164, having received the 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. 1348, by Representative Knedlik:

Providing for increased coverage for uninsured motorists at the purchaser's option.

On motion of Mr. Douthwaite, Substitute House Bill No. 1348 was substituted for House Bill No. 1348, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1348 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1348 was placed on final passage.

Mr. Knedlik spoke in favor of passage of the bill, and Mr. Barnes spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1348, and the bill passed the House by the following vote: Yeas, 78; nays, 7; not voting, 13.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Craswell, Fancher, Flanagan, Leckenby, Polk, Struthers.

Not voting: Representatives Berentson, Blair, Boldt, Bond, Conner, Grimm, Hurley G. S., Martinis, Moreau, Oliver, Paris, Salatino, Williams.

Substitute House Bill No. 1348, having received the 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. 837, by Representatives North, Knedlik, Chandler, Sherman and Fortson:

Providing for preservation of the Mount Si and Little Si area.

On motion of Mr. Shipoch, Substitute House Bill No. 837 was substituted for House Bill No. 837, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 837 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 837 was placed on final passage.

Mrs. North spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 837, and the bill passed the House by the following vote: Yeas, 80; nays, 7; not voting, 11.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Ehlers, Flanagan, Nelson G. A., Owen, Schmitten.

Not voting: Representatives Blair, Bond, Conner, Grimm, Martinis, Moreau, Newhouse, Oliver, Paris, Sherman, Sommers.

Substitute House Bill No. 837, having received the 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. 685, by Representatives Fischer, Eng, Knowles, Polk, Winsley, Newhouse and McCormick:

Authorizing electronic transfer of funds for store customers.

On motion of Mr. Eng, Substitute House Bill No. 685 was substituted for House Bill No. 685, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 685 was read the second time.

The Clerk read the following amendments by Representative Deccio:

On page 3, line 16 after "use" insert "by financial institutions," and on line 17 after "therein," strike "by financial institutions"

On page 4, line 25 after "program" insert a period and strike "of any third party."

With the consent of the House, Mr. Deccio withdrew the amendments.

On motion of Mr. Eng, the following amendment was adopted:

On page 3, strike lines 16 and 17 and insert "The establishment, use or participation in a point of sale terminal or systems by financial"

On motion of Mr. Deccio, the following amendment was adopted:

On page 3, line 21 after "participating" insert "financial"

On motion of Mr. Eng, the following amendments were adopted:

On page 1, line 18 after "public" strike the remainder of the subsection and insert "whose primary function is the provision of one or more of the services enumerated in section 3."

On page 1, line 23 after "entity" strike the remainder of subsection (1) and insert "for the purpose of owning, operating, or participating in point of sale terminals."

On page 2, beginning on line 5 strike all of subsection (4)

On page 2, line 10 after "institutions" insert "and merchants in whose premises such terminals are located"

On page 2, line 30 after "institution" insert "or guarantee the payment of checks or orders drawn upon a financial institution"

On page 3, beginning on line 5 strike all of lines 5 through 8

On page 4, line 23 after "(4)" strike all material down to and including "party." on line 26

On page 4, beginning on line 29 strike all of section 6 and insert the following:

"NEW SECTION. Sec. 6. If any part of this chapter is found to be in violation of the laws of this state or the United States, then the remainder of this chapter shall be null and void."

Mr. Eng moved adoption of the following amendment:

On page 5, line 3 after "June 1," strike "1981" and insert "1979"

Representatives Eng, Pardini and Winsley spoke in favor of the amendment, and Representatives Nelson (Gary) and Kreidler spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eng to page 5, line 3 of Substitute House Bill No. 685, and the amendment was adopted by the following vote: Yeas, 49; nays, 39; not voting, 10.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charney, Clemente, Conner, Deccio, Douthwaite, Eng, Erak, Erickson, Fancher, Fortson, Gaines, Gallagher, Gilleland, Greengo, Gruger, Hanna, Hansen, Hurley M., Keller, Kilbury, King, Knedlik, Lux, Lysen, Maxie, May, McKibbin, Nelson D., O'Brien, Pardini, Paris, Polk, Pruitt, Shinoda, Shinpoch, Sommers, Thompson, Valle, Vrooman, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Craswell, Dunlap, Ehlers, Enbody, Fischer, Flanagan, Fuller, Grier, Haley, Heck, Hughes, Hurley G. S., Knowles, Kreidler, Leckenby, Lee, McCormick, Nelson G. A., Newhouse, North, Patterson, Pearsall, Salatino, Sanders, Schmitten, Sherman, Smith, Struthers, Tally, Tilly, Walk, Warnke, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Bond, Clayton, Grimm, Hawkins, Martinis, Moreau, Oliver, Owen, and Mr. Speaker.

Substitute House Bill No. 685 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 685 was placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Hansen.

Mr. Hansen: "Representative Eng, as Chairman of the Committee on Financial Institutions, why did the amendments you have on this bill come out on the floor instead of as a substitute bill? How can people keep track of their bank accounts with this bill as it is now?"

Mr. Eng: "To answer your last question, this won't alter your bank account in any way. Last Friday was the last day with our rules for getting House bills out of committee, and so we decided to get this bill out. The reason for that was that a federal financial institution has gone ahead and set up a point of sale terminal which has the other financial institutions very upset. We had a hearing on it last Friday and the conclusion was that maybe they are getting into an area that may be an infringement on the state franchise laws for financial institutions. If they are, the only recourse the state has in that area would be to file suit against them, but the other financial institutions feel that this is not a viable course. In our country there are two forms for regulating financial institutions, the state and the federal, so the thing is that if we don't get this bill out, the other financial institutions that are regulated by the state would not have a chance to try to get into this area which means they fall behind. This area is very competitive and very costly, and once someone gets a head start, it's very hard for the banks to catch up."

Representatives Deccio and Struthers spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 685, and the bill passed the House by the following vote: Yeas, 75; nays, 16; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, King, Knedlik, Knowles, Leckenby, Lux, Lysen, Maxie, May, McCormick, Nelson D., North, O'Brien, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Teller, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Flanagan, Fortson, Hansen, Hurley G. S., Kilbury, Kreidler, Lee, Nelson G. A., Newhouse, Patterson, Thompson, Tilly, Wilson, Winsley.

Not voting: Representatives Blair, Bond, Grimm, Martinis, McKibbin, Moreau, Oliver.

Engrossed Substitute House Bill No. 685, having received the 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. 708, by Representatives Charnley, Hansen, Gilleland, Chandler, Burns, Douthwaite, Conner, Paris, Pruitt, Nelson (Dick) and Lux:

Authorizing the traffic safety commission to engage in programs relating to bicycle use and safety.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 27th Day ex. sess., April 6, 1977.)

On motion of Mr. Charnley, the committee amendment was adopted.

House Bill No. 708 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 708 was placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 708, and the bill passed the House by the following vote: Yeas, 84; nays, 5; not voting, 9.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers,

Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Hansen, Nelson G. A., Owen.

Not voting: Representatives Blair, Bond, Grimm, Martinis, Moreau, Oliver, Shinoda, Warnke, Wilson.

Engrossed House Bill No. 708, having received the 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. 1142, by Representatives Knowles and Smith:

Requiring felony judgments to contain the fingerprints of the person convicted.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 1142 was substituted for House Bill No. 1142, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1142 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1142 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1142, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Grimm, Keller, Martinis, Moreau, Oliver, Shinoda.

Substitute House Bill No. 1142, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

May 3, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2697,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Bender, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2697, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Odegaard):

Relating to property tax limitation.

MOTION

On motion of Mr. Bender, the rules were suspended, and Engrossed Substitute Senate Bill No. 2697 was advanced to second reading and placed at the top of today's second reading calendar.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Engrossed Substitute Senate Bill No. 2697 was read the second time in full.

On motion of Mr. Shinpoch, the following amendment was adopted:

On page 3, line 24 after "authorized" strike "except for expenditures attributable to an unexpected increase in student enrollment and for the acquisition of motor vehicles for student transportation"

Mr. Charette moved adoption of the following amendment:

On page 5, line 4 after "allocation" insert a period and strike the rest of subsection (6) beginning with "PROVIDED" on line 4

Representatives Charette and Pardini spoke in favor of the amendment, and Representatives Shinpoch, Newhouse and Dunlap spoke against it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "If this amendment passes, or even if it doesn't, if the school districts want a special levy for one year and use it for whatever purpose and run a similar levy the following year to continue, is there an obligation, as you read the bill, for us here in the Legislature to continue this fund to the school district at the level which it is funding itself plus supplementing it at a state level? Is there an obligation for us to continue its funding at that level?"

Mr. Charette: "I believe the answer is no."

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Shinpoch, will you answer that same question?"

Mr. Shinpoch: "What you are asking is a question that in my judgment would ultimately be settled in Supreme Court. What you're asking is, can we pass any kind of statutory language that limits our constitutional obligation. I guess I, not being an attorney, have a rather simplistic view that says no, we may not change the Constitution by passing a statute. So I guess the answer to your question is that the Supreme Court will have to answer it. The position we are in today is a position we did not think we had responsibility to, that we allowed the local level to determine what the salaries were. Once the levies failed, they came to the courts and said the Legislature doesn't give them enough money to pay that and the courts agreed. I think you're right back in the same position if you allow this."

Mr. Douthwaite: "Your answer is yes, you do think we are liable to continue the salaries if we allow them to run levies, then we do pick up that obligation the following year?"

Mr. Shinpoch: "Yes."

Mr. Douthwaite spoke against adoption of the amendment.

Mr. Charnley demanded an electric roll call and the demand was sustained.

Representatives Barnes, Knedlik and Hurley (George) spoke in favor of the amendment, and Representatives Clemente and Flanagan spoke against it.

Mr. Charette closed debate, speaking again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charette to Engrossed Substitute Senate Bill No. 2697, and the amendment was not adopted by the following vote: Yeas, 45; nays, 47; not voting, 6.

Voting yea: Representatives Amen, Barnes, Burns, Charette, Charnley, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Gaines, Grier, Haley, Hughes, Hurley G. S., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Maxie, May, McCormick, Nelson D., Nelson G. A., O'Brien, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Boldt, Chandler, Clayton, Clemente, Craswell, Deccio, Dunlap, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley M., Kilbury, Lee, Lysen, McKibbin, Newhouse, North, Owen, Patterson, Polk, Schmitten, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Whiteside, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Grimm, Martinis, Moreau, Oliver.

STATEMENT FOR THE JOURNAL

Explanation of my vote for the Charette amendment to SSB 2697:

I favored this proposal (which lost) to allow local levies for any purpose for these reasons:

We need to continue local control, and thus must allow local levies.

We should trust the voters; they can make these decisions.

Levies will not pass easily, once state provides basic funding at the state level.

We should take the Washington Education Association at its word, that it favors local control.

There are differences in the cost of living throughout the state, and reasons why people live in different areas. Therefore, not all professional people should be paid the same and differences should be allowed for all the variations of this state. School boards should be given some local latitude.

HAROLD S. ZIMMERMAN, 17th District.

Mr. Taller moved adoption of the following amendment:

On page 4, line 34 strike "ten" and insert "fifteen"

Mr. Taller spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

Mr. Taller spoke again in favor of the amendment.

The amendment was not adopted.

The Clerk read the following amendment by Representative Taller:

On page 5, line 2 strike "ten" and insert "fifteen"

With the consent of the House, Mr. Taller withdrew the amendment.

Mr. Shinpoch moved adoption of the following amendments:

On page 4, beginning on line 1 strike everything down through line 22 on page 5 and insert the following:

"After the effective date of this 1977 amendatory act, no property taxes collected by a school district pursuant to voter authorization under RCW 84.52.052 shall be used to increase the average compensation levels for certificated and classified employees in the district: PROVIDED, That any school district which otherwise would be unable to maintain its 1976-77 cost per full time equivalent pupil in the 1977-78 school year, may collect taxes pursuant to RCW 84.52.052 and may expend such property taxes for any purpose necessary to maintain such 1976-77 FTE cost: PROVIDED FURTHER, That any school district with a district average salary for certificated staff or classified staff below the respective statewide average salary for certificated staff or classified staff during the preceding school year, may collect taxes pursuant to RCW 84.52.052 and may expend such property taxes for the purpose of increasing such average salary levels for certificated staff or classified staff up to but not to exceed the statewide average for the preceding year.

If any school district with an average salary for certificated staff and classified staff greater than the respective statewide average salary for certificated staff and classified staff during the preceding school year expends such property taxes to increase the average compensation levels for certificated or classified employees in the district, the amount of funds to which such district would otherwise be entitled from state general funds appropriated for compensation increases shall be withheld by the superintendent of public instruction in an amount equal to such expenditure. The legislature declares that by fiscal year 1979, no taxes approved by the electors of a school district pursuant to RCW 84.52.052 shall be used to fund basic programs of education as defined in Chapter . . . , Laws of 1977 (SHB 960)."

On page 5, line 23 strike "3, 1981" and insert "8, 1977"

POINT OF ORDER

Mr. Pardini: "The House, in acting on Representative Charette's amendment, has already decided the question before us as to whether special levies can or cannot be used for teacher salaries and Representative Shinpoch's amendment purports to change that decision. I believe the amendment is out of order, that the House has already made their decision on that."

SPEAKER'S RULING

The Speaker: "Your point is not well taken, they are two different amendments."

Mr. Shinpoch spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Polk.

Mr. Polk: "Representative Shinpoch, it appears that your amendment would limit levies for the purpose of raising salaries. It would do away with any levies for what might be considered basic education, but I see nothing in your amendment, or what would be remaining in the

bill, which would, in any way, limit levies for subjects that are not considered basic education. Is that correct?"

Mr. Shinpoch: "The only limit on levies in here is on using them to increase the compensation. There is no limit—if you want to enhance your program, if you want to add additional subjects, if you want to enrich your programs. We're going to fund, beginning in 1978/79 under this, at a staffing ratio that seems to be accepted throughout the state (at least I've heard no one speak against it) at 1 to 20 for certificated; 1 to 60 with court costs to go along with that. If you are like Tacoma, which at this point is 1 to 17.8 and you want to pass a special levy to maintain that, then that is permitted under this bill. There's nothing in this amendment that would keep Tacoma from doing that. There is nothing in this to keep you from passing special levies for anything you wanted other than increasing compensation."

Mr. Charette spoke in favor of the amendments.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Shinpoch, following up on Representative Polk's question, the proviso in your amendment—'any school district which would otherwise be unable to maintain its 1976-77 cost. . . ' would only be limited, as I understand your amendment, on any special levy in the future to that 1976-77 cost. How then could they enrich their program or do anything above and beyond that if that were the absolute limitation on them?"

Mr. Shinpoch: "I believe it was Representative Dunlap's amendment that you put on Substitute House Bill No. 960—all I did was modify that amendment to the extent that you could use the levies for salaries so long as you're not above the statewide average. Possibly you'd like to ask him the question. My staff just informed me that it only applies to that one year. It is a grandfather clause for Bellevue."

Mr. Pardini: "I think it's a little different situation here than what we had in Substitute House Bill No. 960. I think the proviso very clearly says that the maximum you can use special levies for is to maintain 1976-77 costs for full time students. There is no escape hatch above and beyond that for any special enrichment program or anything like that. If you have a district with a double levy loss in 1976-77, you're going to be in trouble."

Mr. Dunlap: "The intent of my amendment which is now slightly modified by Representative Shinpoch, was to do just as you have suggested—make certain that any school district would be able to maintain its 1976-77 costs per FTE. If it were unable to do so it could levy a special levy in order to bring it up to that FTE cost. No additional moneys were envisioned for supplemental programs."

Mr. Barnes spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Shinpoch to Engrossed Substitute Senate Bill No. 2697, and the amendments were adopted by the following vote: Yeas, 47; nays, 45; not voting, 6.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Eng, Erickson, Flanagan, Fortson, Gaines, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Kilbury, King, Knowles, Kreidler, Lux, Lysen, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Polk, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Fancher, Fischer, Fuller, Gallagher, Gilleland, Greengo, Grier, Haley, Hughes, Hurley M., Keller, Knedlik, Leckenby, Lee, May, Owen, Pardini, Paris, Patterson, Pearsall, Salatino, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Vrooman, Walk, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Blair, Bond, Grimm, Martinis, Moreau, Oliver.

On motion of Mr. Clemente, the following amendment was adopted:

On page 5, line 29 strike all the material down to and including "receive." on line 35 and insert the following:

"The state of Washington currently makes ample provision for the education of all children residing within the state, in accordance with the state Constitution and the legislative definitions thereof. The passage of this excess levy will provide additional funding for certain special programs, which the elected school board of this district believes would enhance the delivery of quality education. The failure of this levy would not affect the basic educational program of this district."

Mr. Salatino moved adoption of the following amendment:

On page 5, line 23 strike all of section 5 and renumber the remaining sections consecutively.

Representatives Salatino and Heck spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Salatino to Engrossed Substitute Senate Bill No. 2697, and the amendment was adopted by the following vote: Yeas, 65; nays, 26; not voting, 7.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Greengo, Hurley M., Leckenby, Newhouse, Owen, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside.

Not voting: Representatives Blair, Bond, Grimm, Martinis, Moreau, Oliver, Wilson.

MOTION FOR RECONSIDERATION

Mr. Gallagher, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment to page 5, line 4 by Representative Charette failed to pass the House.

SPEAKER'S RULING

The Speaker: "There has been action of consequence since the Charette amendment was acted upon. The language that the Charette amendment would have stricken is no longer in the bill, therefore your motion is out of order."

MOTION FOR RECONSIDERATION

Mr. Polk, having voted on the prevailing side, moved that the House reconsider the vote by which the amendments to Engrossed Substitute Senate Bill No. 2697 by Representative Shinpoch were passed.

The motion carried.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be the motion by Representative Polk that the House reconsider the vote by which the Shinpoch amendments were passed.

ROLL CALL

The Clerk called the roll on the motion to reconsider the Shinpoch amendments to Engrossed Substitute Senate Bill No. 2697, and the motion was lost by the following vote: Yeas, 46; nays, 48; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Fancher, Fuller, Gilleland, Greengo, Grier, Haley, Hughes, Hurley M., Knedlik, Leckenby, Lee, Maxie, May, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, McCormick, McKibbin, Nelson D., North, O'Brien, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Grimm, Moreau.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2697 as amended by the House be advanced to final passage.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute Senate Bill No. 2697 as amended by the House to final passage, and the motion received the two-thirds majority vote required by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lockenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Gilleland, Patterson, Struthers, Tilly.

Not voting: Representatives Blair, Bond, Grimm, Haley, Moreau.

The Speaker stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2697 as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2697 as amended by the House, and the bill passed the House by the following vote: Yeas, 65; nays, 29; not voting, 4.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Ehlers, Enbody, Erak, Erickson, Fancher, Flanagan, Fortson, Gaines, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lockenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Burns, Chandler, Craswell, Douthwaite, Dunlap, Eng, Fischer, Fuller, Gallagher, Gilleland, Greengo, Haley, Hurley M., King, Maxie, Oliver, Pardini, Paris, Patterson, Polk, Salatino, Schmitten, Struthers, Tilly, Walk, Warnke, Zimmerman.

Not voting: Representatives Blair, Bond, Grimm, Moreau.

Engrossed Substitute Senate Bill No. 2697 as amended by the House, having received the constitutional majority was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Wednesday, May 4, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 4, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Grimm and Gruger, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Paige Hammer and Andy Lathom. Prayer was offered by the Reverend Monsignor John P. Doogan, Chancellor of the Archdiocese of Seattle.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

May 3, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2002,
 SUBSTITUTE SENATE BILL NO. 2339,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2376,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2405,
 SUBSTITUTE SENATE BILL NO. 2638,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2851,
 SUBSTITUTE SENATE BILL NO. 2858,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2949,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3028,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3036,
 ENGROSSED SENATE BILL NO. 3039,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3054,
 SECOND SUBSTITUTE SENATE BILL NO. 3067,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3071,
 SENATE JOINT MEMORIAL NO. 109,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 3, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2315, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2002, by Senator Beck:

Prohibiting controlled substances in state penal institutions.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 2339, by Committee on Judiciary (Originally sponsored by Senators Cunningham, Mardesich, Rasmussen and Guess):

Prescribing rights of private property owners.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 2376, by Committee on Transportation (Originally sponsored by Senators Beck, Wanamaker and Bottiger – by Department of Highways request):

Providing that highway and ferry bonds which are authorized and which pledge motor vehicle excise taxes for the payment of principal and interest thereon shall be an equal charge against the revenues of such motor vehicle fuel excise taxes.

To Committee on Transportation

ENGROSSED SUBSTITUTE SENATE BILL NO. 2405, by Committee on Education (Originally sponsored by Senator McDermott):

Mandating rules and regulations for voluntary transfer of students between school in same school district.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 2638, by Committee on Social and Health Services (Originally sponsored by Senator Day):

Authorizing certain alternative systems for correcting septic tank failures.

To Committee on Social and Health Services

ENGROSSED SUBSTITUTE SENATE BILL NO. 2851, by Committee on Ways and Means (Originally sponsored by Senators Walgren, Bailey and Donohue):

Revising state employees' insurance and health care.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 2858, by Committee on Ecology (Originally sponsored by Senators Woody, Fleming and Buffington):

Changing the law on solid waste.

To Committee on Local Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 2949, by Committee on Commerce (Originally sponsored by Senators Bottiger, Newschwander and Henry):

Implementing gambling act.

To Committee on Commerce

ENGROSSED SUBSTITUTE SENATE BILL NO. 3028, by Committee on Local Government (Originally sponsored by Senator Bausch):

Permitting proceeds from port district revenue bonds to be used for funding reserve accounts.

To Committee on Local Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 3036, by Committee on Commerce (Originally sponsored by Senators Van Hollebeke and Mardesich):

Authorizing class H licenses for facilities on the premises of domestic wineries.

To Committee on Commerce

ENGROSSED SENATE BILL NO. 3039, by Senators Bottiger and Mardesich:

Taking attorney's fees against the state in certain civil actions.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 3054, by Committee on Ways and Means (Originally sponsored by Senators Odegaard, Sandison, Morrison, Benitz and Donohue):

Modifying timber tax distribution.

To Committee on Revenue

SECOND SUBSTITUTE SENATE BILL NO. 3067, by Committee on Ways and Means (Originally sponsored by Senators Walgren, Rasmussen, Clarke and Wilson):

Establishing the Washington State Register.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 3071, by Committee on Natural Resources (Originally sponsored by Senator Peterson):

Extending and updating the commercial fishing gear reduction program.

To Committee on Natural Resources

SENATE JOINT MEMORIAL NO. 109, by Senators Talley and Murray (by Oceanographic Commission of Washington request):

Requesting the federal government to develop a program of standards for marine measurements.

To Committee on Ecology

REPORTS OF STANDING COMMITTEES

May 2, 1977

REENGROSSED SUBSTITUTE SENATE BILL NO. 2034, Prime Sponsor: Senator Beck, making various changes in election laws. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

'NEW SECTION. Section 1. There is added to chapter 29.01 RCW a new section to read as follows:

As used in this title:

- (1) 'Ballot' shall mean a paper ballot, a voting machine diagram, a ballot label, a ballot book, a ballot page, or any combination thereof as the context may imply;
- (2) 'Paper ballot' shall mean a piece of paper whereon the candidates and measures to be voted upon for a particular election or a primary appear and upon which a voter may directly indicate a vote for any candidate or for or against any measure;
- (3) 'Voting machine diagram' means an illustration of a voting machine complete with ballot labels prepared for a particular election or a primary;
- (4) 'Ballot card' means any type of tabulating card or cards or ballots of any size upon which the voter records his vote and shall also include either a security flap or an envelope issued to each voter at ballot card precincts for the voter to conceal his voted ballot to insure secrecy and to provide a space for the voter to cast write-in votes if he so desires;
- (5) 'Ballot label' means the card or paper containing the names of offices and candidates and the statements of measures to be voted upon;
- (6) 'Ballot page' means the pages on the vote recorder used to display the printed ballot titles and the names of candidates together with properly aligned numbers of response positions;
- (7) 'Chad' means the piece of material which is removed or partially removed when punching a hole or notch in a prescored ballot card.

Sec. 2. Section 29.04.020, chapter 9, Laws of 1965 as last amended by section 1, chapter 202, Laws of 1971 ex. sess. and RCW 29.04.020 are each amended to read as follows:

The county auditor of each county shall be ex officio the supervisor of all primaries and elections, general or special, and it shall be his duty to provide places for holding such primaries and elections; to appoint the precinct election officers; to provide for their compensation; to provide ballot boxes and ballots or voting machines, poll books, or precinct lists of registered voters, and tally sheets, and deliver them to the precinct election officers at the polling places; to publish and post notices of calling such primaries and elections in the manner provided by law(~~(:)~~); PROVIDED, That notice of a general election held in an even-numbered year shall indicate that the office of precinct committeeman will be on the ballot; and to apportion to each city, town, or district, its share of the expense of such primaries and elections: PROVIDED, That this section shall not apply to general or special elections for any city, town, or district which is not subject to RCW 29.13.010 and 29.13.020, but all such elections shall be held and conducted at the time, in the manner, and by the officials (with such notice, requirements for filing for office, and certifications by local officers) as provided and required by the laws governing such elections.

Sec. 3. Section 29.04.030, chapter 9, Laws of 1965 as last amended by section 1, chapter 165, Laws of 1973 1st ex. sess. and RCW 29.04.030 are each amended to read as follows:

Any justice of the supreme court, judge of the court of appeals, or judge of the superior court in the proper county shall, by order, require any person charged with error, wrongful act, or neglect to forthwith correct the error, desist from the wrongful act, or perform the duty and to do as the court orders or to show cause forthwith why the error should not be corrected, the wrongful act desisted from, or the duty or order not performed, whenever it is made to appear to such justice or judge by affidavit of an elector that:

- (1) An error or omission has occurred or is about to occur in printing the name of any candidate on official ballots; or
- (2) An error other than as provided in subsections (1) and (3) of this section has been committed or is about to be committed in printing the ballots; or
- (3) The name of any person has been or is about to be wrongfully placed upon the ballots; or
- (4) A wrongful act other than as provided for in subsections (1) and (3) of this section has been performed or is about to be performed by any election officer; or
- (5) Any neglect of duty on the part of an election officer other than as provided for in subsections (1) and (3) of this section has occurred or is about to occur; or
- (6) An error or omission has occurred or is about to occur in the issuance of a certificate of election.

An affidavit of an elector under subsections (1) and (3) above when relating to a primary election must be filed with the appropriate court no later than the second Friday following the closing of the filing period for nominations for such office and shall be heard and finally disposed of by the court no later than five days after the filing thereof. An affidavit of an elector under subsections (1) and (3) of this section when relating to a general election must be filed with the appropriate court no later than three days following the official certification of the primary election returns and shall be heard and finally disposed of by the court no later than five days after the filing thereof. An affidavit of an elector under subsection (6) of this section shall be filed with the appropriate court no later than ten days following the issuance of a certificate of election.

Sec. 4. Section 29.04.040, chapter 9, Laws of 1965 as last amended by section 3, chapter 129, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.040 are each amended to read as follows:

(1) No paper ballot precinct shall contain more than three hundred voters. ~~((If at any election three hundred or more votes are cast at any such voting place, the secretary of state as ex officio chief election officer, shall report that fact to the city council, if it is a precinct lying within a first class city or to the county legislative authority if it is any other precinct:))~~ ~~The ((city council of the first class city or the)) county legislative authority ((as the case may be, shall)) may divide, alter, or combine precincts so that, whenever practicable ((such)), over populated precincts shall contain no more than two hundred fifty registered voters in anticipation of future growth((-subject to the requirements and limitations of subsection (2) of this section)).~~

(2) Precinct boundaries may be altered at any time as long as sufficient time exists prior to a given election for the necessary procedural steps to be honored: PROVIDED, HOWEVER, That no precinct boundaries shall be changed during the period starting as of the thirtieth day prior to the first day for candidates to file for the ~~((September))~~ primary election and ending with the day of the ~~((November))~~ general election ~~((held in the even-numbered years: PROVIDED FURTHER, That no precinct boundaries shall be changed nor shall any precinct be created, divided, abolished, or consolidated during the period between February 1st of any year whose last digit is seven and December 1st of any year whose last digit is one, except whose boundaries are changed due to annexation or detachment)).~~

(3) Precincts in which voting machines or electronic voting devices are used may contain as many as nine hundred registered voters ~~((,- subject to the requirements and limitations of subsection (2) of this section:))~~ PROVIDED, That ~~((the counties shall make such changes in the size of the precincts in anticipation of future growth, subject to the requirements and limitations of subsection (2) of this section: PROVIDED FURTHER, That))~~ there shall be at least one voting machine or device for each three hundred registered voters or major fraction thereof when a state primary or general election is held in an even-numbered year.

~~((Each county auditor, when reporting the official election returns to the secretary of state as provided by RCW 29.62.090, shall indicate in such report which precincts are voted by paper ballots, by voting machines, or by voting devices. In the instance of a voting machine or voting device precinct, the county auditor shall also indicate the number of such machines or devices used so that the secretary of state will be able to determine that the requirements of this section are being honored:))~~

On petition of ~~((ten))~~ twenty-five or more voters resident more than ten miles from any place of election, the ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall establish a separate voting precinct therefor ~~((,- subject to the requirements and limitations of subsection (2) of this section)).~~

The county legislative authority of each county in the state hereafter formed shall, at their first session, divide their respective counties into election precincts with two hundred fifty voters or less and establish the boundaries of the same; the county auditor shall thereupon designate the voting place for each such precinct.

Sec. 5. Section 29.04.055, chapter 9, Laws of 1965 as amended by section 1, chapter 127, Laws of 1974 ex. sess. and RCW 29.04.055 are each amended to read as follows:

At any ~~((primary, regular, or special county, city, town, or district))~~ election, general or special, or at any primary, the election authority ~~((of any such municipality or district))~~ may combine, unite, or divide precincts for the purpose of holding such election: PROVIDED, That in the event such election shall be held upon the day of any state primary or state general election held in an even-numbered year this section shall not apply.

NEW SECTION. Sec. 6. In all counties, all voters shall be registered in accordance with the provisions of this chapter. For the purpose of this chapter, 'county auditor' shall have the meaning ascribed to that term by RCW 29.04.095(1). The county auditor shall be responsible for the conduct of voter registration within the county and shall be the custodian of all official voter registration records for that county.

NEW SECTION. Sec. 7. The secretary of state shall design a unified voter registration form, compatible with existing records, which will permit the applicant to conveniently prepare, on a single card, an original registration, an initiative signature card as required by section 14 of this 1977 amendatory act, and a cancellation of any prior registration in this state. The applicant shall enter the required information, other

than his or her signature, no more than one time. The form shall also contain instructions on its use, a notification of filing deadlines specified by section 16 of this 1977 amendatory act, a warning to the applicant of the penalty for knowingly supplying false information, and space for the county auditor to enter the voter's precinct identification, taxing district identification, and registration number. The reverse side of the form shall be printed to permit mailing to the county auditor.

NEW SECTION. Sec. 8. Registration forms necessary to carry out the registration of voters as provided by this chapter shall be furnished by the secretary of state without cost to the respective counties.

NEW SECTION. Sec. 9. The original voter registration records for all precincts within each county shall be filed alphabetically without regard to precincts in the office of the county auditor and shall not be open to public inspection. The information from such records, with the exception of date of birth, shall be available for public inspection and copying as provided in RCW 29.04.100 and 29.04.110.

NEW SECTION. Sec. 10. Each county auditor shall maintain a computer file on magnetic tape or disk, punched cards, or other form of data storage containing the records of all registered voters within the county. Where it is necessary or advisable, the auditor may provide for the maintenance of such files by private contract or through interlocal agreement as provided by chapter 39.34 RCW, as now or hereafter amended. The computer file shall include, but not be limited to, each voter's name, residence address, sex, date of registration, applicable taxing district and precinct codes, and the last five consecutive dates on which the individual has voted: PROVIDED, That if the voter has not voted at least five times since establishing his or her current registration record, only the available dates shall be included. The county auditor shall subsequently record each consecutive date upon which the individual votes and retain at least the last five such consecutive dates. The computer file of voter registration records shall be arranged so that individual precinct lists of registered voters may be prepared containing only the names, and other information required by this section, listed alphabetically by the surnames of the voters in that precinct.

NEW SECTION. Sec. 11. There is established in the state general fund an account, entitled the voter registration assistance account, to be used to compensate county auditors in counties with fewer than twelve thousand registered voters at the time of the most recent state general election, for unrecoverable costs incident to the maintenance of voter registration records on electronic data processing systems. The secretary of state shall administer the voter registration assistance account and authorize the payments therefrom under such rules as he may prescribe. County auditors in counties entitled to this compensation shall be paid annually an amount equal to thirty cents for each registered voter in that county at the time of the most recent state general election.

NEW SECTION. Sec. 12. The expense of voter registration and the maintenance of voter registration records shall be apportioned between the county and the cities and towns within that county according to the number of voters registered in all rural areas of the county and in each city and town, respectively, at the time of the last state general election.

NEW SECTION. Sec. 13. The county auditor shall be responsible for the distribution of voter registration forms by which a person may register to vote and cancel any previous registration in the state. Registrations submitted on such voter registration forms need not be subscribed to by the county auditor or a deputized registrar. The county auditor shall keep an adequate supply of voter registration forms in his or her office at all times for political parties and others interested in assisting in voter registration, and he or she shall make every effort to make these forms generally available to the public through government offices, businesses, labor union offices, schools, and any other locations necessary to extend registration opportunities to all areas of the county. After the initial distribution of voter registration forms to a given location, it shall be the duty of a representative designated at that location by that office, business, union, school, firm, or other establishment to notify the county auditor of the need for additional supplies of voter registration forms.

NEW SECTION. Sec. 14. An applicant for registration shall record on the registration form the following items concerning his or her qualifications as a voter of this state, and of the county, city, town, and precinct in which he or she applies for registration:

- (1) The address of his or her last former registration as a voter in this state, if applicable;
- (2) His or her full name;
- (3) His or her sex;
- (4) His or her date of birth;
- (5) His or her place of residence for voting purposes, giving the street and number, or post office box and physical description sufficient to determine location; and
- (6) His or her daytime telephone number, if any. After completing this information concerning his or her qualifications, the applicant shall sign a statement in the following form: 'I, the undersigned, hereby declare that the facts set forth relating to my qualifications as a voter are true. I further declare that I am a citizen of the United States, that I am not presently denied my civil rights as a result of being convicted of an infamous crime, that I will have lived in this state, county, and precinct thirty days immediately preceding the next election at which I offer to vote, and that I will be at least eighteen years of age at the time of voting.'

The applicant shall also sign his or her name upon a separate portion of the voter registration card, to be designated as an initiative signature card, which also contains spaces for his or her surname, followed by his or her given name or names, the name of the county and city or town, with post office or street address, the date on which the individual registered, and the name or number of the precinct in which the voter is registered.

The voter registration form shall provide, in a conspicuous place, the following warning: 'Any person who knowingly supplies false information on this voter registration form or who knowingly makes a false declaration as to his or her qualifications for registration shall be guilty of a class C felony.'

NEW SECTION. Sec. 15. Upon receipt of a completed voter registration form, the county auditor shall immediately examine the form to see that the applicant for registration is not currently registered in that county and shall record on the form the precinct identification, taxing district identification, and other information required by law. Except as provided in section 16 of this 1977 amendatory act, the county auditor, within thirty days of receipt of a voter registration form, shall send to the applicant by first class mail a voter registration card identifying his or her current precinct and containing such other information as may be prescribed by the secretary of state. If the voter registration form is incomplete or incorrect the county auditor, within fifteen days of receipt of such form, shall so notify the applicant, and if necessary, send him or her a new voter registration form. The post office shall be instructed not to forward this form or any voter registration card to any other address and to return to the county auditor all undelivered forms and voter registration cards.

NEW SECTION. Sec. 16. To be included among the records of a given precinct for any primary or election, the applicant's voter registration form must be received not later than thirty days prior to that primary or election. An applicant for voter registration whose otherwise complete and correct application is received less than thirty days prior to a primary or election shall be notified by the county auditor that he or she is not eligible to vote in such primary or election at a regular precinct polling place, explaining that he or she may vote an absentee ballot for said primary or election under section 19 of this 1977 amendatory act.

NEW SECTION. Sec. 17. At least thirty-five days prior to each primary or election, the county auditor shall give notice that, in order to be eligible to vote in that election at a regular precinct polling place, an original voter registration form or a request for transfer must be received not later than thirty days prior to that primary or election.

NEW SECTION. Sec. 18. Any qualified elector temporarily residing outside of the county of his or her permanent residence but within the state of Washington, may submit a registration form to the auditor of the county in which he or she is temporarily residing in the manner provided in this chapter. The county auditor receiving the voter registration forms as provided in section 15 of this 1977 amendatory act shall transmit the forms to the county auditor of the county where the applicant permanently resides. A voter registration form received from another county shall be processed immediately by the county auditor of the place of permanent residence of the applicant in the manner provided in sections 15 and 16 of this 1977 amendatory act.

NEW SECTION. Sec. 19. Any otherwise qualified elector whose otherwise complete and correct application for voter registration is received by the county auditor less than thirty days prior to a primary or election, general or special, may apply prior to the day of any such primary or election in person to the office of the county auditor of the county of his or her residence for a special absentee ballot for such election or primary. The auditor shall register the individual in the manner provided in this chapter, but the registration shall not be effective until thirty days after its execution. The auditor, after the twenty-first day before the election in which the individual intends to vote, shall issue the individual an absentee ballot for any election which occurs before the effectiveness of the individual's registration. This absentee ballot shall be of the same form and shall be processed and canvassed in the same manner as other absentee ballots under chapter 29.36 RCW, as now or hereafter amended.

NEW SECTION. Sec. 20. On the first Monday of each calendar month the county auditor shall transmit all initiative signature cards which have been received in his or her office during the prior month to the secretary of state for filing in his office. Each lot must be accompanied by the certificate of the county auditor that the cards so transmitted are the original cards, and that the voters are registered in the precincts and from the addresses shown thereon.

NEW SECTION. Sec. 21. The initiative signature cards shall be kept on file in the office of the secretary of state in such manner as will be most convenient for, and for the sole purpose of, checking initiative and referendum petitions. They shall not be open to public inspection or be used for any other purpose.

NEW SECTION. Sec. 22. Prior to each primary or election, the county auditor shall prepare a precinct list of registered voters for each precinct in which that primary or election is to be conducted and a certificate as to the authenticity of those records. He or she shall deliver the precinct list of registered voters and the certificate to the inspector or one of the judges of the appropriate precinct at the proper polling place as provided by RCW 29.48.030, as now or hereafter amended.

NEW SECTION. Sec. 23. The precinct list of registered voters for each precinct, delivered to the precinct election officers for use on the day of a primary or an election held in that precinct, shall be returned by them to the county auditor upon the closing of the polling place or at the completion of the count of the votes cast in that precinct at the primary or election. The lists shall be retained by the county auditor for a period of at least one year following the election. These records shall be open to public inspection under such rules as the county auditor may prescribe.

NEW SECTION. Sec. 24. The secretary of state, as chief election officer, shall adopt rules not inconsistent with the provisions of this chapter to:

- (1) Provide the specifications, including style, form, color, quality, and dimensions of the cards, records, forms, lists, and other supplies to be used in recording and maintaining voter registration records;
- (2) Establish standards and procedures for the maintenance of voter registration records on electronic data processing systems and the use of voter registration information in the conduct of elections; and

(3) Facilitate the registration of voters in an orderly manner and assist county auditors in the performance of their responsibilities under this chapter.

He or she shall provide planning, coordination, training, and other assistance to county auditors to facilitate the maintenance of voter registration records on electronic data processing systems and the use of voter registration in the conduct of elections.

NEW SECTION. Sec. 25. Sections 6 through 24 of this 1977 amendatory act shall constitute a new chapter in Title 29 RCW.

Sec. 26. Section 29.10.040, chapter 9, Laws of 1965 as amended by section 26, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.040 are each amended to read as follows:

A registered voter who changes his or her residence from one county to another county, shall be required to register anew. Before registering anew, the voter shall sign an authorization to cancel his or her present registration in substantially the following form: 'I hereby authorize the cancellation of my registration in precinct of county.' Such authorization shall be ((filed with the registration officer before whom the voter registers anew, and shall be)) forwarded promptly to the ((registrar)) county auditor of the county in which the voter was previously registered. Upon the receipt of such authorization, the ((registrar)) county auditor of the county where the previous registration was made, shall cause the signature on the authorization to be compared with the signature on the registration ((forms)) record of such voter, and if it appears that the signatures were made by the same person, the former registration record shall be canceled forthwith((; but if it shall not so appear, it shall be the duty of the registrar receiving such authorization to notify the registrar of the county forwarding such authorization of the apparent fraud, and the registrar receiving such notification shall cancel the new registration, and note on the cards or forms the reason for such cancellation, and shall notify the person so registered anew, by mail of such cancellation and the reason therefor)).

Sec. 27. Section 29.10.080, chapter 9, Laws of 1965 as last amended by section 28, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.080 are each amended to read as follows:

((On the first day of April of each odd-numbered year, or as soon thereafter as is practicable, every))

(1) After each state general election and prior to January 1st of the next calendar year, the county auditor shall ((examine the registration records in his custody, and if, from such examination, he finds that)) cancel the voter registration record of any registered voter ((has failed, for a period of thirty months preceding April 1st of said odd-numbered year to vote in at least one election, he shall remove the registration cards of such voter from the original and duplicate files, and cancel the same by entering thereon over his signature the words 'canceled for failure to vote for thirty months' and the date of such cancellation or shall remove the name and other registration information of such voter from the registration lists of the county and place them on a list identified with the date of cancellation and the words, 'canceled for failure to vote for thirty months')) who fails to meet the requirements of subsection (2) of this section for retaining registered status. He shall ((also)) notify the voter whose registration has been canceled, by mail, at his last registration address, of the fact that his registration has been canceled, and that he will not be entitled to vote at any election until he has registered anew. No voter's registration shall be canceled if his original registration was made less than ((thirty)) twenty-four months prior to the cancellation date. The secretary of state shall be notified immediately of all such cancellations.

(2) A registered voter shall retain such status by either having voted at (a) any election, general or special, or at any primary within the past twenty-four months, or (b) the most recent presidential election.

Sec. 28. Section 29.10.120, chapter 9, Laws of 1965 as amended by section 33, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.120 are each amended to read as follows:

On or before ((August)) March 1st of ((the odd-numbered)) year, each county auditor shall execute a sworn statement and file same with the secretary of state within ten days after date of execution. Said statement shall be furnished by the office of secretary of state and shall be in substantially the following form:

State of Washington

County of

} ss.

I,, do solemnly swear that I have caused to be examined the permanent voting record of each registered voter under my jurisdiction and have canceled those registrations of said voters who have failed to cast a ballot at any election held during the ((thirty)) twenty-four month period immediately prior to the first day of ((April)) January of this year, or at the last presidential election, as provided by law.

Further, the number of said cancellations totaled A notice has been mailed to each elector concerned and the office of the secretary has been notified of said cancellations ((as reported on Permanent Registration Form No. 8)).

(Signature)

(Title)

Subscribed and sworn to.

Sec. 29. Section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070 are each amended to read as follows:

Nominating primaries for general elections to be held in November shall be held at the regular polling places in each precinct on the third Tuesday of the preceding September or on the seventh Tuesday immediately preceding such general election, whichever occurs first.

Sec. 30. Section 29.18.040, chapter 9, Laws of 1965 as amended by section 1, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 29.18.040 are each amended to read as follows:

~~((+))~~ Declarations of candidacy shall be filed as follows:

~~((+))~~ (1) For state offices, United States senate, United States house of representatives, and the state legislature and superior court when electors from a district comprising more than one county vote upon the candidates, in the office of the secretary of state~~(:);~~

~~((b))~~ (2) For all other offices, ~~((except city and town offices;))~~ when electors from only one county vote upon the candidates, in the office of the county auditor.

~~((c) For city and town offices, in the office of the city clerk.~~

~~(2))~~ Each official with whom declarations of candidacy are filed under this section, within one business day following the closing of the applicable filing period, shall forward to the public disclosure commission a copy of each declaration of candidacy filed in his office during such filing period or a list containing the name of each candidate who files such a declaration in his office during such filing period together with a precise identification of the position sought by each such candidate and the date on which each such declaration was filed. Such official, within three days following his receipt of any letter withdrawing a person's name as a candidate, shall also forward a copy of such withdrawal letter to the public disclosure commission.

Sec. 31. Section 29.21.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.060 are each amended to read as follows:

All candidates for offices to be voted on at any election in first, second, and third class cities and fourth class municipalities (towns) shall file declarations of candidacy with the ~~((clerk thereof))~~ county auditor not earlier than the last Monday of July nor later than the next succeeding Friday in the year such regular city elections are held.

All candidates for district offices subject to the provisions of RCW 29.21.010, as now or hereafter amended, shall file their declarations of candidacy with the county auditor of the county not earlier than the last Monday of July nor later than the next succeeding Friday in the year such regular district elections are held: PROVIDED, That this chapter shall not change the method of nomination for first district officers at the formation of any district.

Any candidate for city, town, or district offices may withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy.

~~((The city and town clerks in all counties shall transmit to their county auditors at least thirty-five days before the date fixed for the primary, a certified list of the names and addresses of the candidates to be voted on thereat as represented by the declarations of candidacy filed in their offices.))~~

All candidates required to file declarations of candidacy shall pay the same fees and be governed by the same rules as contained in RCW 29.18.030 through 29.18.100: PROVIDED, That no filing fee shall be charged in the event that the office sought is without a fixed annual salary.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for filing declarations of candidacy for such city, town, and district elections, the purpose of this section being to establish a uniform five day period throughout the state of Washington for filing declarations of candidacy.

Sec. 32. Section 1, chapter 130, Laws of 1967 ex. sess. and RCW 29.21.330 are each amended to read as follows:

Not less than ten days before the time for filing declarations of candidacy for election as freeholders under Article XI, section 4, of the state Constitution, and after the county ~~((commissioners have))~~ legislative authority has determined the number of positions to be filled in either the legislative or county commissioner districts, the county auditor shall designate the positions to be filled by consecutive number, commencing with one. The positions to be designated shall be dealt with as separate offices for all election purposes, and each candidate shall file for one, but only one, of the positions so designated.

In the printing of ballots, the positions of the names of candidates for each numbered position shall be changed as many times as there are candidates for the numbered position, following insofar as applicable the procedure provided for in RCW 29.30.040 as now or hereafter amended for the rotation of names on primary ballots, the intention being that ballots at the polls will reflect as closely as practicable the rotation procedure as provided for herein.

NEW SECTION. Sec. 33. There is added to chapter 29.30 RCW a new section to read as follows:

All ballot pages for primary, general, or special elections in counties using voting devices shall be uniform in color and size, shall be white, and shall be printed in black ink. The first page shall be identified at the top with the name of the election, the county in which the ballot page is to be used, and the date of the election. On the front of the first ballot page or prominently displayed on each voting device to be used at a primary, general, or special election, there shall be printed instructions directing the voters how to properly record a vote for any candidate and for or against any measure. Beginning at the top of the left hand column, at the left of the line shall appear the name of the position for which the names to the immediate right are candidates, and below the name of the office or position the words, 'Vote for', then the words 'One', 'Two', or a spelled number designating how many persons under that head are to be voted for. Immediately to the right of the name of the office or position shall come the names of all candidates for that position, each followed by the name of the political party, if any, with which the candidate desires to affiliate or the word 'nonpartisan', with an arrow or other notation at the right edge of the ballot page indicating where the voter is to punch or otherwise mark his ballot for that candidate. Each position with the names running for that office, shall be separated from the following one by a bold line. All ballot cards for primary elections shall be sequentially numbered, but done in such a way to permit removal of such numbers by precinct

election workers without leaving any identifying marks on the ballot. There shall be no marks on the ballot cards which would distinguish an individual voter's ballot card from other ballot cards in the same precinct.

NEW SECTION. Sec. 34. There is added to chapter 29.30 RCW a new section to read as follows:

In precincts using voting devices and on absentee ballots designed to be tabulated on a vote tallying system, the positions or offices on a state primary ballot shall be arranged in substantially the following order: United States senator; United States representative; governor; lieutenant governor; secretary of state; state treasurer; state auditor; attorney general; commissioner of public lands; insurance commissioner; state senator; state representative; county officers; superintendent of public instruction; justices of the supreme court; judges of the court of appeals; judges of the superior court; and judges of the district court. For all other jurisdictions appearing the primary ballot, the offices in each jurisdiction shall be grouped together and be in the order of the position numbers assigned to those offices, if any. Unless otherwise specified by law, the names shall be listed in order of filing. There shall be blank spaces for writing in the name of any candidate, if desired, on the ballot card or envelope.

NEW SECTION. Sec. 35. There is added to chapter 29.30 RCW a new section to read as follows:

The form of a ballot page for a primary election shall be substantially as follows:

PRIMARY ELECTION BALLOT

..... County

(Date of primary)

To vote for a candidate or for or against a measure, punch through the ballot card in the hole to the RIGHT of the measure or of the name of the person for whom you desire to vote. To vote for a person not on the ballot, write the title of the office, the name of the candidate, and party affiliation if for a partisan office, in the space provided on the ballot card or ballot envelope.

UNITED STATES SENATOR	(Name of candidate)	(Party) →
	(Name of candidate)	(Party) →
Vote for one	(Name of candidate)	(Party) →
UNITED STATES REPRESENTATIVE	(Name of candidate)	(Party) →
	(Name of candidate)	(Party) →
Vote for one	(Name of candidate)	(Party) →

(and so on with the other officers in order.)150

NEW SECTION. Sec. 36. There is added to chapter 29.30 RCW a new section to read as follows:

In primary elections in precincts where votes are cast on voting devices, unless otherwise required, the names of candidates for each office or position shall be first arranged beside each office heading in the order in which their declarations of candidacy were filed. Additional sets of ballot pages for the voting devices shall be printed in which the positions of the names of all candidates for each such office or position shall be changed as many times as there are candidates in the office or position in which there are the greatest number of names. In making the changes of position between each set of ballot pages, the candidates for each such office in the first position under the office heading shall be moved to the last position under that office heading, and each other name shall be moved to the position previously occupied by the name of the preceding candidate under that office heading in the order of filing for such office. After the required sets of ballot pages are printed, they shall be allocated among the various voting devices throughout the county in such a manner that each rotation will be utilized by a nearly equal number of registered voters. The maximum variation between the number of registered voters allocated to any two sets of rotated ballot pages shall not exceed ten percent of the total number of registered voters in the county, with the count taken at the close of the filing period: PROVIDED, That this ten percent restriction shall not apply to counties with fewer than twenty-five precincts.

NEW SECTION. Sec. 37. There is added to chapter 29.30 RCW a new section to read as follows:

In counties or portions of counties using absentee ballots designed to be tabulated on a vote tallying system, on or before the fifteenth day before a primary or an election, the county auditor shall prepare sample ballots which he shall display in a conspicuous place in his office for public inspection. Sample ballots shall be substantially in the same form as the official ballot pages but the names of the candidates for each office shall be arranged thereon in the order in which their declarations of candidacy were filed, except that the position of precinct committeeman shall be shown on the general election sample ballot only by a listing of the position itself, and the names of candidates therefor need not be shown.

NEW SECTION. Sec. 38. There is added to chapter 29.30 RCW a new section to read as follows:

In counties using absentee ballots designed to be tabulated on a vote tallying system, at least twenty days before any primary, each county auditor shall have prepared a sufficient number of such absentee ballots for use by absentee voters.

NEW SECTION. Sec. 39. There is added to chapter 29.30 RCW a new section to read as follows:

All ballot pages for general elections shall be of the same size for each and every precinct within a county, shall be of a good quality paper, and the names shall be printed thereon in black ink.

NEW SECTION. Sec. 40. There is added to chapter 29.30 RCW a new section to read as follows:

Where voting devices are used, the candidates for partisan offices shall be listed on the ballot pages at the general election in the following manner: The candidate or candidates of the major political party which received the highest number of votes from the electors of this state for the office of president of the United States at the last presidential election shall appear first beside the office heading, the candidate or candidates of the other major political parties shall follow according to the votes cast for their nominees for president at the last presidential election, and the candidate or candidates of all other parties shall follow in the order of their qualification with the secretary of state. The candidates for nonpartisan offices shall be listed in the manner otherwise provided by law. There shall be blank spaces for writing in the name of any candidate, if desired, on the ballot card or envelope.

NEW SECTION. Sec. 41. There is added to chapter 29.30 RCW a new section to read as follows:

The arrangement of the ballot pages used in general elections shall conform as nearly as possible to the following form:

GENERAL ELECTION BALLOT
 County
 (Date of election)

To vote for a candidate or for or against a measure, punch through the ballot card in the hole to the right of the measure or of the name of the person for whom you desire to vote. To vote for a person not on the ballot, write the title of the office, the name of the candidate, and party affiliation if for a partisan office, in the space provided on the ballot card or ballot envelope.

(Here place any state measures to be voted on.)

PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES	(Name of candidate) and (Name of candidate)	} (Party) →
	(Name of candidate) and (Name of candidate)	} (Party) →
Vote for one	(Name of candidate) and (Name of candidate)	} (Party) →
	(Name of candidate)	} (Party) →
UNITED STATES SENATOR	(Name of candidate)	} (Party) →
	(Name of candidate)	} (Party) →
Vote for one	(Name of candidate)	} (Party) →

(Other partisan offices follow on the ballot in the same form.)

NONPARTISAN BALLOT

SUPERINTENDENT OF PUBLIC INSTRUCTION	(Name of candidate)	Nonpartisan →
	(Name of candidate)	Nonpartisan →
Vote for one	(Name of candidate)	Nonpartisan →
	(Name of candidate)	Nonpartisan →
JUSTICE OF THE SUPREME COURT POSITION.....	(Name of candidate)	Nonpartisan →
	(Name of candidate)	Nonpartisan →
Vote for one	(Name of candidate)	Nonpartisan →

(Other nonpartisan offices follow on the ballot in the same form.)

NEW SECTION. Sec. 42. There is added to chapter 29.30 RCW a new section to read as follows:

All ballot labels for primary elections in counties using voting machines shall be uniform in color and size, shall be white and printed in black ink. The following instructions shall be prominently displayed in the polling place: 'Move the handle of the machine to the RIGHT as far as it will go and leave it there. To vote on measures, pull the lever down over the 'Yes' or 'No' and leave it there. To vote for a candidate, pull the lever down over the name of each candidate you wish to vote for and leave it there. Move the handle of the machine to the LEFT as far as it will go and you have voted.' Beginning at the top of the left hand column,

at the left of the line shall appear the name of the position for which the names beneath such designation are candidates, and below the office designation the words, 'Vote for', then the words 'One', 'Two', or a spelled number designating how many persons under that head are to be voted for. Below this shall come the names of all candidates for that position, each followed by the name of the political party, if any, with which the candidate desires to affiliate or the word 'nonpartisan'. Each position with the names running for that office, shall be separated from the adjacent ones by a bold line.

NEW SECTION. Sec. 43. There is added to chapter 29.30 RCW a new section to read as follows:

In precincts using voting machines the positions or offices on a state primary ballot shall be arranged in substantially the following order: United States senator; United States representative; governor; lieutenant governor; secretary of state; state treasurer; state auditor; attorney general; commissioner of public lands; insurance commissioner; state senator; state representative; county officers; superintendent of public instruction; justices of the supreme court; judges of the court of appeals; judges of the superior court; and judges of the district court. For all other jurisdictions appearing on the primary ballot, the offices in each jurisdiction shall be grouped together and be in the order of the position numbers assigned to those offices, if any. Unless otherwise specified by law, the names shall be listed in order of filing. The voting machine shall provide blank spaces for writing in the name of any candidate, if desired.

NEW SECTION. Sec. 44. There is added to chapter 29.30 RCW a new section to read as follows:

The form of primary ballots in precincts where voting machines are used shall be substantially as follows:

PRIMARY ELECTION BALLOT

..... County
(Date of primary)

(Here place any state or local measure to be voted on.)

UNITED STATES SENATOR	UNITED STATES REPRESENTATIVE
Vote for one District Vote for one
(Name of Candidate) (Party)	(Name of Candidate) (Party)
(Name of Candidate) (Party)	(Name of Candidate) (Party)
(Name of Candidate) (Party)	(Name of Candidate) (Party)

(Other offices follow to the right in order.)

NEW SECTION. Sec. 45. There is added to chapter 29.30 RCW a new section to read as follows:

In primary elections in precincts where votes are cast on voting machines, unless otherwise required by law, the names of candidates for each office or position shall be first arranged under each office heading in the order in which their declarations of candidacy were filed. Additional sets of ballot labels shall be printed in which the positions of the names of all candidates for each such office or position shall be changed as many times as there are candidates in the office or position in which there are the greatest number of names. In making the changes of position between each set of ballot labels, the candidates for each such office in the first position under the office heading shall be moved to the last position under that office heading, and each other name shall be moved to the position previously occupied by the name of the preceding candidate under that office heading in the order of filing for such office. After the required sets of ballot labels are printed, they shall be allocated among the various voting machines throughout the county in such a manner that each rotation will be utilized by a nearly equal number of registered voters. The maximum variation between the number of registered voters allocated to any two sets of rotated ballot labels shall not exceed ten percent of the total number of registered voters in the county, with the count taken at the close of the filing period: PROVIDED, That this restriction shall not apply to counties with fewer than twenty-five precincts.

NEW SECTION. Sec. 46. There is added to chapter 29.30 RCW a new section to read as follows:

In counties or portions of counties using voting machines, on or before the fifteenth day before a primary or an election, the county auditor shall prepare a voting machine diagram which he shall display in a conspicuous place in his office for public inspection. Voting machine diagrams shall be substantially in the same form as the official ballot labels, but the names of the candidates for each office shall be arranged thereon in the order in which their declarations of candidacy were filed, except that the position of precinct committeeman shall be shown on the general election voting machine diagram only by a listing of the position itself, and the names of candidates therefor need not be shown. Voting machine diagrams shall also include instructions for write-in voting.

NEW SECTION. Sec. 47. There is added to chapter 29.30 RCW a new section to read as follows:

All ballot labels for use at a general election shall be of the same size for each and every precinct within the county, shall be of a good quality white paper, and the names shall be printed thereon in black ink.

NEW SECTION. Sec. 48. There is added to chapter 29.30 RCW a new section to read as follows:

The list of candidates of the party whose candidate for president of the United States received the highest number of votes from the electors of this state in the preceding presidential election shall precede the list of candidates of the party whose candidate for president of the United States received the next highest number of votes from the electors of this state in the preceding presidential election, and the candidates of other parties shall be placed in subsequent rows in the order in which their certificates of nomination have been filed.

NEW SECTION. Sec. 49. There is added to chapter 29.30 RCW a new section to read as follows:

(1) Prominently displayed in the polling place used at a general election there shall be printed instructions directing the voters how to operate the voting machine and correctly indicate votes on issues and candidates, including write-in votes. Next after the instructions and before the offices shall be placed the questions of adopting constitutional amendments or any other state or county measures authorized by law to be submitted to the voters of such election. Measures submitted by any jurisdiction other than the state or county may be placed on the same ballot labels as the state and county measures or on separate ballot labels either immediately following the state or county measures or in the position in which offices in that jurisdiction would normally be located.

(2) All nominations of any party or group of petitioners shall be placed on the same row as the title of such party or petitioners as designated by them in their certificate of nomination or petition, and the name of each nominee shall be placed under the designation of the office for which he has been nominated.

(3) There shall be a lever above the name of each nominee so that a voter may clearly indicate the candidate or the candidates for whom he wishes to cast his vote.

(4) Under the designation of the office, if more than one candidate is to be voted for there shall be indicated the number of candidates to such office to be voted for at such election.

(5) If the election is in a year in which a president of the United States is to be elected, in a column separated from the balance of the party tickets by a heavy black line, shall be the names of the candidates for president and vice president. The names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with a single lever above with which the voter indicates his choice.

NEW SECTION. Sec. 50. There is added to chapter 29.30 RCW a new section to read as follows:

(1) Displayed within the voting machine shall be instructions including the following: If you desire to vote for any candidate, pull down the lever above the name of such candidate. If you desire to vote for or against any measure, pull down the lever over the 'Yes' or 'No' above such measure. To vote for a person not on the ballot, write the name of the candidate in the space provided.

(2) The arrangement of the ballot labels used in general elections shall conform as nearly as possible to the following form:

(Here place any state or local measures to be voted on.)

PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES Vote for one	UNITED STATES SENATOR Vote for one
(Names of candidates) (Party)	(Name of candidate) (Party)
(Names of candidates) (Party)	(Name of candidate) (Party)
(Names of candidates) (Party)	(Name of candidate) (Party)

(Other partisan offices follow to the right in the same form.)

Nonpartisan offices appear on a separate portion of the voting machine in the following form:

SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for one	JUSTICE OF THE SUPREME COURT POSITION Vote for one
(Name of candidate) Nonpartisan	(Name of candidate) Nonpartisan
(Name of candidate) Nonpartisan	(Name of candidate) Nonpartisan

Sec. 51. Section 29.30.010, chapter 9, Laws of 1965 and RCW 29.30.010 are each amended to read as follows:

Every primary paper ballot shall be uniform in color and size, shall be white and printed in black ink. ((Across the head of each ballot shall be printed in plain, black type, first;)) Each ballot shall be identified at the top with the words, 'Primary Election Ballot,' and below that, the county((;)) in which the ballot is to be used((~~Then shall follow the words~~)), the date of the primary, and the instruction: "To vote for a person mark a cross in the first square at the right of the name of the person for whom you desire to vote. To vote for a person not on the ballot, write in the name of the candidate, and the party affiliation if for a partisan office, in the space provided." Beginning at the top of the left hand column, at the left of the line((~~in black type~~)) shall appear the name of the position for which the names following are candidates, and to the extreme right of the same line the words, "Vote for," then the words "One," "Two," or a spelled number designating how many persons under that head are to be voted for. ((Following)) Below this shall come the names of all candidates for that position ((~~inclosed in a light faced rule~~)), each followed by the name of the political party, if any, with which the candidate desires to affiliate or the word 'nonpartisan', with a square to the right((~~said square being separated by a heavy black face rule, the parallel rules containing the names and squares to be one-sixth of an inch apart~~)). Each position with the names running for that office, shall be separated from the following one by a ((~~black face rule~~)) bold line. All primary paper ballots shall be sequentially numbered, but done in such a way to permit removal of such numbers by precinct election workers without revealing the identity of any individual voter. There shall be no printing upon the back of the ballots nor any mark thereon to distinguish them.

Sec. 52. Section 29.30.020, chapter 9, Laws of 1965 as amended by section 76, chapter 81, Laws of 1971 and RCW 29.30.020 are each amended to read as follows:

In precincts using paper ballots and on absentee paper ballots, the positions or offices on a state primary ballot shall be arranged in substantially ((as follows: First;)) the following order: United States senator; ((next, congressional; next;)) United States representative; governor; lieutenant governor; secretary of state; state treasurer; state auditor; attorney general; commissioner of public lands; insurance commissioner; state senator; state representative; county officers; superintendent of public instruction; justices of the supreme court; ((next;)) judges of the court of appeals; ((next;)) judges of the superior court; ((next, other state officers; next, legislative; next, county officers; next, precinct officers; next, justice of the peace; next, precinct committeemen)) and judges of the district court. For all other jurisdictions appearing on the primary ballot, the offices in each jurisdiction shall be grouped together and be in the order of the position numbers assigned to those offices, if any. Unless otherwise specified by law, the names shall be listed in order of filing. There shall be a blank space left following the list of names of candidates for each office or position for writing in the name of a candidate, if desired.

Sec. 53. Section 29.30.030, chapter 9, Laws of 1965 and RCW 29.30.030 are each amended to read as follows:

The form of primary paper ballots shall be substantially as follows:

((FORM OF BALLOT))
PRIMARY ELECTION BALLOT
..... County
(Date of primary)

To vote for a person make a cross in the square to the RIGHT of the name of the person for whom you desire to vote.

UNITED STATES SENATOR	Vote for One
((Adams, Frank C.	Democrat <input type="checkbox"/>
Haddock, R. A.	Republican <input type="checkbox"/>
Johnson, Oscar F.	Republican <input type="checkbox"/>
(name of candidate)	(party) <input type="checkbox"/>
(name of candidate)	(party) <input type="checkbox"/>
(name of candidate)	(party) <input type="checkbox"/>
(space for write-in candidate)	(name of party) <input type="checkbox"/>

(and so on with the other officers in order.)

((Where voting machines are legally used in any county, city, or other municipality, the ballot arrangement of candidates to be voted on at the primary shall be substantially in form with that heretofore set forth in this section, but may be varied so as to carry out the purposes required by use of voting machines:))

Sec. 54. Section 29.30.040, chapter 9, Laws of 1965 and RCW 29.30.040 are each amended to read as follows:

In primary elections in precincts where votes are cast on paper ballots, unless otherwise required by law, the names of candidates for each office ((upon primary ballots under the heading designating each official)) or position ((upon the ballots to be used in voting,)) shall be first arranged in the order in which their declarations of candidacy were filed. ((In printing each set of ballots for the several counties,)) Additional sets of official ballots shall be printed in which the positions of the names of all candidates for each such office or position shall be changed ((in each office division)) as many times as there are candidates in the office ((division)) or position in which there are the ((most)) greatest number of names. As nearly as possible an equal number of ballots shall be printed after each change. In making the changes of position((- the printer shall take the line of type at the head of each office division and place it at the bottom of the division and shove up the column so that the name that before was second, shall be first, after the change)) between each set of ballots, the candidates for each such office in the first position under the office heading shall be moved to the last position under that office heading, and each other name shall be moved up to the position immediately above its previous position under that office heading. After the required sets of ballots are printed, they shall be kept in separate piles, one pile for each change of position, and shall then be gathered by taking one from each pile(;;), the intention being that every other ballot at the polls shall have the names of the candidates under such offices in a different position.

Sec. 55. Section 29.30.060, chapter 9, Laws of 1965 and RCW 29.30.060 are each amended to read as follows:

In counties or portions of counties using paper ballots, on or before the fifteenth day before a primary or an election, the county auditor shall prepare ((at once)) a sample paper ballot which he shall ((post)) display in a conspicuous place in his office for public inspection. Sample paper ballots shall be substantially in the same form as the official paper ballots but upon colored paper, and the names of the candidates for each office shall be arranged thereon in the order in which their declarations of candidacy were filed ((and need not be alternated)), except that the position of precinct committeeman shall be shown on the general election sample ballot only by a listing of the position itself, and the names of candidates therefor need not be shown.

Sec. 56. Section 29.30.075, chapter 9, Laws of 1965 as amended by section 5, chapter 103, Laws of 1965 ex. sess. and RCW 29.30.075 are each amended to read as follows:

In counties using absentee paper ballots, at least twenty days before any primary, each county auditor shall have prepared sufficient paper ballots for use by absentee voters.

NEW SECTION. Sec. 57. There is added to chapter 29.30 RCW a new section to read as follows:

All general election paper ballots within a given precinct shall be of a good quality white paper and the names shall be printed thereon in black ink.

No ballot shall bear any impression, device, color, or thing designated to distinguish such ballot from other legal ballots, or whereby the ballot may be known or designated.

NEW SECTION. Sec. 58. There is added to chapter 29.30 RCW a new section to read as follows:

The names of the persons certified as the nominees resulting from a primary election by the secretary of state or the county canvassing board shall be printed on the official ballot prepared for the ensuing election.

No name of any candidate whose nomination at a primary is required by law shall be placed upon the ballot unless it appears upon the certificate of either (1) the secretary of state, or (2) the county canvassing board, or (3) a minor party convention, or (4) of the state or county central committee of a major political party to fill a vacancy on its ticket occasioned by any cause on account of which it is lawfully authorized so to do.

No person who has offered himself as a candidate for the nomination of one party at the primary shall have his name printed on the ballot of the succeeding general election as the candidate of another political party.

No candidate's name shall appear more than once upon the ballot, unless the name appears once for the office of precinct committeeman, in which case the name may appear not more than twice: PROVIDED, That any candidate who has been nominated by two or more political parties may, upon a written notice filed with the county auditor within three days after the certification of the canvass of the primary, designate the political party under whose title he desires to have his name placed.

NEW SECTION. Sec. 59. There is added to chapter 29.30 RCW a new section to read as follows:

The list of candidates of the party whose candidate for president of the United States received the highest number of votes from the electors of this state in the preceding presidential election shall be placed in the first column of the left hand side of the paper ballot, the list of candidates of the party whose candidate for president of the United States received the next highest number of votes from the electors of this state in the preceding presidential election shall be placed in the second column, and the candidates of other parties in the order in which certificates of nomination have been filed.

NEW SECTION. Sec. 60. There is added to chapter 29.30 RCW a new section to read as follows:

(1) On the top of each general election paper ballot and extending across the party groups, there shall be printed instructions directing the voters how to mark the ballot, including write-in votes, before the same shall be deposited with the judges of election. Next after the instructions and before the offices shall be placed the questions of adopting constitutional amendments or any other state measure authorized by law to be submitted to the voters of such election.

(2) All nominations of any party or group of petitioners shall be placed under the title of such party of petitioners as designated by them in their certificate of nomination or petition, and the name of each nominee shall be placed under the designation of the office for which he has been nominated.

(3) There shall be a at the right of the name of each of its nominees so that a voter may clearly indicate the candidate or the candidates for whom he wishes to cast his ballot.

(4) Under the designation of the office if more than one candidate is to be voted for there shall be indicated the number of candidates to such office to be voted for at such election.

(5) If the election is in a year in which a president of the United States is to be elected, in spaces separated from the balance of the party tickets by a heavy black line, shall be the names and spaces for voting for candidates for president and vice president. The names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with a single square to the right in which the voter indicates his choice.

(6) All paper ballots for general elections shall be sequentially numbered, but done in such a way to permit removal of such numbers by precinct election workers without leaving any identifying marks on the ballot. There shall be no printing on the back of the paper ballots nor any mark thereon to distinguish them.

NEW SECTION. Sec. 61. There is added to chapter 29.30 RCW a new section to read as follows:

The arrangement of paper ballots used in general elections shall in general conform as nearly as possible to the following form:

GENERAL ELECTION BALLOT

..... County
(Date of election)

Instructions: If you desire to vote for any candidate, place X in at the right of the name of such candidate. If you desire to vote for or against any measure, place an X in the appropriate following such measure. To vote for a person not on the ballot, write the title of the office and the name of the candidate in the space provided.

(Here place any state measures to be voted on.)

REPUBLICAN PARTY	DEMOCRATIC PARTY	OTHER PARTY
PRESIDENT AND VICE PRESIDENT (Name of candidate).. } <input type="checkbox"/> (Name of candidate).. }	PRESIDENT AND VICE PRESIDENT (Name of candidate).. } <input type="checkbox"/> (Name of candidate).. }	
UNITED STATES SENATOR (Name of candidate)... <input type="checkbox"/>	UNITED STATES SENATOR (Name of candidate)... <input type="checkbox"/>	

(Other partisan offices follow on the ballot in the same form.)

NONPARTISAN OFFICES

SUPERINTENDENT OF PUBLIC INSTRUCTION

(name of candidate) **Vote for one**
(name of candidate)

JUSTICE OF STATE SUPREME COURT POSITION

(name of candidate) **Vote for one**
(name of candidate)

(Other nonpartisan offices follow on the ballot in the same form.)

Sec. 62. Section 29.33.180, chapter 9, Laws of 1965 and RCW 29.33.180 are each amended to read as follows:

Not more than ten nor less than three days before each election at which voting machines are to be used the board or officer charged with the duty of providing ballots shall publish in newspapers representing at least two political parties a diagram of reduced size showing the face of the voting machine after the official ballot labels are arranged thereon, together with illustrated instructions how to vote and a statement of the locations of voting machines which are on public exhibition. Diagrams of voting machines used at general elections held in even-numbered years shall show the position of precinct committeeman, but need not list the names of candidates therefor. In lieu of publication thereof, the board or officer may send by mail or otherwise at least three days before the elections a printed copy of the diagram to each registered voter.

Sec. 63. Section 29.33.210, chapter 9, Laws of 1965 and RCW 29.33.210 are each amended to read as follows:

If more than one voting machine or voting device is to be used in a precinct, ((one)) as many additional ((inspector of election shall)) judges may be appointed ((for each additional machine. In any voting precinct

where the number of registered voters is less than one hundred the election board may consist of one inspector, one judge and one clerk) as the county auditor determines are required for that primary or election.

Sec. 64. Section 29.33.220, chapter 9, Laws of 1965 as last amended by section 4, chapter 46, Laws of 1975-'76 2nd ex. sess. and RCW 29.33.220 are each amended to read as follows:

Before each primary ((election)) at which voting machines ((or voting devices)) are to be used, or more frequently as the custodian deems necessary, the custodian shall instruct all inspectors((;)) and judges((-and clerks)) of election who are to serve thereat in the use of the machine ((or voting device)) and their duties in connection therewith. The custodian may waive instructional requirements for inspectors((;)) and judges((-and clerks)) of elections ((that)) who previously have been granted a certificate of proficiency and ((that)) who have served as precinct officers for a sufficient length of time to be fully qualified to perform his or her duties in connection with the machine ((or voting device)): PROVIDED, That any inspectors((;)) and judges((-and clerks)) of elections for whom the instructional requirements are waived may at their discretion take advantage of the instructional program outlined herein. He shall give to each inspector and judge who has received instruction and is fully qualified to conduct the election with a machine ((or voting device)) a certificate to that effect. For the purpose of instruction, the custodian shall call such meetings of the inspectors and judges as may be necessary. ((Every inspector and judge shall attend the meetings and receive instruction in the proper conduct of the election with a machine or voting device:)) As compensation for the time spent in receiving instruction each inspector and judge who qualifies and serves in the election shall receive an additional two hours' compensation to be paid to him at the same time and in the same manner as compensation is paid him for his services on election day. No inspector or judge of election shall serve in any primary or general election at which a voting machine ((or voting device)) is used unless he has received the required instruction and is fully qualified to perform his duties in connection with the machine ((or voting device)) and has received a certificate to that effect from the custodian of the machines ((or voting devices)): PROVIDED, That this shall not prevent the appointment of an inspector((;)) or judge of election to fill a vacancy in an emergency.

Sec. 65. Section 11, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.010 are each amended to read as follows:

As used in this ((1967 amendatory act)) chapter:

(1) ((Ballot card) means the tabulating card or cards or paper ballot of any size upon which the voter records his vote and shall also include the envelope issued to each voter at ballot card precincts for the voter to enclose his voted ballot to insure secrecy and to provide a space for the voter to cast write-in votes if he so desires;

(2) 'Ballot label' means the cards, papers, booklet or other material containing the names of offices, candidates, and measures to be voted on;

(3) 'Election' means all state, county, city, town, and district elections, general or special, including primaries;

((4)) (2) 'Voting device' means any device into which a ballot card may be inserted and which is so designed and constructed that the vote for any candidate or for and against any measure may be indicated by punching or marking the ballot card;

((5)) (3) 'Vote tally system' means one or more machines used for the purpose of automatically examining and counting votes as cast by paper ballots or ballot cards. Such apparatus may be operated manually, electrically, or electronically and may include data processing machines;

((6)) (4) 'Precinct election officers' shall mean the inspectors((;)) and judges((-and clerks)) as provided by chapter 29.45 RCW as it now exists or may hereafter be amended;

(5) 'Counting center' means a facility designated by the county auditor for the operation of a vote tally system on the day of a primary or election.

Sec. 66. Section 18, chapter 109, Laws of 1967 ex. sess. as amended by section 1, chapter 6, Laws of 1971 ex. sess. and RCW 29.34.080 are each amended to read as follows:

No voting device shall be approved by the state voting machine committee unless it is constructed so that it:

(1) Secures to the voter secrecy in the act of voting;

(2) Provides facilities for voting for the candidate of as many political parties or organizations as may make nominations, and for or against as many measures as may be submitted;

(3) Permits the voter to vote for any person for any office and upon any measure that he has the right to vote for;

(4) Permits the voter to vote for all the candidates of one party or in part for the candidates of one or more other parties;

(5) Correctly registers ((or records)) all votes cast for any and all persons and for or against any and all measures;

(6) Provides that a vote for more than one candidate cannot be cast by one single operation of the voting device or vote tally system except when voting for president and vice president of the United States;

(7) ((Voting devices shall list)) Lists all candidates for any office in every primary and election, special or general((-in the manner shown in RCW 29.30.030 after an arrangement of positions as provided in RCW 29.30.020-PROVIDED, That at partisan general elections the candidate or candidates of the major political party which received the highest number of votes from the electors of this state for the office of president of the United States at the last presidential election shall appear first under the position designation, the candidate or candidates of the other major political parties shall follow according to the votes cast for their

~~nominees for president at the last presidential election, and the candidate or candidates of all other parties shall follow in the order of their qualification with the secretary of state).~~

NEW SECTION. Sec. 67. There is added to chapter 29.34 RCW a new section to read as follows:

(1) On the front of the first ballot page or prominently displayed on each voting device to be used at a general election, there shall be printed instructions directing the voters how to properly record a vote for any candidate and for or against any measure, including write-in votes. After the instructions and before the offices shall be placed the questions of adopting constitutional amendments or any other state measure authorized by law to be submitted to the voters of such election.

(2) All nominations of any party or group of petitioners shall be indicated by the title of such party or petitioners as designated by them in their certificate of nomination or petition, following the name of such candidate, and the name of each nominee shall be placed beside the designation of the office for which he has been nominated.

(3) There shall be an arrow or other notation at the right edge of the ballot page opposite the name of each candidate indicating where the voter is to punch or otherwise mark his ballot card for that candidate.

(4) Under the designation of the office, if more than one candidate is to be voted for there shall be indicated the number of candidates to such office to be voted for at such election.

(5) If the election is in a year in which a president of the United States is to be elected, in spaces separated from the balance of the party tickets by a heavy black line, shall be the names and spaces for voting for candidates for president and vice president. The names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with a single arrow or other notation to the right.

(6) All ballot cards for general elections shall be sequentially numbered, but done in such a way to permit removal of such numbers by precinct election workers without leaving any identifying marks on the ballot. There shall be no printing on the back of the ballot cards nor any mark thereon to distinguish an individual voter's ballot card from other ballot cards from the same precinct.

Sec. 68. Section 23, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.130 are each amended to read as follows:

(1) Pursuant to RCW 29.04.080, the secretary of state shall by appropriate regulation devise and prescribe the form, size, weight of paper or material, kind of ballot cards, ballot page formats, procedures for conducting logic and accuracy tests of computer programs, and other materials and supplies and procedures necessary in the use of voting devices or vote tally systems as provided in this ~~((1967-amendatory act))~~ chapter and in the process of counting and tabulating the ballots by mechanical, electrical, or electronic devices or equipment.

(2) The secretary of state shall follow the provisions of the Administrative Procedure Act, chapter 34.04 RCW, in adopting the rules and regulations authorized by this ~~((1967-amendatory act))~~ chapter.

NEW SECTION. Sec. 69. There is added to chapter 29.34 RCW a new section to read as follows:

Before each primary at which voting devices are to be used, or more frequently as he deems necessary, the county auditor or other election official shall instruct all inspectors and judges of elections who are to serve at that primary or general election in the use of the voting devices and their duties in conjunction with the conduct of that primary or election.

The auditor may waive instructional requirements for inspectors and judges of elections who previously have been granted a certificate of proficiency and who have served as precinct officers for a sufficient length of time to be fully qualified to perform their duties in connection with the voting device: PROVIDED, That any inspectors and judges of elections for whom the instructional requirements are waived may at their discretion take advantage of the instructional program outlined herein. He shall give to each inspector or judge who has received instruction and is qualified to conduct the primary or election with the voting devices, a certificate to that effect. For the purpose of instruction, the county auditor or other election officials shall call such meetings of the inspectors or judges as may be necessary. As compensation for the time spent in receiving instruction each inspector or judge who qualifies and serves at the subsequent primary or election shall receive an additional two hours compensation, to be paid to him at the same time and in the same manner as compensation is paid him for his services on the day of the primary or election. No inspector or judge of election shall serve at any primary or general election at which voting devices are used unless he has received the required instruction and is qualified to perform his duties in connection with voting devices and has received a certificate to that effect from the county auditor or other election official: PROVIDED, That this shall not prevent the appointment of an inspector or judge of election to fill a vacancy in an emergency.

NEW SECTION. Sec. 70. There is added to chapter 29.34 RCW a new section to read as follows:

Before each state primary or general election at which a vote tallying system is to be used, or more frequently as he deems necessary, the county auditor or other election official shall, during the day of the election, instruct all counting center personnel, including political party observers, who are to serve at that primary or election in their duties in connection with the handling and tallying of ballots for that primary or election. No person shall serve as an election worker in the counting center at any primary or election at which a vote tallying system is used unless he has received the required instruction and is qualified to perform his duties in connection with the handling and tallying of ballots for that primary or election. No person shall serve as a political party observer unless he has received the required instruction and is familiar with the operation of the vote tallying system and the procedures to be employed to verify the accuracy of the programming for that vote tallying system.

NEW SECTION. Sec. 71. There is added to chapter 29.34 RCW a new section to read as follows:

The county auditor shall determine the location of the counting center for each vote tallying system under his jurisdiction and the number of ballot card precincts assigned to each. Such facility may be located wherever in the judgment of the county auditor best serves the voters.

All proceedings at the counting center shall be under the direction of the county auditor and under the observation of at least two observers, who shall not be from the same political party, appointed by the county chairman of the respective major political party. Such proceedings shall be open to the public, but no persons except those employed and authorized for the purpose shall touch any ballot card or ballot container.

Technical assistance from private vendors to the county auditor shall be limited to advice and assistance in the training of precinct election officers and counting center personnel and the development of instructional materials for use in such training, routine maintenance and repair service on the voting devices and vote tallying systems, and any emergency assistance required due to the mechanical failure of any voting device or vote tallying system. Private vendors may provide the compilation of computer programs and preparation of office and report files according to the specifications established by the county auditor for a specific primary or election. All precinct program cards shall be prepared by the county auditor or the staff of his office. Ballot layout functions are to be performed by the secretary of state for federal offices and state-wide measures and offices, and by the county auditor for all other measures and offices.

NEW SECTION. Sec. 72. There is added to chapter 29.34 RCW a new section to read as follows:

At the direction of the county auditor, a representative of each major political party shall together stop at each designated polling place and pick up the sealed containers containing the voted ballot cards for delivery to the counting center. There may be as many as two such stops at each polling place, but the first stop may not be made prior to 2:00 p.m. and the second stop may not be made until after the polls have been closed to voting.

The procedure for transporting voted ballot cards from the respective polling places to the counting center or to predesignated collection stations shall include, but not be limited to, the following measures:

(1) On the day of the primary or election in precincts where ballots are cast on voting devices, two precinct election officials, one representing each major political party, shall place all voted ballots in non-combustible, water resistant ballot containers, furnished by the county auditor and properly identified with his mailing address, and seal the containers with prenumbered seals. The precinct election officials of each major political party or representative of each major political party designated by the county auditor to deliver such ballots shall transport the sealed ballot containers to the counting center or to a predesignated collection station in an enclosed vehicle, making certain that all doors and windows thereof other than those windows necessary for adequate ventilation are closed and locked.

(2) At the counting center or the collection stations where the sealed ballot containers are delivered by the designated representatives of the major political parties, the county auditor or his designated representative shall receive the sealed ballot containers with the voted ballot cards enclosed, record the time and date together with each precinct and seal number, and complete signed receipts indicating the time, date, and precinct and seal number of each ballot container received, and give a copy of such receipt to the representatives delivering the ballot containers as such containers are received.

(3) If the ballot containers are delivered to the collection station instead of being delivered directly to the counting center, the county auditor or his designated representative shall transfer such election containers to the counting center in an enclosed vehicle, making certain that all doors and windows thereof other than those windows necessary for adequate ventilation are closed and locked. All ballots being so transferred shall be accompanied by two appointed officials, who shall not be of the same political party, and a representative of the county auditor, who may be one of the appointed officials.

NEW SECTION. Sec. 73. There is added to chapter 29.34 RCW a new section to read as follows:

At least three days prior to the day of the primary or general election, all programming for the vote tallying system to be used at that primary or general election shall be tested by the secretary of state or his designee to ascertain that the equipment will correctly count the vote cast for all candidates and on all measures appearing on the ballot at that primary or general election. The tests shall be conducted by processing a preaudited group of ballots prepared by the office of secretary of state, so punched or marked as to record a predetermined number of ballot votes for each candidate and for and against each measure. For each office for which there are two or more candidates and for each issue, the group of test ballots shall include one or more ballots which have votes in excess of the number allowed by law, in order to verify the ability of the vote tallying system to reject such votes. The test shall be designed to verify the capability of the vote tallying system to perform all of the functions that can reasonably be expected to occur during conduct of that particular primary or election, including but not limited to verification of the content of the ballot format for each precinct or polling place, verification of rotation in the program, and verification of major error identification routines in the program of the vote tallying system. If any error is detected, the cause thereof shall be ascertained and corrected, and an errorless count shall be made before the programming is approved and certified.

Such tests shall be observed by at least two observers, who shall not be of the same political party, designated by the county chairmen of the respective county central committees, and shall be open to candidates, the press, and the public. The secretary of state, the county auditor, and the political party observers shall certify that the test has been properly conducted. Copies of such certification shall be retained by the secretary of state and the county auditor. All programming materials and test ballots shall be securely locked in a noncombustible, water resistant container, and sealed until the day of the primary or general election. This test shall be repeated immediately before the start of the official count of ballots in the same manner as set forth above.

The political party observers, upon mutual agreement, may request a precinct, to be selected at random, at the point of check-in, and manually take a total count of ballots and/or a total count for any one office, return that precinct to the counting center, and request a detailed printout. This may be done as many as three times during the official count so that the accuracy of the proceedings can be again verified by the count of the preaudited group of ballots.

NEW SECTION. Sec. 74. There is added to chapter 29.34 RCW a new section to read as follows:

The ballot cards picked up during the polling hours may subsequently be counted before the polls have closed: **PROVIDED**, That all such election returns must be held in secrecy in the same manner as the count of paper ballots during polling hours as provided by RCW 29.54.030. Any person revealing any election returns to unauthorized persons prior to the close of the polls shall be subject to the same penalties as provided by RCW 29.54.035.

Upon breaking the seals and opening the containers, all voted ballot cards shall be checked for partially removed chads, whereupon any such partially removed chads shall be entirely removed from the ballot cards. If it is found that any ballot is damaged or defective so that it cannot properly be counted by the vote tallying system, a true duplicate copy shall be made of the damaged ballot in the presence of witnesses and substituted for the damaged ballot. All such damaged ballots shall be kept by the county auditor until sixty days after the primary or election concerned.

The returns printed by the vote tallying system, to which has been added the count of questioned ballots, challenged ballots, write-in votes, and absentee votes, shall constitute the official returns of the primary or election in that county.

Sec. 75. Section 32, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.170 are each amended to read as follows:

The secretary of state, upon promulgating the rules and regulations necessary for carrying out the purpose of this ((1967-amendatory act)) chapter, shall publish manuals containing the applicable rules and regulations and statutes for the guidance of the county auditor relating to the printing of ballot cards and preparation of the vote tallying systems, for the guidance of precinct election officers serving ballot card precincts, and for the guidance of election officers and operators of tabulating equipment at counting centers.

There shall be no charge for such manuals, and the number to be printed and the distribution thereof shall be determined by the secretary of state.

Sec. 76. Section 29.36.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.010 are each amended to read as follows:

In addition to those persons authorized under section 19 of this 1977 amendatory act, any duly registered voter may vote an absentee ballot for any primary or election in the manner provided in this chapter.

A voter desiring to cast an absentee ballot must apply in writing to his county auditor no earlier than forty-five days nor later than the day prior to any election or primary: **PROVIDED**, That an application honored for a primary ballot shall also be honored as an application for a ballot for the following election if the voter so indicates on his application.

Such applications must contain the voter's signature and may be made in person or by mail or messenger: **PROVIDED**, That no application for an absentee ballot shall be approved unless the voter's signature upon the ((certificate or)) application compares favorably with the voter's signature upon his permanent registration record.

Sec. 77. Section 29.36.030, chapter 9, Laws of 1965 as amended by section 1, chapter 73, Laws of 1974 ex. sess. and RCW 29.36.030 are each amended to read as follows:

Upon receipt of the ((certificate, either signed by the voter or attached to the)) voter's signed application, the officer having jurisdiction of the election, or his duly authorized representative, shall issue an absentee ballot for the election concerned.

At each general election in the even-numbered year, each absentee voter shall also be given a separate ballot containing the names of the candidates that have filed for the office of precinct committeeman provided that two or more candidates have filed for the same political party in the absentee voter's precinct and providing space for writing in the name of additional candidates.

In addition, if other elections, including special or general, are also being held on the same day and it can be determined that the absentee voter is qualified to vote at such elections, such additional absentee ballots shall be automatically issued to the end that, whenever possible, each absentee voter receives the ballots for all elections he would have received if he had been able to vote in person.

The election officer, or his duly authorized representative, shall include the following additional items when issuing an absentee ballot:

- (1) Instructions for voting.
- (2) A size #9 envelope, capable of being sealed and free of any identification marks, for the purpose of containing the voted absentee ballot.
- (3) A size #10 envelope, capable of being sealed and preaddressed to the issuing officer, for the purpose of returning the #9 envelope containing the marked absentee ballot.

Upon the left hand portion of the face of the larger envelope shall also be printed a blank statement in the following form:

State of }
 County of } ss.

I,, do solemnly swear under the penalty as set forth in RCW 29.36.110 (see below), that I am a resident and qualified voter in precinct of city in county, Washington; that I have the legal right to vote at the election to be held in said precinct on the day of, 19... That I have not voted another ballot and have herein enclosed my ballot for such election.

(signed)

Voter

(date of oath)

PENALTY PROVISION: Any person who violates any of the provisions, relating to swearing and voting, shall be guilty of a felony and shall be punished by imprisonment for not more than five years or a fine of not more than five thousand dollars, or by both such fine and imprisonment.

Sec. 78. Section 29.36.060, chapter 9, Laws of 1965 as amended by section 1, chapter 140, Laws of 1973 and RCW 29.36.060 are each amended to read as follows:

The opening and canvassing of absentee ballots cast at any primary or election, special or general, may begin on or after the tenth day prior to such primary or election: **PROVIDED**, That the opening of the inner envelopes and actual counting of such absentee ballots shall not commence until after 8:00 o'clock p.m. on the day of the primary or election but must be completed on or before the tenth day following the primary or election: **PROVIDED**, That when a state general election is held, the canvassing period shall be extended to and including the fifteenth day following such election.

~~((This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for counting and canvassing of absentee ballots:))~~ The county canvassing board, or its duly authorized representatives, may elect not to initial the inner envelope but instead place all such envelopes in containers that can be secured with a numbered metal seal, and such sealed containers shall be stored in the most secure vault available within the courthouse until after 8:00 o'clock p.m. of the day of the primary or election: PROVIDED, That in the instance of punchcard absentee ballots, such ballots may be taken from the inner envelopes and all the normal procedural steps performed necessary to prepare punchcard ballots for computer count and then placed in said sealed containers.

The canvassing board or its duly authorized representatives shall examine the postmark, receipt mark and statement on the outer envelope containing the absentee ballot and verify that the voter's signature thereon is the same as that on the original application: **PROVIDED**, That if the postmark is illegible, the date on the outer envelope, which a person attests to as provided in RCW 29.36.030 as now or hereafter amended shall be the date for determining the validity, as to the time of voting, of any absentee ballot under the provisions of this chapter. The board then shall open ~~((each))~~ the outer envelopes ~~((postmarked or received (if not delivered by mail)))~~ not later than the tenth day following any primary or special election ~~((day and upon which the statement has been executed according to law in such a way as not to mar the statement)), and the fifteenth day following any general election, and remove therefrom the inner envelope containing the ballot.~~

The inner envelopes shall be initialed by the canvassing board or its duly authorized representatives. The inner envelopes thus initialed must be filed by the county auditor under lock and key. The outer envelopes to which must be attached the corresponding original absentee ~~((voters' certificates))~~ voter's application shall be sealed securely in one package and shall be kept by the auditor for future use in case any question should arise as to the validity of the vote.

Sec. 79. Section 29.39.170, chapter 9, Laws of 1965 and RCW 29.39.170 are each amended to read as follows:

All procedure governing the receipt and subsequent handling of absent voters' ballots shall be governed by the provisions of chapter 29.36 RCW ~~((but the respective time limits within which some specific act on the part of the county auditors and canvassing boards is required to be done shall not apply to absent voters' ballots cast by service voters, it being the intent of this section that every facility shall be given to such absent voters' ballots cast by service voters so that such ballots shall be counted if possible)).~~

Sec. 80. Section 29.48.020, chapter 9, Laws of 1965 and RCW 29.48.020 are each amended to read as follows:

The precinct election officers ~~((of))~~ for each precinct shall meet at the designated polling place ~~((thereof))~~ at ~~((least forty five minutes before the time set for opening the polls))~~ the time set by the county auditor.

Sec. 81. Section 29.48.030, chapter 9, Laws of 1965 as amended by section 40, chapter 202, Laws of 1971 ex. sess. and RCW 29.48.030 are each amended to read as follows:

Before the hour for opening the polls at any primary or election and allowing a reasonable time for preparation thereof, the county auditor or other officer in charge of such primary or election shall deliver to the inspector or one of the judges of each precinct:

(1) ~~((Two poll books or two copies of the precinct list of registered voters for use in recording the names and signatures of all persons who vote at the election))~~ The precinct list of registered voters for that precinct and a suitable means to record the signature, name, and address of the voter;

(2) Ballots equal ~~((in number))~~ to ~~((one hundred ten percent of))~~ the number of voters registered therein or such ~~((further))~~ number as the county auditor or other officer in charge of such primary or election may certify to be necessary ~~((except where voting machines are used in which case a less number may be delivered));~~

(3) A suitable ballot ((~~box~~) container (except when voting machines are in use), with lock and key, having an opening through the lid thereof of no larger size than sufficient to admit a single folded ballot or ballot card;

(4) Two cards of instructions to voters printed in English in large clear type containing full instruction to voters as to how:

(a) To obtain ballots for voting;

(b) To prepare the ballots for deposit in the ballot boxes;

(c) To obtain a new ballot in the place of one spoiled by accident or mistake;

(5) ((~~The voters' registration files or precinct lists of registered voters pertaining to the precinct;~~

(6) Two tallying books which must be printed in relation to the sample ballots: PROVIDED, That at primary elections (except where machines are used) there must be furnished to each precinct two sets of tally books for each political party having candidates to be voted for and the first sheet of each tally book shall be headed:

Tally book for (name of political party) (name of city) (county) (ward) (precinct) for the primary election held (date). The names of the candidates shall be placed on the tally sheets in the order in which they appear on the sample ballots and in each case have the proper party designation at the head thereof;

(7) Two certificates printed in relation to the sample ballots or two sample ballots prepared as blanks, for certification of the result by the precinct election officers;

(8)) Sample ballots;

((9)) (6) Two oaths for each inspector(;) and each judge ((and each clerk));

((10) Three pamphlets containing arguments on measures for submission to voters;

((11)) (7) One U.S. flag;

((12)) (8) All other supplies necessary for conducting the election or primary.

NEW SECTION. Sec. 82. There is added to chapter 29.48 RCW a new section to read as follows:

In precincts where votes are cast on paper ballots, the following supplies, in addition to those specified in RCW 29.48.030 as now or hereafter amended, shall be provided:

(1) Two tally books in which the names of the candidates shall be listed in the order in which they appear on the sample ballots and in each case have the proper party designation at the head thereof;

(2) Two certificates or two sample ballots prepared as blanks, for recording of the unofficial results by the precinct election officers.

Sec. 83. Section 29.51.125, chapter 9, Laws of 1965 and RCW 29.51.125 are each amended to read as follows:

((Each major political party, at any general election, may assign any one of its precinct election officers at) At any election, general or special, or at any primary, any political party or committee may designate a person other than a precinct election officer, for each polling place to check a list of registered voters of the precinct ((so that they may) to determine who has and who has not voted: PROVIDED, That such lists shall be furnished by the ((major political parties)) party or committee concerned.

Sec. 84. Section 29.54.010, chapter 9, Laws of 1965 as amended by section 6, chapter 101, Laws of 1965 ex. sess. and RCW 29.54.010 are each amended to read as follows:

At paper ballot precincts and at ballot card precincts served by a single set of precinct election officers, the inspector and judges of election for each election precinct immediately upon the closing of the polls, and before the ballots are counted, shall destroy all unused ballots or ballot cards furnished for use at such precinct.

At paper ballot precincts and at ballot card precincts served by two sets of precinct election officers, the members of the receiving board shall destroy all unused ballots or ballot cards upon the closing of the polls.

Sec. 85. Section 29.54.035, chapter 9, Laws of 1965 and RCW 29.54.035 are each amended to read as follows:

In paper ballot precincts, no election officer or any other person authorized by law to be present while votes are being counted, shall divulge the result of the count of the ballots at any time prior to the closing of the polls. Violation of this section is punishable, upon conviction, by a fine of not less than one hundred dollars nor more than five hundred dollars or imprisonment in the county jail not less than three nor more than six months, or by both such fine and imprisonment.

Sec. 86. Section 29.54.040, chapter 9, Laws of 1965 as amended by section 9, chapter 101, Laws of 1965 ex. sess. and RCW 29.54.040 are each amended to read as follows:

In paper ballot precincts, the ballot ((~~box~~) container shall not be removed from the polls nor shall the counting of the votes be discontinued until all are counted.

The duties of the precinct election officers counting ballots in such precincts shall not be complete until it is determined that:

(1) A recheck of the tally marks accurately reflect the total vote credited to each candidate and the total vote credited for and against each proposition(;;);

(2) The total number of votes cast for all candidates for a single position to be filled does not exceed the number of voters who have signed the poll book(;;);

(3) The records of the votes in each tally book are the same.

Sec. 87. Section 29.54.045, chapter 9, Laws of 1965 as last amended by section 4, chapter 102, Laws of 1973 and RCW 29.54.045 are each amended to read as follows:

In paper ballot precincts, when two or more sets of precinct election officers have been appointed as provided in RCW 29.45.050 the following procedure shall apply:

(1) The set or sets designated as the counting board or boards shall commence tabulation of any state primary or state general election at a time set by the officer in charge of the election.

(2) A second ballot ((box)) container for receiving ballots shall be used, and the first ballot ((box)) container shall be closed and delivered to the counting board or boards: PROVIDED, That there have been at least ten ballots cast. The counting board or boards shall at a time set by the officer in charge of the election proceed to the place provided for them and at once count the votes. When counted they shall return the emptied ballot ((box)) container to the inspector and judges conducting the election and the latter shall then deliver to the counting board or boards the second ballot ((box)) container, if there have been at least ten ballots cast, who shall then proceed as before. The counting of ballots and exchange of ballot ((boxes)) containers shall continue until the polls are closed after which the election board conducting the election shall conclude their duties and the counting board or boards shall continue until all ballots are counted.

(3) The receiving board conducting the election shall perform all of the duties as now provided by law except for the counting of the ballots, the posting and certification of the unofficial returns and the delivery of the official returns, together with the election supplies to the county auditor.

(4) Suitable oaths of office for all precinct election officials, when two or more sets of officials are employed, shall be prepared by the secretary of state as ex officio chief election officer.

Sec. 88. Section 29.54.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 121, Laws of 1973 1st ex. sess. and RCW 29.54.050 are each amended to read as follows:

Ballots and ballot cards must be rejected if:

- (1) Two are found folded together;
- (2) Marked so as to identify who the voter is: PROVIDED, That this subsection (2) shall not apply to absentee ballots;
- (3) Printed other than by the respective county auditors or other authorized election officials as provided by law.

Those parts of ballots and ballot cards must not be counted which:

- (1) Designate more persons for an office than are to be elected to that office;
- (2) Are not in compliance with RCW 29.51.170;
- (3) Are not marked with sufficient definiteness to determine the voter's choice or intention: PROVIDED, That no ballot or ballot card or part thereof shall be rejected for want of form or mistake in initials of names if the election board can determine to their satisfaction the person voted for and the office intended.

Sec. 89. Section 29.54.060, chapter 9, Laws of 1965 and RCW 29.54.060 are each amended to read as follows:

Whenever a question arises in the precinct election board or the counting center as to the legality of a ballot or ballot card or any part thereof, ((its)) the action thereon together with a concise statement of the facts that gave rise to the objection must be indorsed upon the ballot or attached to the ballot card and signed by a majority of the board or the counting center personnel processing the ballot. All such ballots and statements shall be forwarded to the canvassing board. All ballots and ballot cards must be preserved whether rejected or counted in whole or in part and returned in the same manner as other ballots and ballot cards.

Sec. 90. Section 29.54.070, chapter 9, Laws of 1965 as amended by section 10, chapter 109, Laws of 1967 ex. sess. and RCW 29.54.070 are each amended to read as follows:

After all the paper ballots have been counted, strung, and tallied it shall be the duty of the inspector to place them in a sealed envelope and write thereon, "Ballots of precinct county, state of Washington, of election held this day of, 19..." and ((send-said)) deliver such sealed envelope to the auditor of the county or other election official. The county auditor or other officer shall keep the sealed envelope containing said ballots unopened for the period of two months, to be used only as evidence in case or cases of contest when called for. At the end of that time he shall burn or make such disposition of said ballots, as he may deem expedient, in the presence of two other officers.

Sec. 91. Section 29.54.080, chapter 9, Laws of 1965 and RCW 29.54.080 are each amended to read as follows:

As soon as all the paper ballots have been counted or the voting machines have been canvassed, two sets of the following papers shall be assembled:

- (1) One poll list;
- (2) One tally book or set of tally sheets, or one statement of canvass where voting machines are used;
- (3) One each of the duplicate oaths of the inspector, the judges and the clerks.

To each set of papers shall be attached a certificate signed by the inspector, the judges and the clerks designating, in the order in which they appear upon the sample ballots, each candidate, the number of votes he received, and the office for which he is a candidate. The number of votes in each case must be written in words and figures (for example five thousand four hundred and fifty-two—(5452)).

One set shall constitute the "returns" to be made to the canvassing board or official; the other set shall be retained by the inspector and preserved by him for at least six months.

Sec. 92. Section 29.54.130, chapter 9, Laws of 1965 and RCW 29.54.130 are each amended to read as follows:

The returns from each election precinct using paper ballots or voting machines shall be transmitted to the county auditor or other election officer either by ((registered)) certified mail or in person by one of the judges or the inspector.

Failure to transmit the returns is a misdemeanor punishable by a fine of not less than five dollars nor more than fifteen dollars.

Sec. 93. Section 29.54.140, chapter 9, Laws of 1965 and RCW 29.54.140 are each amended to read as follows:

~~((Following every primary and election, before adjourning, every))~~ Before adjourning from the polling place, following a primary or an election in any precinct where votes are cast on paper ballots or voting machines, the precinct election board shall enter the unofficial results in duplicate upon sample ballots or suitable forms furnished for that purpose by the county auditor or other election officer. One copy shall be posted conspicuously on the outside of the polling place and the other transmitted to the county election officer.

NEW SECTION. Sec. 94. There is added to chapter 29.54 RCW a new section to read as follows:

In counties using voting devices the county auditor or other election officer shall maintain, for at least sixty days following each primary or election, the following descriptive documents relating to the conduct of that primary or election:

- (1) Ballot page formats together with a record of the format or formats assigned to each precinct;
- (2) Program cards, precinct header cards, office and report files, program listings, and any similar programming material related to the control of the vote tallying system for that primary or election; and
- (3) All test materials used to verify the accuracy of the tabulating equipment as required by section 73 of this 1977 amendatory act.

NEW SECTION. Sec. 95. There is added to chapter 29.54 RCW a new section to read as follows:

In each county possessing the facilities necessary to do so, the county auditor or other election official shall copy all voted ballot cards on magnetic tape, deleting any details which could be used to ascertain the identity of any voter and making certain that all ballot cards, as copied, are readily identifiable and segregated by precinct for each primary and election, special or general. Once copied, the county auditor or his designee shall make such disposition of the voted ballot cards as he may deem expedient. The original magnetic tape copy of such voted ballot cards shall be retained in the office of the county auditor for a period of not less than ten years after being made. Copies of any magnetic tapes so retained shall be promptly furnished by the county auditor to any individual requesting them upon receipt of a payment sufficient to cover costs associated therewith.

Sec. 96. Section 29.62.090, chapter 9, Laws of 1965 and RCW 29.62.090 are each amended to read as follows:

Immediately after the official results of ((an) a state primary or general election ((or-primary)) in his county are ascertained, the county auditor or other election officer shall make an abstract of the number of registered voters in each precinct and of all the votes cast in his county at such state primary or general election for ((county officers, state officers, national officers and officers elected by districts;)) and against state measures and for each candidate for federal, state, and legislative office or for any other office which the secretary of state is required by law to canvass. The abstract shall be entered on blanks furnished by the secretary of state or on compatible computer printouts approved by the secretary of state, and ((transmit)) transmitted to the secretary of state ((by registered mail a certified copy thereof)) no later than the next business day following the certification by the county canvassing board.

Sec. 97. Section 29.62.100, chapter 9, Laws of 1965 and RCW 29.62.100 are each amended to read as follows:

The ~~((state canvassing board shall consist of the))~~ secretary of state ~~((the state treasurer and the state auditor.))~~ shall, as soon as possible but in any event not later than the third Tuesday following the primary, canvass and certify the returns of all primary elections as to candidates for state offices, United States senators and representatives in congress, and all other candidates whose district extends beyond the limits of a single county.

Sec. 98. Section 29.64.010, chapter 9, Laws of 1965 and RCW 29.64.010 are each amended to read as follows:

An officer of a political party or any person for whom votes were cast in a primary election for nomination as a candidate for election to an office who was not declared nominated may file with the appropriate canvassing board or boards a written application for a recount of the votes cast at such primary in any precinct for all persons for whom votes were cast in such precinct for such nomination.

An officer of a political party or any person who was a candidate at any general election for election to an office or position who was not declared elected, may file with the appropriate canvassing board or boards a written application for a recount of the votes cast at such election in any precinct in such county for all candidates for election to such office or position.

Any group of five or more registered voters may file with the appropriate canvassing board or boards a written application for a recount of the votes cast at any election, regular or special, in any precinct upon any question or issue, provided that the members of such group shall state in such application that they voted on such question or proposition. Such group of electors shall, in such application, designate one of the members of the group as chairman, and shall indicate therein the voting residence of each member of such group. In the event the recount requested concerns a regular or special district election whereat the precincts were combined and the election results of the individual precincts impossible to determine, the application for the recount shall embrace all ballots cast at such district election.

An application for recount in a precinct using a vote tally system shall specify whether the recount shall be done manually or by the vote tally system. A recount done by the vote tally system shall use separate and distinct programming from that used in the original count, and shall also provide for a separate and distinct test of the logic and accuracy of such program.

All applications for recount shall be filed within three days, excluding Saturdays and Sundays, after the canvassing board has declared the official results of the primary or election ~~((as the case may be))~~.

The provisions of this chapter shall apply to the recounting of votes cast by paper ballots and counted at the polling places ~~((and))~~, to the recheck of votes recorded on voting machines, and to the recounting of votes recorded on ballot cards and counted by a vote tally system. The provisions of this chapter shall neither apply to votes cast by absentee ballot and counted by the canvassing authority, nor to votes cast on voting machines printing election returns: PROVIDED, That this chapter shall apply to votes cast by absentee and counted by the canvassing authority if specific request for such recount is made at the time the application is filed and the additional deposit is made as provided in RCW 29.64.020.

Sec. 99. Section 29.64.020, chapter 9, Laws of 1965 and RCW 29.64.020 are each amended to read as follows:

Each application for recount shall separately list each precinct as to which a recount of the votes therein is requested, and the person filing an application shall at the same time deposit with the canvassing board the sum of ~~((five))~~ ten dollars in cash or by certified check for each precinct so listed in such application as security for the payment of charges for the making of the recount therein applied for, which charges shall be fixed by the canvassing board as provided in RCW 29.64.060. In the event the application for a recount applies to a special or regular district election then the deposit to be made with the canvassing board shall be ~~((five))~~ ten dollars in cash or by certified check for each precinct completely or partially within said district. If at said special or regular district election paper ballots were used and the precincts were combined and the election results of the individual precincts impossible to determine, then the deposit shall be a sum of money equal to the total number of ballots cast at such district election multiplied by the factor of ~~((two))~~ five cents; and if a specific request is made for the recount of absentee ballots, then an additional deposit shall be made in a sum of money equal to the total number of such absentee ballots to be counted multiplied by the factor of ~~((two))~~ five cents.

If at said special or regular district election voting machines were used and the precincts were combined and the election results of the individual precincts impossible to determine, then the deposit shall be ~~((five))~~ ten dollars for each voting machine used.

If ballot cards and a vote tally system were used at any precinct as to which a recount is requested, the amount of the deposit required shall depend on whether a manual recount of ballot cards or a recount by the vote tally system is requested. If a manual recount of the ballot cards is requested, the deposit shall be the same as for paper ballots. If a recount by the vote tally system is requested, the deposit shall be five cents for each ballot card.

Upon the filing of an application, the canvassing board shall promptly fix the time when and the place at which the recount will be made, which time shall be not later than five days after the day upon which such application is filed. The ~~((clerk of the board))~~ county auditor shall mail notice of the time and place so fixed to the applicant. If the application requests a recount of votes cast for a nomination or a candidacy for election, the ~~((clerk))~~ auditor shall also mail such notice to each person for whom votes were cast for such nomination or election. Such notice shall be mailed by registered mail not later than two days before the date fixed for the commencement of the recount. Each person entitled to receive such notice may attend and witness the recount and may be accompanied by counsel.

In the case of a recount of votes cast upon a question or proposition, a second group of five or more registered voters, who voted upon such question or proposition other than those voters requesting the recount, may file with the canvassing board a written statement to that effect, may designate therein one of their number as chairman of such group and an attorney as their legal counsel, and may request that the persons so designated be permitted to attend and witness the recount. Thereupon the persons so designated may attend and witness the recount.

Sec. 100. Section 29.64.060, chapter 9, Laws of 1965 and RCW 29.64.060 are each amended to read as follows:

The charges for making a recount of votes of precincts listed in an application for recount filed with the board of elections shall be fixed by the board and shall include all expenses incurred by such board because of such application other than the regular operating expenses which the board would have incurred if the application had not been filed.

The total amount of charges so fixed divided by the number of precincts listed in such application, the votes of which were recounted, shall be the charge per precinct for the recount of the votes of the precincts listed in such application, the votes of which were recounted: PROVIDED, That the charges per precinct so fixed shall not be more than ~~((five dollars for each precinct concerned or in the event of a recount of a regular or special district election whereat all ballots were requested to be recounted irrespective of precincts; the maximum charge shall not exceed two cents per ballot))~~ the actual cost.

Such charge shall be deducted by the board from the money deposited with the board by the applicant for the recount at the time of filing his application, and the balance of the money so deposited shall be returned to such applicant unless the costs of the recount were higher than the deposit, in which case the applicant shall be required to pay the difference: PROVIDED, That no such charges shall be deducted by the board from the money deposited for a recount of votes cast for a nomination or for an election to an office or position in any precinct, if upon the completion of a recount the applicant is declared nominated or elected, or if upon completion of a recount concerning a question or proposition, the result of such election is declared to be opposite to the original declaration of the result of such election. All moneys deposited with the board by an applicant not returned to him shall be paid by such board into the general fund of the political subdivision concerned.

Sec. 101. Section 29.65.010, chapter 9, Laws of 1965 and RCW 29.65.010 are each amended to read as follows:

Any registered voter may contest the right of any person declared elected to an office to be ~~((exercised in the county, district or precinct of his residence;))~~ issued a certificate of election for any of the following causes:

- (1) For malconduct on the part of any member of any precinct election board involved therein;
- (2) Because the person whose right is being contested was not at the time he was declared elected eligible to that office;
- (3) Because the person whose right is being contested was previous to the election convicted of a felony by a court of competent jurisdiction, his conviction not having been reversed nor his civil rights restored after the conviction;
- (4) Because the person whose right is being contested gave a bribe or reward to a voter or to an inspector~~((:))~~ or judge ~~((or clerk))~~ of election for the purpose of procuring his election, or offered to do so;
- (5) On account of illegal votes.

All election contests shall proceed under RCW 29.04.030, as now or hereafter amended.

Sec. 102. Section 29.65.020, chapter 9, Laws of 1965 and RCW 29.65.020 are each amended to read as follows:

~~((To commence an election contest, the contestant must file with the clerk of the superior court of his residence a verified written statement of contest within ten days after the person whose right is being contested has been declared elected, setting forth))~~ An affidavit of an elector with respect to RCW 29.04.030(6) must be filed with the appropriate court no later than ten days following the issuance of a certificate of election and shall set forth specifically:

- (1) The name of the contestant and that he is a registered voter in the county, district or precinct, as the case may be, in which the office is to be exercised;
- (2) The name of the person whose right is being contested;
- (3) The office;
- (4) The particular causes of the contest.

No statement of contest shall be dismissed for want of form if the particular causes of contest are alleged with sufficient certainty ~~((to advise the defendant of the particular proceedings or cause for which such election is contested)).~~ The person charged with the error or omission shall be given the opportunity to call any witness, including the candidate to whom he has issued or intends to issue the certificate of election.

Sec. 103. Section 29.65.040, chapter 9, Laws of 1965 and RCW 29.65.040 are each amended to read as follows:

Upon such ~~((statement))~~ affidavit being filed, it shall be the duty of the clerk to inform the judge of the ~~((superior))~~ appropriate court, who may give notice, and order a session of the court to be held at the usual place of holding said court, on some day to be named by him, not less than ten nor more than twenty days from the date of such notice, to hear and determine such contested election: PROVIDED, That if no session be called for the purpose, such contest shall be determined at the first regular session of court after such statement is filed.

The clerk of the court shall also at the time issue a citation for the person ~~((whose right to the office is contested))~~ charged with the error or omission, to appear at the time and place specified in the notice, which citation shall be delivered to the sheriff ~~((or constable;))~~ and be served upon the party in person; or if he cannot be found, by leaving a copy thereof at the house where he last resided.

Sec. 104. Section 29.65.055, chapter 9, Laws of 1965 and RCW 29.65.055 are each amended to read as follows:

If the proceedings are dismissed for insufficiency, want of prosecution, or the election is by the court confirmed, judgment shall be rendered against the party contesting such election for costs, in favor of the party ~~((whose election was contested))~~ charged with error or omission.

If such election is annulled and set aside, judgment for costs shall be rendered against the party ~~((whose election was contested;))~~ charged with the error or omission and in favor of the party ((contesting)) alleging the same.

Sec. 105. Section 29.79.200, chapter 9, Laws of 1965 as amended by section 1, chapter 107, Laws of 1969 ex. sess. and RCW 29.79.200 are each amended to read as follows:

Upon filing the volumes of an initiative petition proposing a measure for submission to the legislature at its next regular session, the secretary of state shall forthwith in the presence of at least one person representing the advocates and one person representing the opponents of the proposed measure, should either desire to be present, proceed to canvass and count the names of the legal voters thereon. The secretary of state may use any statistical sampling techniques for this canvass which have been ~~((approved by the state canvassing board established by RCW 29.62.100))~~ adopted by rule as provided by chapter 34.04 RCW: PROVIDED, That no petition will be rejected on the basis of any statistical method employed: PROVIDED FURTHER, That no petition will be accepted on the basis of any statistical method employed if such method indicates that the petition contains less than one hundred ten percent of the requisite number of signatures of legal voters. If the secretary of state finds the same name signed to more than one petition he shall reject the name as often as it appears. If the petition is found to be sufficient, the secretary of state shall transmit a certified copy of the proposed measure to the legislature at the opening of its session together with a certificate of the facts relating to the filing of the petition and the canvass thereof.

Sec. 106. Section 29.80.010, chapter 9, Laws of 1965 as last amended by section 2, chapter 4, Laws of 1975-76 2nd ex. sess. and RCW 29.80.010 are each amended to read as follows:

As soon as possible prior to each state general election at which federal or state officials are to be elected, the secretary of state shall publish and mail to each individual place of residence of the state a candidates' pamphlet containing photographs and campaign statements of eligible nominees who desire to participate therein and in even-numbered years containing a description of the office of precinct committeeman and its duties, in order that voters will understand that such office is a state office and will be found on the ballot of the forthcoming general election: PROVIDED, That in odd-numbered years no candidates' pamphlet shall be published, unless an election is to be held to fill a vacancy in one or more of the following state-wide elective offices: United States senator, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, superintendent of public instruction, commissioner of public lands, insurance commissioner, and justice of the supreme court.

Sec. 107. Section 29.82.090, chapter 9, Laws of 1965 and RCW 29.82.090 are each amended to read as follows:

At the time set for the canvass, in the presence of at least one person representing the petitioners and in the presence of the person charged, or some one representing him, if either should desire to be present, the canvassing officer shall (~~detach the sheets containing the signatures from the copies of the charge, and cause them to be firmly attached to one or more copies of the charge in such volumes as will be most convenient for canvassing and filing; and~~) forthwith compare the signatures on the petition with the voter registration records of that jurisdiction. No signature shall be rejected if the officer conducting the canvass is reasonably certain that the signature on the petition is the same as the signature of a registered voter of that jurisdiction. The omission to fill any blanks shall not prevent the certification of any name if sufficient information is given to enable one by a comparison of signatures to identify the voter. He shall then proceed to canvass and count the names of certified legal voters on such petitions. If he finds that the same person has signed more than one petition, he shall reject all signatures of such person from the count.

Sec. 108. Section 29.82.100, chapter 9, Laws of 1965 as amended by section 5, chapter 205, Laws of 1971 ex. sess. and RCW 29.82.100 are each amended to read as follows:

If, at the conclusion of the canvass and count, it is found that a petition for recall bears the requisite number of signatures of certified legal voters, the officer with whom the petition is filed shall (~~certify the proposition to the proper authority which shall~~) fix a date (not more than fifteen days after the conclusion of the canvass, for calling a) for the special election to determine whether or not the officer charged shall be recalled and discharged from his office. (~~On the date fixed the election shall be called. The~~) Such special election shall be held not less than forty-five nor more than sixty days from the date of the call (:) and, whenever possible, on one of the dates provided in RCW 29.13.020: PROVIDED, That no recall election shall be held between the date of the primary and the date of the general election in any calendar year. Notice thereof shall be given in the manner required by law for (calling) special elections in the state or in the political subdivision, as the case may be.

Sec. 109. Section 29.82.140, chapter 9, Laws of 1965 and RCW 29.82.140 are each amended to read as follows:

The votes on a recall election shall be counted, canvassed, and the results certified in the manner provided by law for counting, canvassing, and certifying the results of an election for the office from which the officer is being recalled: PROVIDED, That if the officer whose recall is demanded is the officer to whom, under the law, returns of elections are made, such returns shall be made to the officer with whom the charge is filed, and who called the special election; and in case of an election for the recall of a state officer, the county canvassing boards of the various counties shall canvass and return the result of such election to the officer calling such special election. If a majority of all votes cast at the recall election is for the recall of the officer charged, he shall thereupon be recalled and discharged from his office, and the office shall thereupon become and be vacant.

Sec. 110. Section 29.85.200, chapter 9, Laws of 1965 and RCW 29.85.200 are each amended to read as follows:

Any person who (~~falsely swears, in taking the oath or affirmation prescribed for registration~~) knowingly gives false information on an application for voter registration, or who knowingly makes a false declaration as to his or her qualifications as a voter, or who falsely personates another and procures himself or herself to be registered as the person so personated, or causes himself or herself to be registered under two or more different names, or causes any name to be registered otherwise than in the manner provided by law, shall be guilty of a class C felony under RCW 9A.72.030.

NEW SECTION. Sec. 111. The following acts or parts of acts are each hereby repealed:

- (1) Section 29.07.010, chapter 9, Laws of 1965, section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010;
- (2) Section 29.07.020, chapter 9, Laws of 1965, section 5, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.020;
- (3) Section 29.07.030, chapter 9, Laws of 1965 and RCW 29.07.030;
- (4) Section 29.07.040, chapter 9, Laws of 1965, section 6, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.040;
- (5) Section 29.07.050, chapter 9, Laws of 1965, section 7, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.050;
- (6) Section 29.07.060, chapter 9, Laws of 1965, section 8, chapter 202, Laws of 1971 ex. sess., section 1, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.060;
- (7) Section 2, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.065;

- (8) Section 29.07.070, chapter 9, Laws of 1965, section 9, chapter 202, Laws of 1971 ex. sess., section 3, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.070;
- (9) Section 29.07.080, chapter 9, Laws of 1965, section 10, chapter 202, Laws of 1971 ex. sess., section 4, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.080;
- (10) Section 29.07.090, chapter 9, Laws of 1965, section 11, chapter 202, Laws of 1971 ex. sess., section 5, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.090;
- (11) Section 2, chapter 153, Laws of 1973, section 1, chapter 184, Laws of 1975 1st ex. sess. and RCW 29.07.092;
- (12) Section 29.07.095, chapter 9, Laws of 1965, section 12, chapter 202, Laws of 1971 ex. sess., section 6, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.095;
- (13) Section 29.07.100, chapter 9, Laws of 1965, section 13, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.100;
- (14) Section 29.07.105, chapter 9, Laws of 1965, section 14, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.105;
- (15) Section 29.07.110, chapter 9, Laws of 1965, section 15, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.110;
- (16) Section 23, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.115;
- (17) Section 29.07.120, chapter 9, Laws of 1965, section 16, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.120;
- (18) Section 29.07.130, chapter 9, Laws of 1965, section 17, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.130;
- (19) Section 29.07.140, chapter 9, Laws of 1965, section 18, chapter 202, Laws of 1971 ex. sess., section 7, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.140;
- (20) Section 29.07.150, chapter 9, Laws of 1965, section 19, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.150;
- (21) Section 29.07.160, chapter 9, Laws of 1965, section 20, chapter 202, Laws of 1971 ex. sess., section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160;
- (22) Section 29.07.170, chapter 9, Laws of 1965, section 21, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.170;
- (23) Section 29.07.180, chapter 9, Laws of 1965, section 22, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.180;
- (24) Section 12, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.220;
- (25) Section 13, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.230;
- (26) Section 14, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.240;
- (27) Section 29.21.100, chapter 9, Laws of 1965 and RCW 29.21.100;
- (28) Section 29.30.050, chapter 9, Laws of 1965 and RCW 29.30.050;
- (29) Section 29.30.080, chapter 9, Laws of 1965, section 2, chapter 52, Laws of 1965, section 1, chapter 18, Laws of 1971 and RCW 29.30.080;
- (30) Section 29.30.090, chapter 9, Laws of 1965 and RCW 29.30.090;
- (31) Section 29.30.100, chapter 9, Laws of 1965 and RCW 29.30.100;
- (32) Section 29.30.110, chapter 9, Laws of 1965 and RCW 29.30.110;
- (33) Section 25, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.150;
- (34) Section 27, chapter 109, Laws of 1967 ex. sess., section 1, chapter 70, Laws of 1973 1st ex. sess. and RCW 29.34.160;
- (35) Section 29.51.040, chapter 9, Laws of 1965 and RCW 29.51.040;
- (36) Section 29.59.050, chapter 9, Laws of 1965 and RCW 29.59.050;
- (37) Section 29.62.110, chapter 9, Laws of 1965 and RCW 29.62.110;
- (38) Section 29.62.150, chapter 9, Laws of 1965, section 44, chapter 202, Laws of 1971 ex. sess. and RCW 29.62.150;
- (39) Section 29.65.030, chapter 9, Laws of 1965, section 30, chapter 109, Laws of 1967 ex. sess. and RCW 29.65.030;
- (40) Section 29.65.110, chapter 9, Laws of 1965 and RCW 29.65.110;
- (41) Section 29.65.130, chapter 9, Laws of 1965, section 77, chapter 81, Laws of 1971 and RCW 29.65.130;
- (42) Section 1, chapter 73, Laws of 1967 ex. sess., section 3, chapter 178, Laws of 1971 ex. sess., section 7, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.010;
- (43) Section 2, chapter 73, Laws of 1967 ex. sess., section 4, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.020;
- (44) Section 3, chapter 73, Laws of 1967 ex. sess., section 6, chapter 178, Laws of 1971 ex. sess., section 8, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.030;
- (45) Section 4, chapter 73, Laws of 1967 ex. sess., section 7, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.040;
- (46) Section 5, chapter 73, Laws of 1967 ex. sess., section 9, chapter 178, Laws of 1971 ex. sess., section 9, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.050;
- (47) Section 6, chapter 73, Laws of 1967 ex. sess., section 10, chapter 178, Laws of 1971 ex. sess., section 10, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.060;
- (48) Section 7, chapter 73, Laws of 1967 ex. sess., section 11, chapter 178, Laws of 1971 ex. sess., section 11, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.070;

(49) Section 8, chapter 73, Laws of 1967 ex. sess., section 12, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.080;

(50) Section 14, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.910;

(51) Section 29.82.050, chapter 9, Laws of 1965 and RCW 29.82.050; and

(52) Section 29.82.150, chapter 9, Laws of 1965 and RCW 29.82.150.

NEW SECTION. Sec. 112. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 113. This 1977 amendatory act shall take effect January 1, 1978."

In line 1 of the title, after "elections;" strike the remainder of the title and insert the following: "amending section 29.04.020, chapter 9, Laws of 1965 as last amended by section 1, chapter 202, Laws of 1971 ex. sess. and RCW 29.04.020; amending section 29.04.030, chapter 9, Laws of 1965 as last amended by section 1, chapter 165, Laws of 1973 1st ex. sess. and RCW 29.04.030; amending section 29.04.040, chapter 9, Laws of 1965 as last amended by section 3, chapter 129, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.040; amending section 29.04.055, chapter 9, Laws of 1965 as amended by section 1, chapter 127, Laws of 1974 ex. sess. and RCW 29.04.055; amending section 29.10.040, chapter 9, Laws of 1965 as amended by section 26, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.040; amending section 29.10.080, chapter 9, Laws of 1965 as last amended by section 28, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.080; amending section 29.10.120, chapter 9, Laws of 1965 as amended by section 33, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.120; amending section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070; amending section 29.18.040, chapter 9, Laws of 1965 as amended by section 1, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 29.18.040; amending section 29.21.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.060; amending section 1, chapter 130, Laws of 1967 ex. sess. and RCW 29.21.330; amending section 29.30.010, chapter 9, Laws of 1965 and RCW 29.30.010; amending section 29.30.020, chapter 9, Laws of 1965 as amended by section 76, chapter 81, Laws of 1971 and RCW 29.30.020; amending section 29.30.030, chapter 9, Laws of 1965 and RCW 29.30.030; amending section 29.30.040, chapter 9, Laws of 1965 and RCW 29.30.040; amending section 29.30.060, chapter 9, Laws of 1965 and RCW 29.30.060; amending section 29.30.075, chapter 9, Laws of 1965 as amended by section 5, chapter 103, Laws of 1965 ex. sess. and RCW 29.30.075; amending section 29.33.180, chapter 9, Laws of 1965 and RCW 29.33.180; amending section 29.33.210, chapter 9, Laws of 1965 and RCW 29.33.210; amending section 29.33.220, chapter 9, Laws of 1965 as last amended by section 4, chapter 46, Laws of 1975-'76 2nd ex. sess. and RCW 29.33.220; amending section 11, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.010; amending section 18, chapter 109, Laws of 1967 ex. sess. as amended by section 1, chapter 6, Laws of 1971 ex. sess. and RCW 29.34.080; amending section 23, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.130; amending section 32, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.170; amending section 29.36.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.010; amending section 29.36.030, chapter 9, Laws of 1965 as amended by section 1, chapter 73, Laws of 1974 ex. sess. and RCW 29.36.030; amending section 29.36.060, chapter 9, Laws of 1965 as amended by section 1, chapter 140, Laws of 1973 and RCW 29.36.060; amending section 29.39.170, chapter 9, Laws of 1965 and RCW 29.39.170; amending section 29.48.020, chapter 9, Laws of 1965 and RCW 29.48.020; amending section 29.48.030, chapter 9, Laws of 1965 as amended by section 40, chapter 202, Laws of 1971 ex. sess. and RCW 29.48.030; amending section 29.51.125, chapter 9, Laws of 1965 and RCW 29.51.125; amending section 29.54.010, chapter 9, Laws of 1965 as amended by section 6, chapter 101, Laws of 1965 ex. sess. and RCW 29.54.010; amending section 29.54.035, chapter 9, Laws of 1965 and RCW 29.54.035; amending section 29.54.040, chapter 9, Laws of 1965 as amended by section 9, chapter 101, Laws of 1965 ex. sess. and RCW 29.54.040; amending section 29.54.045, chapter 9, Laws of 1965 as last amended by section 4, chapter 102, Laws of 1973 and RCW 29.54.045; amending section 29.54.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 121, Laws of 1973 1st ex. sess. and RCW 29.54.050; amending section 29.54.060, chapter 9, Laws of 1965 and RCW 29.54.060; amending section 29.54.070, chapter 9, Laws of 1965 as amended by section 10, chapter 109, Laws of 1967 ex. sess. and RCW 29.54.070; amending section 29.54.080, chapter 9, Laws of 1965 and RCW 29.54.080; amending section 29.54.130, chapter 9, Laws of 1965 and RCW 29.54.130; amending section 29.54.140, chapter 9, Laws of 1965 and RCW 29.54.140; amending section 29.62.090, chapter 9, Laws of 1965 and RCW 29.62.090; amending section 29.62.100, chapter 9, Laws of 1965 and RCW 29.62.100; amending section 29.64.010, chapter 9, Laws of 1965 and RCW 29.64.010; amending section 29.64.020, chapter 9, Laws of 1965 and RCW 29.64.020; amending section 29.64.060, chapter 9, Laws of 1965 and RCW 29.64.060; amending section 29.65.010, chapter 9, Laws of 1965 and RCW 29.65.010; amending section 29.65.020, chapter 9, Laws of 1965 and RCW 29.65.020; amending section 29.65.040, chapter 9, Laws of 1965 and RCW 29.65.040; amending section 29.65.055, chapter 9, Laws of 1965 and RCW 29.65.055; amending section 29.79.200, chapter 9, Laws of 1965 as amended by section 1, chapter 107, Laws of 1969 ex. sess. and RCW 29.79.200; amending section 29.80.010, chapter 9, Laws of 1965 as last amended by section 2, chapter 4, Laws of 1975-'76 2nd ex. sess. and RCW 29.80.010; amending section 29.82.090, chapter 9, Laws of 1965 and RCW 29.82.090; amending section 29.82.100, chapter 9, Laws of 1965 as amended by section 5, chapter 205, Laws of 1971 ex. sess. and RCW 29.82.100; amending section 29.82.140, chapter 9, Laws of 1965 and RCW 29.82.140; amending section 29.85.200, chapter 9, Laws of 1965 and RCW 29.85.200; adding a new section to chapter 29.01 RCW; adding new sections to chapter 29.30 RCW; adding new sections to chapter 29.34 RCW; adding a new section to chapter 29.48 RCW; adding new sections to chapter 29.54 RCW; adding a new chapter to Title 29

RCW; repealing section 29.07.010, chapter 9, Laws of 1965, section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010; repealing section 29.07.020, chapter 9, Laws of 1965, section 5, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.020; repealing section 29.07.030, chapter 9, Laws of 1965 and RCW 29.07.030; repealing section 29.07.040, chapter 9, Laws of 1965, section 6, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.040; repealing section 29.07.050, chapter 9, Laws of 1965, section 7, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.050; repealing section 29.07.060, chapter 9, Laws of 1965, section 8, chapter 202, Laws of 1971 ex. sess., section 1, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.060; repealing section 2, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.065; repealing section 29.07.070, chapter 9, Laws of 1965, section 9, chapter 202, Laws of 1971 ex. sess., section 3, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.070; repealing section 29.07.080, chapter 9, Laws of 1965, section 10, chapter 202, Laws of 1971 ex. sess., section 4, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.080; repealing section 29.07.090, chapter 9, Laws of 1965, section 11, chapter 202, Laws of 1971 ex. sess., section 5, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.090; repealing section 2, chapter 153, Laws of 1973, section 1, chapter 184, Laws of 1975 1st ex. sess. and RCW 29.07.092; repealing section 29.07.095, chapter 9, Laws of 1965, section 12, chapter 202, Laws of 1971 ex. sess., section 6, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.095; repealing section 29.07.100, chapter 9, Laws of 1965, section 13, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.100; repealing section 29.07.105, chapter 9, Laws of 1965, section 14, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.105; repealing section 29.07.110, chapter 9, Laws of 1965, section 15, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.110; repealing section 23, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.115; repealing section 29.07.120, chapter 9, Laws of 1965, section 16, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.120; repealing section 29.07.130, chapter 9, Laws of 1965, section 17, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.130; repealing section 29.07.140, chapter 9, Laws of 1965, section 18, chapter 202, Laws of 1971 ex. sess., section 7, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.140; repealing section 29.07.150, chapter 9, Laws of 1965, section 19, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.150; repealing section 29.07.160, chapter 9, Laws of 1965, section 20, chapter 202, Laws of 1971 ex. sess., section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160; repealing section 29.07.170, chapter 9, Laws of 1965, section 21, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.170; repealing section 29.07.180, chapter 9, Laws of 1965, section 22, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.180; repealing section 12, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.220; repealing section 13, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.230; repealing section 14, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.240; repealing section 29.21.100, chapter 9, Laws of 1965 and RCW 29.21.100; repealing section 29.30.050, chapter 9, Laws of 1965 and RCW 29.30.050; repealing section 29.30.080, chapter 9, Laws of 1965, section 2, chapter 52, Laws of 1965, section 1, chapter 18, Laws of 1971 and RCW 29.30.080; repealing section 29.30.090, chapter 9, Laws of 1965 and RCW 29.30.090; repealing section 29.30.100, chapter 9, Laws of 1965 and RCW 29.30.100; repealing section 29.30.110, chapter 9, Laws of 1965 and RCW 29.30.110; repealing section 25, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.150; repealing section 27, chapter 109, Laws of 1967 ex. sess., section 1, chapter 70, Laws of 1973 1st ex. sess. and RCW 29.34.160; repealing section 29.51.040, chapter 9, Laws of 1965 and RCW 29.51.040; repealing section 29.59.050, chapter 9, Laws of 1965 and RCW 29.59.050; repealing section 29.62.110, chapter 9, Laws of 1965 and RCW 29.62.110; repealing section 29.62.150, chapter 9, Laws of 1965, section 44, chapter 202, Laws of 1971 ex. sess. and RCW 29.62.150; repealing section 29.65-.030, chapter 9, Laws of 1965, section 30, chapter 109, Laws of 1967 ex. sess. and RCW 29.65.030; repealing section 29.65.110, chapter 9, Laws of 1965 and RCW 29.65.110; repealing section 29.65.130, chapter 9, Laws of 1965, section 77, chapter 81, Laws of 1971 and RCW 29.65.130; repealing section 1, chapter 73, Laws of 1967 ex. sess., section 3, chapter 178, Laws of 1971 ex. sess., section 7, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.010; repealing section 2, chapter 73, Laws of 1967 ex. sess., section 4, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.020; repealing section 3, chapter 73, Laws of 1967 ex. sess., section 6, chapter 178, Laws of 1971 ex. sess., section 8, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.030; repealing section 4, chapter 73, Laws of 1967 ex. sess., section 7, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.040; repealing section 5, chapter 73, Laws of 1967 ex. sess., section 9, chapter 178, Laws of 1971 ex. sess., section 9, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.050; repealing section 6, chapter 73, Laws of 1967 ex. sess., section 10, chapter 178, Laws of 1971 ex. sess., section 10, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.060; repealing section 7, chapter 73, Laws of 1967 ex. sess., section 11, chapter 178, Laws of 1971 ex. sess., section 11, chapter 127, Laws of 1974 ex. sess. and RCW 29.72.070; repealing section 8, chapter 73, Laws of 1967 ex. sess., section 12, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.080; repealing section 14, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.910; repealing section 29.82.050, chapter 9, Laws of 1965 and RCW 29.82.050; repealing section 29.82.150, chapter 9, Laws of 1965 and RCW 29.82.150; providing penalties; and providing an effective date."

Signed by Representatives Hawkins, Chairman, Nelson (Dick), Vice Chairman, Fuller, Ranking Minority Member; Barnes, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

May 3, 1977

ENGROSSED SENATE BILL NO. 2114, Prime Sponsor: Senator von Reichbauer, permitting longer concessions and leases in state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 26 after "parkways" strike all material down to and including "years," on page 2, line 5 and insert ", upon such rentals, fees, or percentage of income or profits and for such terms, in no event longer than ((twenty)) forty years, and upon such conditions as"

Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Owen.

To Committee on Rules for second reading.

May 2, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2121, Prime Sponsor: Senator Scott, restricting printing and distribution of state reports and publications. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

"NEW SECTION. Section 1. It is the intent of this legislation to improve executive management and control of state publications and reduce state expenditures through: (1) Elimination of reports and publications which are economically or otherwise unjustified; and (2) the simplification and consolidation of other reports and publications.

NEW SECTION. Sec. 2. The terms defined in this section shall have the meanings indicated when used in this chapter.

(1) 'Director' means the director of the office of program planning and fiscal management.

(2) 'State agency' includes every state office, department, division, bureau, board, commission, committee, higher education institution, community college, and agency of the state and all subordinate subdivisions of such agencies in the executive branch financed in whole or in part from funds held in the state treasury, but does not include the offices of executive officials elected on a state-wide basis, agricultural commodity commissions, the legislature, the judiciary, or agencies of the legislative or judicial branches of state government.

(3) (a) 'State publication' means publications of state agencies and shall include any annual and biennial reports, any special report required by law, state agency newsletters, periodicals and magazines, and other printed informational material intended for general dissemination to the public or to the legislature.

(b) 'State publication' may include such other state agency printed informational material as the director may prescribe by rule or regulation, in the interest of economy and efficiency, after consultation with the governor, the state librarian, and any state agencies affected.

(c) 'State publication' does not include:

(i) Business forms, preliminary draft reports, working papers, or copies of testimony and related exhibit material prepared solely for purposes of a presentation to a committee of the state legislature;

(ii) Typewritten correspondence and interoffice memoranda, and staff memoranda and similar material prepared exclusively as testimony or exhibits in any proceeding in the courts of this state, the United States, or before any administrative entity;

(iii) Any notices of intention to adopt rules under RCW 34.04.025(1)(a) as now existing or hereafter amended;

(iv) Publications relating to a multistate program financed by more than one state or by federal funds or private subscriptions; or

(v) News releases sent exclusively to the news media.

(4) 'Print' includes all forms of reproducing multiple copies with the exception of typewritten correspondence and interoffice memoranda.

NEW SECTION. Sec. 3. (1) Any annual, biennial, or special report required to be made by any state officer, board, agency, department, commissioner, regents, trustees, or institution to the governor or to the legislature may be typewritten and a copy shall be filed with the governor, or the governor's designee, and the legislature as the law may require. An additional copy shall be filed with the state library as a public record.

(2) The director or the director's designee may selectively review state publications in order to determine if specific state publications are economically and effectively contributing to the accomplishment of state agency program objectives. The director or the director's designee shall provide general guidelines as to the number of copies to be printed for use or distribution by the issuing agency and any public or other distribution under chapter 40.06 RCW as now or hereafter amended, or other applicable directives.

(3) No agency head shall recommend a state publication for printing and distribution, other than those required by law, unless the benefits from the publication and distribution thereof to the citizens and taxpayers of this state clearly exceed the costs of preparation, printing, and distribution.

(4) The director, after consultation with affected agencies, shall prepare and publish guidelines for use by state agencies in determining and evaluating the benefits and costs of current and proposed state publications. All state agencies shall evaluate each new state publication they propose and shall annually evaluate each continuing state publication they produce in accordance with the guidelines published by the director.

(5) The director shall, after consultation with affected state agencies, also provide by general rules and regulations for overall control of the quality of the printing of state publications. Necessary publications are

to be prepared and printed in the most economic manner consistent with effectiveness and achievement of program objectives.

NEW SECTION, Sec. 4. (1) The governor or the governor's designee shall take such other action as may be necessary to maximize the economy, efficiency, and effectiveness of state publications and to do so may eliminate, consolidate, or simplify state agency publications.

(2) Nothing in this chapter shall be construed in any way as restricting public access to public records or the public right to copy such records as provided by RCW 42.17.250 through 42.17.340 as now existing or hereafter amended.

NEW SECTION, Sec. 5. Neither the public printer nor any state agency shall print or authorize for printing any state publication that has been determined by the director to be inconsistent with section 3 of this 1977 amendatory act except to the extent this requirement may conflict with the laws of the United States or any rules or regulations lawfully promulgated under those laws. A copy of any state publication printed without the approval of the director under the exceptions authorized in this section shall be filed with the director with a letter of transmittal citing the federal statute, rule, or regulation requiring the publication. The director shall submit a report of such exceptions, as filed, to the legislative budget committee at least annually.

NEW SECTION, Sec. 6. Each state agency shall at least once each biennium notify the addressees of each state publication in or with that publication that they may be removed from the mailing list by notifying the originating agency. Mailings required by a state or federal statute, rule, or regulation, those maintained by an institution of higher education for official fund raising or curriculum offerings, bulk mailings addressed to 'occupant' or a similar designation, and paid subscriptions are excluded from these provisions. All publications shall be distributed or mailed at the lowest available rate.

NEW SECTION, Sec. 7. There is added to chapter 27.04 RCW a new section to read as follows:

The state library commission, on recommendation of the state librarian, may provide by rule or regulation for deposit with the state library of up to three copies of any state publication, as defined in RCW 40.06.010 as now existing or hereafter amended, prepared by any state agency whenever fifteen or more copies are prepared for distribution.

Sec. 8. Section 1, chapter 233, Laws of 1963 and RCW 40.06.010 are each amended to read as follows:

As used in this chapter:

(1) 'Print' includes all forms of (~~(printing and duplicating, regardless of format or purpose)~~) reproducing multiple copies, with the exception of typewritten correspondence and interoffice memoranda.

(2) (~~'Public document' means the annual and biennial reports required by law or by the governor which are bound in sets and titled Washington public documents.~~)

(3) 'State agency' includes every state office, officer, department, division, bureau, board, commission and agency of the state, and, where applicable, all subdivisions of each.

(~~(4)~~) (3) 'State publication' includes (~~(any document, compilation, journal, law, resolution, bluebook, statute, code, register, pamphlet, list, book, proceedings, minutes, report, memorandum, hearing, legislative bill, leaflet, order, regulation, directory, periodical or magazine)~~) annual, biennial, and special reports, state periodicals and magazines, books, pamphlets, leaflets, and all other materials, other than news releases sent exclusively to the news media, typewritten correspondence and interoffice memoranda, issued in print by the state, the legislature, constitutional officers, or any state department, committee, or other state agency supported wholly or in part by state funds.

Sec. 9. Section 2, chapter 233, Laws of 1963 and RCW 40.06.020 are each amended to read as follows:

There is hereby created as a division of the state library, and under the direction of the state librarian, a state publications distribution center. The center shall (~~(promote the establishment of an orderly)~~) utilize the depository library system to permit citizens economical and convenient access to state publications. To this end the state library commission shall make such rules and regulations as may be deemed necessary to carry out the provisions of this chapter.

Sec. 10. Section 3, chapter 233, Laws of 1963 and RCW 40.06.030 are each amended to read as follows:

(1) Every state agency (~~(may upon release)~~) shall promptly deposit ((at least three)) copies of each of its state publications with the state library (~~((for record and depository purposes. Additional copies,))~~) in quantities as certified (~~((to the agencies))~~) by the state (~~((library and))~~) librarian as required to meet the needs of the depository library system((, shall also be deposited)). Upon consent of the issuing state agency such state publications as are printed by the public printer shall be delivered directly to the center.

(2) In the interest of economy and efficiency, the state librarian may specifically or by general rule exempt a given state publication or class of publications from the requirements of this section in full or in part.

Sec. 11. Section 4, chapter 233, Laws of 1963 and RCW 40.06.040 are each amended to read as follows:

To provide economical public access to state publications, the center ((shall)) may enter into depository contracts with any ((municipal or county)) free public library, any state college or state university library, or, if needed, the library of any privately incorporated college or university in this state((, the library of congress and the midwest inter-library center, and other state libraries)). The requirements for eligibility to contract as a depository library shall be established by the state library commission upon recommendations of the state librarian. The standards shall include and take into consideration the type of library, available housing and space for the publications, the number and qualifications of personnel, and availability for public use. The center may also contract with public, out-of-state libraries for the exchange of state and other

publications on a reciprocal basis. Any state publication to be distributed to the public and the legislature shall be mailed at the lowest available postal rate.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 150, Laws of 1941 and RCW 40.04.010;
- (2) Section 2, chapter 150, Laws of 1941 and RCW 40.04.020; and
- (3) Section 43.01.030, chapter 8, Laws of 1965 and RCW 43.01.030.

NEW SECTION. Sec. 13. Sections 1 through 6 of this 1977 amendatory act shall constitute a new chapter in Title 40 RCW."

In the title, page 1, beginning on line 6, after "RCW;" strike "adding a new section to chapter 40.04 RCW;"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Nelson (Gary), Sommers, Struthers.

MINORITY recommendation: Do not pass. Signed by Representatives Burns, Sanders.

To Committee on Rules for second reading.

May 3, 1977

ENGROSSED SENATE BILL NO. 2288, Prime Sponsor: Senator Talley, regulating the conduct of various censuses. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Fancher, Shinoda.

To Committee on Rules for second reading.

May 2, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2399, Prime Sponsor: Senator Bausch, making the day before a legal holiday which falls on Saturday a holiday. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

May 3, 1977

ENGROSSED SENATE BILL NO. 2516, Prime Sponsor: Senator Gaspard, revising the laws relating to apiaries. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 6 after "register" strike "without charge" and insert "((without charge))"

On page 3, line 10 after "year." insert "The registration fee shall be set by the department of agriculture in compliance with 34.04 RCW."

On page 7, line 26 after "43.03.060" insert "PROVIDED, HOWEVER, That the board shall be compensated only if apiarists are charged a sufficient fee to cover the expenses of the apiary board"

On page 8, after line 11 add a new section as follows:

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."

Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Amen, Ranking Minority Member; Becker, Boldt, Clayton, Fancher, Hansen.

To Committee on Rules for second reading.

May 3, 1977

SENATE BILL NO. 2563, Prime Sponsor: Senator Gould, requiring presidential electors to vote for their party's nominee. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass. Signed by Representatives Hawkins, Chairman; Fuller, Ranking Minority Member; Barnes, Heck, Hughes.

To Committee on Rules for second reading.

May 2, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2565, Prime Sponsor: Senator Rasmussen, transferring UCC duties from the secretary of state to the department of motor vehicles. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

May 2, 1977

ENGROSSED SENATE BILL NO. 2662, Prime Sponsor: Senator Rasmussen, revising the membership of the veterans' affairs advisory committee. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

*Section 1. Section 14, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.080 are each amended to read as follows:

(1) There is hereby created a state veterans affairs advisory committee which shall serve in an advisory capacity to the governor and the director of the department of veterans affairs. The committee shall be composed of ~~((nine))~~ eleven members to be appointed by the governor, and shall consist of two veterans at large, one of whom shall be a Viet Nam era veteran~~((:));~~ one representative of the Washington soldiers' home and colony at Orting; one representative of the Washington veterans' home at Retail; and one representative of each of the following congressionally chartered veterans organizations: American Legion, Veterans of Foreign Wars, American Veterans of World War II, Korea and Vietnam, Disabled American Veterans, Military Order of the Purple Heart, Marine Corps League, and Veterans of World War I. The seven members representing the foregoing organizations shall be chosen from a list of twenty-one nominees consisting of three names submitted to the governor by each of the named organizations. The first members of the committee shall hold office as follows: Three members to serve two years; three members to serve three years; and three members to serve four years. The first members appointed to represent the soldiers' home and colony at Orting and the veterans' home at Retail shall hold office for four years. Upon expiration of said original terms, subsequent appointments shall be for four years except in the case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term for which the vacancy occurs. No member shall serve more than two consecutive terms.

(2) The state advisory committee shall have the following powers and duties:

(a) To serve in an advisory capacity to the ~~((director and the))~~ governor and the director on all matters pertaining to the department of veterans affairs;

(b) To acquaint themselves fully with the operations of the department and recommend such changes to the governor and the director as they deem advisable.

(3) Members of the state advisory committee shall receive no compensation for the performance of their duties but shall receive a per diem allowance and mileage expense according to the provisions of chapter 43.03 RCW.

NEW SECTION. Sec. 2. The state veterans affairs advisory committee and its duties shall cease to exist on June 30, 1983, unless extended by law for an additional fixed period of time."

On page 1, on line 1 of the title, after "committee;" strike the remainder of the title and insert "amending section 14, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.080; creating a new section; and providing an expiration date."

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

May 2, 1977

SENATE BILL NO. 2678, Prime Sponsor: Senator Walgren, authorizing additional distribution of the computer tape on state-wide registered voters. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On line 20 insert an additional section as follows:

*NEW SECTION. Sec. 2. The secretary of state and the house committee on elections and governmental ethics, working in conjunction with the state data processing authority and county election officials, shall review and evaluate automated voter registration systems currently used in this state and others, and shall report their findings and recommendations to the house of representatives at the first legislative session convened after January 1, 1978. The report shall include, but not be limited to, (1) an analysis of the functional prerequisites to establishing a uniform, state-wide, automated voter registration system which would be centrally administered by the secretary of state, (2) an evaluation of the feasibility and advisability of

establishing such a system in this state, and (3) recommendations as to both short term and long range improvements which should be made in existing voter registration systems."

In line 2 of the title, after "voters;" strike "and"

In line 3 of the title, after "29.04.160" insert "; and creating a new section"

Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

May 3, 1977

SENATE BILL NO. 2933, Prime Sponsor: Senator Francis, establishing a judicial qualifications commission contingent upon amendment of the state Constitution. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Shinpoch, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

May 3, 1977

ENGROSSED SENATE BILL NO. 3002, Prime Sponsor: Senator McDermott, providing for the creation and management of a scenic river system. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Chandler, Douthwaite, Grier, Gruger, Hughes, Hurley (George), Kriedler, Leckenby, Oliver.

To Committee on Rules for second reading.

May 2, 1977

SENATE JOINT RESOLUTION NO. 108, Prime Sponsor: Senator Pullen, amending the Constitution to permit legislators to hold a civil office notwithstanding that he served in a legislature which increased the emoluments thereof so long as the emoluments he receives are at the level designated prior to the increase. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendment:

In line 8 after "13." strike everything through and including "emoluments." on line 16 and insert the following:

"(1) No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

This subsection shall be effective until January 1, 1981.

(2) No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state which shall have been created during the term for which he was elected. Any member of the legislature who is appointed or elected to any civil office in the state, the emoluments of which shall have been increased during his legislative term of office, shall be compensated for the initial term of the civil office at the level designated prior to the increase in emoluments.

This subsection shall be effective on and after January 1, 1981."

Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Grimm, Heck, Hughes.

MOTION

On motion of Mr. King, Senate Joint Resolution No. 108 was rereferred to Committee on Constitution.

MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 472, by Committee on Higher Education (Originally sponsored by Representatives Erickson, Moreau, Vrooman, Becker, Hughes, Grier, Pardini, Knowles, McCormick, Deccio, Berentson, Chandler, Bond and May):

Designating regional universities.

The bill was read the third time and placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Erickson yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Erickson, I'm a sponsor on the bill and at the time it sounded like a good idea, but since that time I've been advised that changing the university status could increase the costs. Would you care to comment on that?"

Ms. Erickson: "It's been shown that it doesn't necessarily increase the cost. This does not mean, of course, that there won't be normal increases, but this, in itself, does not necessitate an increase. There is no criteria that would cause this. In fact, as I have indicated, there has been agreement that there will be no further doctoral programs given, which means that Western is willing to give up their existing doctoral program and usually those programs are rather expensive. We have been shown that this does not mean that there will be, because of this status, increase in the costs."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 472, and the bill passed the House by the following vote: Yeas, 79; nays, 14; not voting, 5.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinpoch, Smith, Tallor, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bauer, Boldt, Fancher, Hurley M., Leckenby, Owen, Patterson, Shinoda, Struthers, Tilly, Wilson, Zimmerman.

Not voting: Representatives Dunlap, Grimm, Haley, Pardini, Sommers.

Engrossed Substitute House Bill No. 472, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1203, by Committee on Education (Originally sponsored by Representative McKibbin):

Authorizing expenditures to implement programs of proper educational practices.

The bill was read the third time and placed on final passage.

Mr. McKibbin spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1203, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Struthers, Tallor, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Craswell.

Not voting: Representatives Dunlap, Grimm, Haley, Pardini, Smith, Sommers.

Substitute House Bill No. 1203, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1232, by Representative Gaines:

Permitting catalytic converters to be removed from emergency vehicles.

The bill was read the third time and placed on final passage.

Mr. Gaines spoke in favor of passage of the bill.

MOTION

Mr. Taller moved that the Rules Committee be relieved of HOUSE BILL NO. 97, and that it be placed at the bottom of today's third reading calendar.

Representatives Taller, Warnke and Greengo spoke in favor of the motion, and Representatives King, Conner and Barnes spoke against it.

Mr. Bender demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to relieve the Rules Committee of House Bill No. 97, and the motion was lost by the following vote: Yeas, 39; nays, 54; not voting, 5.

Voting yea: Representatives Amen, Barr, Berentson, Blair, Bond, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eng, Erak, Fancher, Flanagan, Fuller, Gilleland, Greengo, Gruger, Leckenby, Lee, Nelson D., Nelson G. A., Newhouse, Oliver, Paris, Patterson, Polk, Pruitt, Sanders, Shinoda, Taller, Tilly, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Burns, Charette, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Owen, Pearsall, Salatino, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Thompson, Vrooman, and Mr. Speaker.

Not voting: Representatives Grimm, Haley, Pardini, Valle, Walk.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 1232.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1232, and the bill passed the House by the following vote: Yeas, 85; nays, 10; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Douthwaite, Dunlap, Eng, King, Lysen, Smith, Valle, Williams, Zimmerman.

Not voting: Representatives Grimm, Haley, Pardini.

Engrossed House Bill No. 1232, having received the 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. 12, by Representative Lysen:

Memorializing the President and Congress to terminate airline mutual aid pacts.

The memorial was read the third time and placed on final passage.

Mr. Lysen spoke in favor of passage of the memorial, and Mr. Tilly spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 12, and the memorial passed the House by the following vote: Yeas, 63; nays, 33; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Grimm, Haley.

House Joint Memorial No. 12, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 54, by Committee on State Government (Originally sponsored by Representatives Vrooman, Burns, Knedlik, Salatino, Pruitt, Nelson [Dick], Hughes, Enbody, Monohon, Grier, Pearsall, Walk, Grimm, Heck, Kreidler and Schmitten):

Carrying over bills between sessions of the same legislature.

The resolution was read the third time and placed on final passage.

Representatives Vrooman and Nelson (Gary) spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 54, and the resolution passed the House by the following vote: Yeas, 77; nays, 17; not voting, 4.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Chandler, Clayton, Flanagan, Gilleland, Greengo, Lee, Newhouse, Pardini, Paris, Patterson, Taller, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Blair, Bond, Grimm, Haley.

Substitute House Joint Resolution No. 54, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1277, by Committee on Education (Originally sponsored by Representatives McKibbin, Clemente, Barnes, Bauer, Dunlap, Erickson, Shinpoch and Haley – by Governor Ray request):

Providing for a Washington state commission on educational structure and management.

The bill was read the third time and placed on final passage.

Representatives McKibbin and Lee spoke in favor of passage of the bill, and Representative Pardini spoke against it.

Mr. McKibbin spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1277, and the bill passed the House by the following vote: Yeas, 58; nays, 36; not voting, 4.

Voting yea: Representatives Adams, Barnes, Bauer, Bender, Blair, Burns, Chandler, Clemente, Conner, Craswell, Dunlap, Enbody, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., O'Brien, Pearsall, Pruitt, Salatino, Schmitten, Shinpoch, Smith, Sommers, Taller, Valle, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Becker, Berentson, Boldt, Bond, Charette, Charnley, Clayton, Deccio, Douthwaite, Ehlers, Eng, Fancher, Flanagan, Gilleland, Greengo, Hawkins, Leckenby, Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Sherman, Shinoda, Struthers, Thompson, Vrooman, Walk, Williams, Zimmerman.

Not voting: Representatives Grimm, Haley, Moreau, Tilly.

Substitute House Bill No. 1277, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 254, by Committee on Social and Health Services (Originally sponsored by Representatives Adams, Kreidler, Fortson, Pruitt, Lux, Hanna and Fischer):

Providing a patients bill of rights.

The bill was read the third time and placed on final passage.

Mr. Adams spoke in favor of passage of the bill, and Mr. Zimmerman spoke against it.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Adams, this bill says that health care providers must deliver the service regardless of economic status. Does this mean they have to deliver the service without being paid the cost of delivering it?"

Mr. Adams: "I don't understand your question, Representative Flanagan."

Mr. Flanagan: "It says that health care providers must deliver the service without regard to economic status."

Mr. Adams: "It means that they would have the same privilege of having the patient bill of rights. It wouldn't make any difference whether they were the patients who paid or the patients who didn't pay for it."

Mr. Flanagan: "In other words, the cost would have to be paid by the other users? It sounds to me like the subscribers to Blue Cross or something would have to pay the extra cost of providing to someone who didn't pay."

Mr. Adams: "No more than it would under our system today."

Representatives Flanagan and Chandler spoke against the bill, and Mr. Lux spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 254, and the bill passed the House by the following vote: Yeas, 65; nays, 26; not voting, 7.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurlley G. S., Hurlley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Chandler, Clayton, Craswell, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gilleland, Greengo, Lockenby, Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Struthers, Tilly, Winsley, Zimmerman.

Not voting: Representatives Grier, Grimm, Haley, Moreau, Shinoda, Sommers, Wilson.

Substitute House Bill No. 254, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE HOUSE BILL NO. 334, by Committee on Appropriations (Originally sponsored by Representatives Kreidler, Whiteside, Adams, Lux, Pruitt and Fischer):

Establishing a sexually transmitted disease clinic at University of Washington.

The bill was read the third time and placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 334, and the bill passed the House by the following vote: Yeas, 85; nays, 9; not voting, 4.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurlley G. S., Hurlley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lockenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Clayton, Craswell, Lee, Newhouse, Polk, Winsley.

Not voting: Representatives Douthwaite, Grimm, Haley, Sommers.

Second Substitute House Bill No. 334, having received the 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 HOUSE BILL NO. 13, by Committee on Institutions (Originally sponsored by Representatives Fischer and Clemente):

Expanding the work release program to include treatment.

The bill was read the third time and placed on final passage.

Mr. Fischer 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. 13, and the bill passed the House by the following vote: Yeas, 86; nays, 8; not voting, 4.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Craswell, Gilleland, Nelson G. A., Owen, Pardini, Tilly.

Not voting: Representatives Grimm, Haley, Hurley G. S., Patterson.

Engrossed Substitute House Bill No. 13, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 92, by Representatives Gaines, Conner, Fortson, Gallagher and Martinis:

Establishing a state lottery.

The bill was read the third time and placed on final passage.

POINT OF PARLIAMENTARY INQUIRY

Mr. Gaines: "Mr. Speaker, can you tell me how many votes this bill requires?"

The Speaker (Mr. O'Brien presiding): "Sixty percent or 59 votes."

Representatives Gaines, Warnke and Knedlik spoke in favor of passage of the bill, and Representatives Pruitt, Bond, Paris, Barnes and Leckenby spoke against it.

Mr. Charnley demanded the previous question, and the demand was sustained.

Mr. Gaines closed debate, speaking again in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 92, and the bill failed to pass the House by the following vote: Yeas, 50; nays, 46; not voting, 2.

Voting yea: Representatives Adams, Bauer, Bender, Charette, Clemente, Conner, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., King, Knedlik, Knowles, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pearsall, Salatino, Sherman, Shinpoch, Smith, Sommers, Vrooman, Walk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Deccio, Douthwaite, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Gruger, Hurley G. S., Keller, Kilbury, Kreidler, Leckenby, Lee, Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Struthers, Taller, Thompson, Tilly, Valle, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Grimm, Hanna.

House Bill No. 92, having failed to receive the constitutional sixty percent majority, was declared lost.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 604, by Committee on Labor (Originally sponsored by Representatives Lux, Pearsall, Fischer and Pruitt -by Department of Labor and Industries request):

Revising the state industrial insurance laws.

The bill was read the third time and placed on final passage.

Mr. Lux spoke in favor of the bill, and Mr. Newhouse spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 604, and the bill passed the House by the following vote: Yeas, 61; nays, 30; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Leckenby, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitt, Smith, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Deccio, Enbody, Grimm, Hughes, Moreau, Nelson D., Shinoda.

Engrossed Substitute House Bill No. 604, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House reverted to the sixth order of business.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

SECOND READING

HOUSE BILL NO. 711, by Representatives Gaines, Gallagher, Sherman and McCormick:

Modifying gambling laws.

On motion of Mr. Warnke, Substitute House Bill No. 711 was substituted for House Bill No. 711, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 711 was read the second time.

The Clerk read the following amendments by Representatives Paris and Greengo:

On page 8, beginning on line 33 after "section" strike all the material down to and including "provided" on page 9.

On page 11, line 22 strike subsection (23) and renumber the remaining subsections consecutively.

With the consent of the House, Mr. Paris withdrew the amendments.

The Clerk read the following amendment by Representative Oliver:

On page 15, beginning on line 28 strike subsection (8) and renumber the remaining subsections consecutively.

With the consent of the House, Mr. Oliver withdrew the amendment.

Mr. Boldt moved that the rules be suspended, the second reading considered the third, and Substitute House Bill No. 711 be placed on final passage.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Substitute House Bill No. 711 on final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 50; nays, 44; not voting, 4.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Vrooman, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Gruger, Haley, Hawkins, Hurley G. S., Leckenby, Lee, Lysen, Nelson G. A., Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Valle, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Grimm, Hanna, Newhouse, Walk.

Substitute House Bill No. 711 was passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 8, by Representatives Pruitt, Eng, Charnley, Fischer, Ehlers, Grimm, King, Grier, Kilbury, Bender, Burns, Lysen, Lux, Salatino, Moreau, Gruger, Nelson (Dick), Fortson and Douthwaite:

Petitioning for a full employment program.

The memorial was read the second time.

Mr. Berentson moved adoption of the following amendment:

On page 1, line 19 after "employment" insert "because of entry barriers imposed by restrictive labor organizations and lack of job training"

Mr. Berentson spoke in favor of the amendment.

MOTION

On motion of Mr. Bender, further consideration of House Joint Memorial No. 8 was deferred, and the memorial was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 446, by Representatives Warnke, Polk and Knowles (by Department of Motor Vehicles request):

Changing the requirements for real estate licenses.

On motion of Mr. Warnke, Substitute House Bill No. 446 was substituted for House Bill No. 446, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 446 was read the second time.

On motion of Mr. Warnke, the following amendment was adopted:

On page 5, beginning on line 36 with "The director" strike down to and including "chapter." on page 7, line 2 and insert the following:

"(The director may issue a temporary salesman's permit pending examination, to any applicant who, in his opinion, is qualified, except for the examination provided for in this chapter, when a satisfactory credit and character report shall have been made by the employing broker upon a form to be supplied by the director, with full responsibility for such temporary salesmen to rest with the employing broker, no temporary permit thus granted to be transferable from the originating broker to any other broker. The application fee for such temporary permit shall be five dollars which shall not be refunded for any cause, nor shall such application fee be considered any part of any license or examination fee. The examination fee for an applicant for a temporary permit shall be fifteen dollars, no part of which shall be refunded for any cause. Such temporary permit shall be valid only until the results of the next examination for licenses are available which in no event shall be longer than six months. The director, however, shall not require any such applicant to take such examination until at least sixty days have elapsed after the issuance of the temporary permit. Only one temporary permit shall be issued to any one person. No person issued a temporary permit who fails to take or pass the examination shall be entitled to have returned any fees previously paid. Failure to take the examination next following the sixty day period after issuance of the temporary permit shall cause forfeiture of the temporary permit and of any and all fees paid.

The holder of a temporary permit is required to obtain thirty hours of instruction in real estate within seventy days after his temporary permit is issued. Such instruction may be furnished by his broker or personnel in the office he is licensed to, any prelicense school, community college or other institution providing education. The employing broker and such temporary permit holder shall certify the completion of such instruction within five days thereafter upon forms provided by the director. PROVIDED, That failure to make such certification or falsification thereof shall be ground for disciplinary action under this 1972 amendatory act.)"

Substitute House Bill No. 446 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 446 was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 446, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eng, Nelson D., Williams.

Not voting: Representatives Douthwaite, Grimm, Shinoda.

Engrossed Substitute House Bill No. 446, having received the 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. 821, by Representatives Fortson, Adams, Pearsall, Pruitt, Lux, Thompson, Kreidler, Burns, Gruger and Salatino:

Requiring crosswalk curb ramps for handicapped persons.

On motion of Mr. Adams, Substitute House Bill No. 821 was substituted for House Bill No. 821, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 821 was read the second time.

MOTION

On motion of Mr. Bender, further consideration of Substitute House Bill No. 821 was deferred, and the bill was ordered placed on the calendar following House Bill No. 550.

The Speaker called on Ms. Becker to preside.

SUBSTITUTE HOUSE BILL NO. 534, by Representative Martinis:

Allowing the revocation of food fish and shellfish licenses for violations of food fish and shellfish laws.

The bill was read the second time.

Representative Hurley (Margaret) moved adoption of the following amendments:

On page 1, line 9 strike "salmon"

On page 1, line 11 strike "salmon"

On page 1, line 14 strike "salmon"

On page 1, line 16 strike "salmon"

Mrs. Hurley (Margaret) spoke in favor of the amendments, and Mr. Martinis spoke against them.

Mrs. Hurley (Margaret) spoke again in favor of the amendments.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Charette.

Mr. Charette: "Representative Martinis, in reading this bill which deals with regulation of fishing, in section 2 there's a part I don't understand. Will you explain that?"

Mr. Martinis: "Representative Charette, I really didn't want to get into section 2, but I will explain it. This refers to a statute that is on the books right now. The reason why we are reducing two penalties for any type of fishing violation within a period of five years is because the Department of Fisheries—"

POINT OF ORDER

Representative Hurley (Margaret): "Representative Martinis is not speaking on the amendments and I do believe the question was much broader than the amendments called for. I think we ought to determine if he is going to discuss the whole bill when we have an amendment before us."

The Speaker (Ms. Becker presiding): "Representative Martinis, please confine your remarks to the question by Representative Charette."

Mr. Martinis: "I'll confine my remarks to the explanation of section 2 as the question was put. The reason why section 2 is in the bill is because the Department of Fisheries' computer has only a five-year bank, so now the program at the Department of Fisheries for the revocation of licenses or keeping track of the violations only goes back five years. The reason for section 2 in this bill is to make the statutes consistent with the capabilities within the Department of Fisheries. It has absolutely nothing to do with section 1. Those of you who are familiar with bill drafting know that's why we have different sections, because they are separate subjects."

The amendments by Representative Hurley (Margaret) were not adopted.

Mr. Berentson moved adoption of the following amendment:

On page 1, line 15 strike "two years" and insert "one year"

Representatives Berentson and Vrooman spoke in favor of the amendment, and Mr. Martinis spoke against it.

The amendment was adopted.

On motion of Mr. Berentson, the following amendment was adopted:

On page 1, line 17 strike "two years" and insert "one year"

On motion of Mr. Martinis, the following amendments were adopted:

On page 1, line 19 strike "both" and insert "more"

On page 1, line 20 strike "both" and insert "more"

On page 2, line 8 after "forfeit" insert "for not more than two years"

On page 2, line 15 after "license" insert "for no longer than two years"

Representative Hurley (Margaret) moved adoption of the following amendment to the title:

On page 1, line 3 of the title after "75.28.380;" strike "and" and on line 4 after "RCW" insert "; and prescribing penalties"

Mrs. Hurley (Margaret) spoke in favor of the amendment, and Mr. Martinis spoke against it.

The amendment was not adopted.

Substitute House Bill No. 534 was ordered engrossed.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 534 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mrs. Fortson.

Mrs. Fortson: "Do these regulations apply to Indian fishermen?"

Mr. Martinis: "Representative Fortson, the court has been very, very reluctant to enforce state regulations against Indian fisheries. Two weeks ago in Superior Court in Snohomish County there was a conviction from the district court of a man fishing in an area that was closed for conservation reasons and this is lawful—you can close for conservation reasons under the present statutes. He was convicted in the district court, but when it came before the presiding judge in Snohomish County that case was thrown out for one reason: There were five Indian fishermen. Testimony showed there were five Indian fishermen fishing in the same area that was closed for conservation reasons and there was no citation issued to them. We are after equality under the law. Under this law here, the same case would pertain to that. If the laws of the state of Washington were discriminately being enforced against a non-Indian fisherman and not an Indian fisherman, I would hope the Superior Courts of the state of Washington would take the same course as the judge did in Snohomish County."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 534, and the bill passed the House by the following vote: Yeas, 86; nays, 7; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gaines, Gallagher,

Gilleland, Greengo, Grier, Haley, Hanna, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Pearsall, Polk, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Fischer, Fortson, Gruger, Hansen, Hawkins, North, Pruitt.

Not voting: Representatives Grimm, Moreau, O'Brien, Patterson, and Mr. Speaker.

Engrossed Substitute House Bill No. 534, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Martinis, Engrossed Substitute House Bill No. 534 was ordered transmitted immediately to the Senate.

HOUSE JOINT RESOLUTION NO. 36, by Representatives Warnke, O'Brien and Smith (by Executive request of Governor Ray)

Amending the Constitution to allow the state, its political subdivisions, and municipal corporations to lend their credit to the extent of certain special revenues.

The resolution was read the second time.

On motion of Mr. Ehlers, Substitute House Joint Resolution No. 36 was substituted for House Joint Resolution No. 36, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 36 was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Substitute House Joint Resolution No. 36 was placed on final passage.

POINT OF PARLIAMENTARY INQUIRY

Mr. Ehlers: "Mr. Speaker, how many votes does this resolution require to pass?"

The Speaker (Ms. Becker presiding): "Sixty-six."

Representatives Ehlers and Lux spoke in favor of passage of the resolution, and Mr. Leckenby spoke against it.

Mr. Ehlers closed debate, speaking again in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 36, and the resolution failed to pass the House by the following vote: Yeas, 61; nays, 29; not voting, 8.

Voting yea: Representatives Adams, Burns, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Enbody, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, Knedlik, Knowles, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, Oliver, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Chandler, Craswell, Dunlap, Ehlers, Eng, Erak, Fancher, Flanagan, Gilleland, Greengo, Hurley M., King, Leckenby, Lysen, Pardini, Polk, Schmitt, Struthers, Wilson.

Not voting: Representatives Douthwaite, Grimm, Heck, Kreidler, Moreau, Nelson G. A., O'Brien, Owen.

Substitute House Joint Resolution No. 36, having failed to receive the constitutional two-thirds majority, was declared lost.

MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Substitute House Joint Resolution No. 36 failed to pass the House.

The motion was carried.

MOTIONS

On motion of Mr. King, further consideration of Substitute House Joint Resolution No. 36 was deferred, and the resolution was placed at the bottom of today's third reading calendar.

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Grimm and Paris who were excused.

SECOND READING

HOUSE BILL NO. 305, by Representatives Hanna and Becker:

Developing a supplemental job training and employment referral program.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 305 was substituted for House Bill No. 305, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 305 was read the second time.

On motion of Mr. Hanna, the following amendment was adopted:

On page 2, line 30 after "development," insert "the state manpower service council,"

Substitute House Bill No. 305 was ordered engrossed.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 305 was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 305, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Embody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Grimm, Leckenby, Moreau, Owen, Walk.

Engrossed Substitute House Bill No. 305, having received the 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. 1255, by Representative Gaines:

Making general revisions in the laws relating to liquor.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment see Journal, 46th Day ex. sess., April 25, 1977.)

On motion of Mr. Warnke, the committee amendment was adopted.

On motion of Mr. Gallagher, the following amendment by Representatives Gallagher, Gaines and Sommers was adopted:

On page 14, following line 18, add a new paragraph as follows:

"A class H license may also be issued to convention centers and national historic sites which do not offer meals; provided that each of the following additional conditions are met:

(a) That such convention center or theatre has as its primary function the presentation of convention programs and/or live entertainment with a monthly average performance attendance of over twelve hundred;

(b) That any such theatre, as its secondary function, will be operated and maintained to serve convention type events; and

(c) That no person may sell, possess or consume beer, wine or spirituous liquor by the individual glass or beer or wine by the opened bottle in any area of such theatre open and accessible to any person under the age of twenty-one years.

Said license shall be valid on days of live performances or convention type events to which five hundred or more tickets have been sold forty-eight hours prior to the time the event or performance starts and only for the time period commencing one hour before the event or performance starts and continuing through the end of the event or performance."

Mr. Fischer moved adoption of the following amendment by Representatives Fischer, Charnley and Hurley (George):

On page 18, following line 14 add a section as follows:

"NEW SECTION, Sec. 12. There is added to chapter 66.24 RCW a new section to read as follows:

There shall be a wine retailer's license to be designated as a class L license to sell wine for tasting purposes by the individual glass of not more than two ounces each, for consumption upon the premises only; to be issued to any holder of both class E and class F licenses also selling on such premises wine making supplies at retail and providing bread, cheese, and apples or other fruit to the purchasers of wine for tasting on the premises. The annual fee for a class L license shall be thirty-one dollars and twenty-five cents."

Mr. Fischer spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Fischer, Charnley and Hurley (George), and the amendment was adopted by the following vote: Yeas, 63; nays, 24; not voting, 11.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Decchio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Gallagher, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pearsall, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Amen, Barr, Chandler, Charette, Clayton, Craswell, Eng, Flanagan, Fuller, Gaines, Gilleland, Greengo, Leckenby, Lee, Maxie, Pardini, Polk, Sanders, Smith, Struthers, Taller, Thompson, Tilly, Zimmerman.

Not voting: Representatives Barnes, Berentson, Blair, Bond, Grimm, Moreau, Owen, Paris, Patterson, Vrooman, and Mr. Speaker.

On motion of Mr. Warnke, the committee amendment to the title was adopted.

On motion of Mr. Fischer, the following amendment to the title was adopted:

On line 27 of the title after "66.44.010" and before the period insert "; and adding a new section to chapter 66.24 RCW"

House Bill No. 1255 was ordered engrossed.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 1255 be placed on final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed House Bill No. 1255 on final passage, and the motion failed to receive the two-thirds majority by the following vote: Yeas, 56; nays, 37; not voting, 5.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Decchio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Gruger, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Sherman, Shinoda, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Grimm, Hanna, Heck, Moreau, Owen.

Engrossed House Bill No. 1255 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1260, by Representatives Douthwaite, Maxie, Grier and Haley (by Insurance Commissioner request):

Modifying the bond, licensing, and fee provisions of the insurance laws.

The bill was read the second time.

Committee on Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Mr. Douthwaite, the committee amendments were adopted.

House Bill No. 1260 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1260 was placed on final passage.

Representatives Douthwaite and Deccio spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1260, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmittens, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Sanders.

Not voting: Representatives Grimm, Hanna, Hurley G. S., Keller, Lux, Newhouse, Paris.

Engrossed House Bill No. 1260, having received the 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. 550, by Representatives Salatino, Valle, Nelson (Dick), Smith and Gaines:

Regulating automotive repair.

On motion of Mr. Salatino, Substitute House Bill No. 550 was substituted for House Bill No. 550, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 550 was read the second time.

Mr. Salatino moved adoption of the following amendment:

On page 1, line 13 after "vehicle;" strike "and"

On page 1, line 17 after "installation" insert the following: "; and

(c) 'Automotive repairing' should not include the change or repair of tires, the lubrication of vehicles, the installation of light bulbs, batteries, windshield wiper blades, and other minor accessories, the cleansing adjustment and replacement of spark plugs, the replacement of fan belts, oil and oil filters, and other minor services which are customarily performed by gasoline service stations"

Mr. Salatino spoke in favor of the amendments, and Mr. Struthers spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Salatino to Substitute House Bill No. 550, and the amendments were adopted by the following vote: Yeas, 63; nays, 27; not voting, 8.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pardini, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Polk, Schmittens, Struthers, Taller, Tilly, Vrooman, Whiteside, Wilson.

Not voting: Representatives Amen, Douthwaite, Grimm, Lux, Owen, Paris, Patterson, Winsley.

On motion of Mr. Salatino, the following amendment was adopted:
On page 2, line 8 after "customer" strike "in writing" and insert "a written estimate or"

MOTION FOR RECONSIDERATION

Mr. Zimmerman, having voted on the prevailing side, moved that the House reconsider the vote by which the House adopted the amendment to page 1, line 17 by Representative Salatino.

Mr. Zimmerman spoke in favor of the motion, and Mr. Salatino spoke against it.

POINT OF INQUIRY

Mr. Salatino yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Salatino, for purposes of the question and answer, is it your intent that the definition of automobile repairman shall not include these small changes such as lubrication, repair of tires, etc., for purposes of this act?"

Mr. Salatino: "That's correct."

Mr. Greengo spoke against the motion to reconsider the amendment, and Mr. Fuller spoke in favor of it.

The motion was lost.

Substitute House Bill No. 550 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 550 was placed on final passage.

Representatives Salatino and Greengo spoke in favor of passage of the bill, and Representatives Struthers and Barnes spoke against it.

Mr. Salatino spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 550, and the bill passed the House by the following vote: Yeas, 78; nays, 14; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Struthers, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Bond, Craswell, Eng, Flanagan, Gilleland, Shinoda, Struthers, Taller, Tilly, Zimmerman.

Not voting: Representatives Douthwaite, Grimm, Haley, North, Patterson, Winsley.

Engrossed Substitute House Bill No. 550, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 821:

The House resumed consideration of the bill on second reading.

Mr. Charnley moved adoption of the following amendment:
On page 1, at line 7 strike "each side of" and insert "((each side of))"

Representatives Charnley and Thompson spoke in favor of the amendment, and it was adopted.

Mr. Berentson moved adoption of the following amendment:

On page 1, line 24 after "crosswalk," insert "However, no ramp shall be required at the other end of the crosswalk if there is no curb nor sidewalk at the other end of the crosswalk. Nor shall any matching ramp constructed pursuant to this subsection require a subsequent matching ramp."

Representatives Berentson and Thompson spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 821 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 821 was placed on final passage.

Representatives Fortson and Thompson spoke in favor of passage of the bill, and Mr. Zimmerman spoke against it.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Thompson, in looking at this I'm not exactly sure what it will do, but it seems to me that in subsection (3) on page 1, if you put in one ramp in a downtown area—let's say on one intersection, which would be four ramps, that you would, by passing this bill, be required to place additional ramps in both directions on every street in the city. In other words, once you started it, would you not be required to match at the end of blocks and across streets and so forth, so that eventually in a short time you would have covered the whole city?"

Mr. Thompson: "That's not right. The amendments we adopted by Representatives Charnley and Berentson clarified that that was not so. The bill does however provide that if a ramp is built into an intersection in one direction that there will be a corresponding ramp out of the intersection across from it, but it doesn't require ramping in all directions. Ultimately, this will occur and we intend to examine the extent to which it has developed during the interim. The present language only provides that if there is a ramp into the intersection in one direction that there will be a corresponding ramp opposite."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 821, and the bill passed the House by the following vote: Yeas, 77; nays, 16; not voting, 5.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Embody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Clayton, Craswell, Dunlap, Fancher, Flanagan, Gilleland, Greeno, Hawkins, Leckenby, Patterson, Polk, Struthers, Zimmerman.

Not voting: Representatives Grimm, Newhouse, Pardini, Paris, Shinoda.

Engrossed Substitute House Bill No. 821, having received the 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. 820, by Representatives Adams, Kreidler, Fortson, Gruger, May and Whiteside:

Enacting the Victims of Sexual Assault Act.

On motion of Mr. Adams, Substitute House Bill No. 820 was substituted for House Bill No. 820, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 820 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 820 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill, and Mr. Haley spoke against it.

Mr. Lux spoke in favor of the bill.

POINT OF ORDER

Mr. Newhouse: "Representative Lux's remark was entirely unrelated and uncalled for. A remark like that should not be made on the floor of the House. I suggest that the speaker be deprived of his privilege of speaking for this time."

The Speaker (Mr. O'Brien presiding): "The rules state rather clearly that we should avoid personalities, Representative Lux. Continue."

Mr. Lux continued his remarks in favor of the bill, and Mr. Adams spoke again in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 820, and the bill passed the House by the following vote: Yeas, 83; nays, 6; not voting, 9.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilliland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Tallier, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barr, Flanagan, Haley, Keller, Newhouse, Zimmerman.

Not voting: Representatives Amen, Clayton, Craawell, Fancher, Grimm, Paris, Patterson, Smith, Winsley.

Substitute House Bill No. 820, having received the 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. 1147, by Representatives Hughes, Lee, Hurley (Margaret), Fischer, Blair, Bauer, Fortson, Erickson, Walk, McCormick, Knowles, O'Brien, Gallagher, May, Salatino, Knedlik, Sherman, Valle, Grier and Tallier:

Providing for a remedial reading program in the common schools.

On motion of Mr. Shinpoch, Second Substitute House Bill No. 1147 was substituted for House Bill No. 1147, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1147 was read the second time.

Mr. Clemente moved adoption of the following amendment:

On page 1, line 24 after "select" insert "or approve"

Representatives Clemente and Oliver spoke in favor of the amendment, and Representatives Hughes, Owen, Hurley (Margaret) and Deccio spoke against it.

Mr. Bender demanded the previous question, and the demand was sustained.

The amendment was not adopted.

The Clerk read the following amendment by Mr. Clemente:

On page 1, line 26 after "in" strike "the common school system" and insert "each school district"

With the consent of the House, Mr. Clemente withdrew the amendment.

Mr. Clemente moved adoption of the following amendment:

On page 2, line 16 after "Sections 1" strike "through 4" and insert "and 2"

Representatives Clemente and Hughes spoke in favor of the amendment, and it was adopted.

Second Substitute House Bill No. 1147 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 1147 was placed on final passage.

Representatives Hurley (Margaret), Hughes, Hurley (George), Ehlers and Clemente spoke in favor of passage of the bill, and Representatives Douthwaite and Shinpoch spoke against it.

POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Clemente, is this bill supposed to fund the programs for LLD students or are they covered under the present funding practices?"

Mr. Clemente: "There is a present program for LLD and this would make available to every school district the diagnostic and remedial programs."

Mr. Leckenby: "If this bill does not pass will the LLD students program still be financed?"

Mr. Clemente: "Yes, they will."

Mr. Hughes closed debate, speaking again in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1147, and the bill passed the House by the following vote: Yeas, 66; nays, 27; not voting, 5.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Schmittens, Sherman, Shinoda, Sommers, Taller, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Douthwaite, Dunlap, Fancher, Flanagan, Gilleland, Greengo, Haley, Leckenby, Newhouse, Oliver, Patterson, Polk, Sanders, Shipoch, Smith, Struthers, Thompson, Tilly, Williams, Winsley.

Not voting: Representatives Grimm, Hanna, Hansen, Paris, Zimmerman.

Engrossed Second Substitute House Bill No. 1147, having received the 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. 697, by Representatives Dunlap, Clemente, Fortson, Whiteside, Bauer, Barnes, Greengo, Paris and Taller:

Mandating learning objectives for grades K-12 for statutorily required courses.

On motion of Mr. Clemente, Substitute House Bill No. 697 was substituted for House Bill No. 697, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 697 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 697 was placed on final passage.

Mr. Dunlap spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 697, and the bill passed the House by the following vote: Yeas, 84; nays, 11; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Salatino, Sanders, Schmittens, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Tilly, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Conner, Ehlers, Hawkins, Hughes, Nelson D., Pruitt, Smith, Thompson, Walk, Williams.

Not voting: Representatives Grimm, Paris, Valle.

Substitute House Bill No. 697, having received the 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. 400, by Representatives Nelson (Gary), Warnke and Greengo:

Authorizing a pilot project to be known as the Washington innovation service institute.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, 19th Day ex. sess., March 29, 1977.)

On motion of Mr. Warnke, the committee amendments were adopted.

House Bill No. 400 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 400 was placed on final passage.

Mr. Nelson (Gary) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 400, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Flanagan, Gruger, Hughes, Shinpoch.

Not voting: Representatives Grimm, Haley.

Engrossed House Bill No. 400, having received the 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. 857, by Representatives Keller, Hanna, Knowles, Pardini, Tilly, Deccio, Monohon, Kreidler and Clayton (by Board of Prison Terms and Paroles request):

Requiring statements on convicted persons for the board of prison terms and paroles.

On motion of Mr. Knowles, Substitute House Bill No. 857 was substituted for House Bill No. 857, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 857 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 857 was placed on final passage.

Mr. Keller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 857, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representative Grimm.

Substitute House Bill No. 857, having received the 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. 480, by Representatives Clemente, Zimmerman, Eng, Tally, Lux, Boldt and Valle (by Superintendent of Public Instruction request):

Providing program of bilingual instruction in the common schools and state aid therefor.

The bill was read the second time.

On motion of Mr. Clemente, Substitute House Bill No. 480 was substituted for House Bill No. 480, and the substitute bill was placed on the calendar for second reading.

The Speaker (Mr. O'Brien presiding) called on Mr. Charette to preside.

MESSAGE FROM THE SENATE

May 4, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 118,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

On motion of Mr. King, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 118, by Senators Walgren, Sandison, Matson and Newschwander:

Amending Senate Concurrent Resolution No. 113.

MOTION

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 118 was advanced to second reading and read the second time in full.

Mr. Charnley moved adoption of the following amendment:

On page 1, at the beginning of line 10, strike "fifth" and insert "third"

With the consent of the House, Mr. Charnley withdrew the amendment.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 118 was placed on final passage.

Mr. King spoke in favor of the resolution.

POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "I'm trying to determine the cutoffs that are in the original SCR 113 and not in 118 as well. Is it your interpretation that on the 7th line would be the cutoff that we are coming to in about 45 minutes?"

The Speaker (Mr. Charette presiding): "Yes."

Senate Concurrent Resolution No. 118 was adopted.

On motion of Mr. King, the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 480:

The House resumed consideration of the bill on second reading.

Mr. Whiteside moved adoption of the following amendment:

On page 1, line 21 strike subsection (1) and insert

"(1) Transitional bilingual instruction means a program in which pupils are tested for competency in the English language; if the pupil does not demonstrate sufficient competency, the pupil shall be placed in a system of instruction which uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable the pupil to achieve competency in both languages of instruction. Concepts and information are introduced in the primary language and reinforced in the second language. The pupil shall be transferred to the normal English language program if annual tests indicate the necessary competency."

Mr. Whiteside spoke in favor of the amendment, and Mr. Boldt spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Whiteside to Substitute House Bill No. 480, and the amendment was not adopted by the following vote: Yeas, 35; nays, 57; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Lee, Martinis, May, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Shinoda, Struthers, Taller, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Schmitten, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Bauer, Grimm, Hansen, Keller, Pardini, Paris.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 480 was placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Boldt.

Mr. Boldt: "Representative Clemente, for the purposes of establishing intent of this act, would it be your interpretation that the Superintendent of Public Instruction's office, in constructing rules and regulations, would do so such that a student would be mainstreamed or put back into an English-speaking class as soon as the competency level was reached and it is not the intent to carry out a bilingual program if that competency level has already been reached?"

Mr. Clemente: "Yes, Representative Boldt, that is my belief and I think that is inferred in the title of the bill."

Representatives Leckenby, Amen, Whiteside and Deccio spoke against passage of the bill, and Mr. Heck spoke in favor of it.

Mr. Knedlik demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 480, and the bill passed the House by the following vote: Yeas, 63; nays, 31; not voting, 4.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Gaines, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Owen, Pearsall, Pruitt, Salatino, Schmitten, Sherman, Shinpoch, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grengo, Haley, Hansen, Hurley M., Leckenby, May, North, Oliver, Patterson, Polk, Sanders, Shinoda, Smith, Struthers, Tilly, Whiteside, Wilson.

Not voting: Representatives Grimm, Keller, Pardini, Paris.

Substitute House Bill No. 480, having received the 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. 674, by Representatives Kilbury and Clayton:

Revising laws relating to the sale or transfer of agricultural products.

On motion of Mr. Kilbury, Substitute House Bill No. 674 was substituted for House Bill No. 674, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 674 was read the second time.

MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 674 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 1310.

HOUSE BILL NO. 1310, by Representative Valle:

Defining "date of filing" with regard to a permit for a variance or a conditional use under the shoreline management act.

On motion of Ms. Becker, Substitute House Bill No. 1310 was substituted for House Bill No. 1310, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1310 was read the second time.

Mr. Gallagher moved adoption of the following amendment:

On page 6, after line 20 insert the following:

"(13) The construction of a single family residence by an owner, lessee, or a contract purchaser for his or her own use or for the use of his or her family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed by this chapter, shall not be deemed a 'development' within the meaning of this chapter, nor shall the construction of such residence be prohibited by a master program use regulation."

With the consent of the House, Mr. Gallagher withdrew the amendment.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1310 was placed on final passage.

Mrs. Valle spoke in favor of final passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1310, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Grimm, Heck, Kreidler, Lysen, Pardini.

Substitute House Bill No. 1310, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 674:

The House resumed consideration of the bill on second reading.

Mr. Tilly moved adoption of the following amendment:

On page 5, beginning on line 16 strike "(~~unless otherwise mutually agreed upon between grower and commission merchant~~)" and insert "unless otherwise mutually agreed upon between grower and commission merchant"

Mr. Tilly spoke in favor of the amendment, and Mr. Kilbury spoke against it.

Mr. Tilly spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 6, line 21 strike "~~(fifteen)~~ five" and insert "fifteen"

Representatives Tilly and Kilbury spoke in favor of the amendment, and it was adopted.

The Clerk read the following amendment by Representative Tilly:

On page 15, beginning on line 2 strike "~~(unless otherwise mutually agreed between growers and commission merchant)~~" and insert ", unless otherwise mutually agreed between growers and commission merchant"

With the consent of the House, Mr. Tilly withdrew the amendment.

Mr. Tilly moved adoption of the following amendment:

On page 16, beginning on line 29, strike section 16 and renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment, and Mr. Kilbury spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Substitute House Bill No. 674, and the amendment was not adopted by the following vote: Yeas, 23; nays, 62; not voting, 13.

Voting yea: Representatives Barnes, Barr, Bond, Chandler, Deccio, Dunlap, Fancher, Flanagan, Fuller, Greengo, Gruger, Hanna, Lee, Nelson G. A., Oliver, Patterson, Sanders, Schmitt, Struthers, Tally, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Gaines, Gallagher, Gilleland, Grier, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Pearsall, Polk, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Clayton, Craswell, Erickson, Fortson, Grimm, Keller, Leckenby, Moreau, Owen, Pardini, Paris, Shinoda, Vrooman.

Substitute House Bill No. 674 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 674 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill, and Mr. Tilly spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 674, and the bill passed the House by the following vote: Yeas, 68; nays, 21; not voting, 9.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Grier, Haley, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Craswell, Deccio, Dunlap, Fancher, Fuller, Greengo, Gruger, Leckenby, Nelson G. A., Oliver, Patterson, Polk, Schmitt, Shinoda, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Berentson, Blair, Flanagan, Grimm, Hanna, Heck, Kreidler, Pardini, Paris.

Engrossed Substitute House Bill No. 674, having received the 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. 684, by Representative Fischer:

Allowing pharmacists to obtain nonpracticing licenses.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 684 was substituted for House Bill No. 684, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 684 was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 684 was placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 684, and the bill passed the House by the following vote: Yeas, 88; nays, 4; not voting, 6.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Chandler, Nelson G. A., Polk, Wilson.

Not voting: Representatives Amen, Grimm, Pardini, Patterson, Smith, Tilly.

Substitute House Bill No. 684, having received the 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. 367, by Representatives Boldt, Bender and Kilbury:

Authorizing recheck inspections and reinspections of jobsites where industrial safety violation found.

The bill was read the second time.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and House Bill No. 367 be placed on final passage.

Mr. Polk spoke against the motion, and Mr. King spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance House Bill No. 367 to third reading and final passage, and the motion failed to receive the necessary two-thirds majority, by the following vote: Yeas, 58; nays, 34; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Leckenby, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

Not voting: Representatives Grier, Grimm, Lee, Moreau, Paris, Zimmerman.

House Bill No. 367 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 800, by Representatives Gruger, Kreidler, Whiteside, Adams, Fortson, May, Pearsall and Lux:

Allowing an earned income exemption for recipients of developmental disability services.

On motion of Mr. Adams, Substitute House Bill No. 800 was substituted for House Bill No. 800, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 800 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 800 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 800, and the bill passed the House by the following vote: Yeas, 88; nays, 2; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Clayton, Gilleland.

Not voting: Representatives Flanagan, Grimm, Lee, Pardini, Paris, Patterson, Struthers, Tilly.

Substitute House Bill No. 800, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1254, by Committee on Transportation (Originally sponsored by Representatives Charnley, Leckenby, McKibbin and Blair):

Regulating boating.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1254, and the bill passed the House by the following vote: Yeas, 52; nays, 37; not voting, 9.

Voting yea: Representatives Adams, Bauer, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Flanagan, Gallagher, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McKibbin, Nelson D., Newhouse, North, O'Brien, Pruitt, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Bender, Berentson, Bond, Craswell, Deccio, Dunlap, Fischer, Fortson, Fuller, Gaines, Gilleland, Hansen, Hughes, King, Knowles, Martinis, McCormick,

Nelson G. A., Oliver, Pardini, Pearsall, Polk, Salatino, Sanders, Schmitten, Shinoda, Smith, Struthers, Taller, Walk, Warnke, Whiteside, Wilson.

Not voting: Representatives Clayton, Fancher, Greengo, Grimm, Moreau, Owen, Paris, Patterson, Tilly.

Engrossed Substitute House Bill No. 1254, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. King, the House advanced to the eighth order of business.

On motion of Mr. Bender, ENGROSSED SUBSTITUTE SENATE BILL NO. 2851 was rereferred from Committee on Rules to Committee on Appropriations.

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, May 5, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 5, 1977.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker, Deccio, Gaines, Grimm, Nelson (Gary), North, Owen, Salatino, Shinoda, Williams and Winsley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sheila Hague and Morrie Boyrand. Prayer was offered by Reverend Richard W. Hart of the First Baptist Church of Olympia.

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 Becker, Deccio, Gaines, Grimm, Nelson (Gary), North, Owen, Salatino, Shinoda, Williams and Winsley.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE GOVERNOR

May 4, 1977

**TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:**

I have the honor to advise that on May 4, 1977, Governor Ray approved the following House Bill, entitled:

HOUSE BILL NO. 98: Establishing thermal performance standards for new dwellings.

Sincerely,
Joe Zaspel, Legislative Assistant.

MESSAGES FROM THE SENATE

May 4, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 852,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 4, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2315,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 4, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2040,
 SENATE BILL NO. 2194,
 ENGROSSED SENATE BILL NO. 2211,
 ENGROSSED SENATE BILL NO. 2293,
 SUBSTITUTE SENATE BILL NO. 2306,
 SUBSTITUTE SENATE BILL NO. 2389,
 ENGROSSED SENATE BILL NO. 2453,
 SENATE BILL NO. 2465,
 ENGROSSED SENATE BILL NO. 2512,
 SUBSTITUTE SENATE BILL NO. 2530,
 SUBSTITUTE SENATE BILL NO. 2591,
 SUBSTITUTE SENATE BILL NO. 2608,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2654,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2744,
 SUBSTITUTE SENATE BILL NO. 2809,
 SUBSTITUTE SENATE BILL NO. 2872,
 SUBSTITUTE SENATE BILL NO. 2889,
 SUBSTITUTE SENATE BILL NO. 2906,
 SENATE BILL NO. 2951,
 SUBSTITUTE SENATE BILL NO. 2958,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3024,
 SENATE BILL NO. 3048,
 ENGROSSED SUBSTITURE SENATE BILL NO. 3066,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3093,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2315.

MESSAGE FROM THE SENATE

May 3, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 2156 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. Douthwaite, the House refused to recede from its amendment to Engrossed Senate Bill No. 2156, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Douthwaite, Grier and Haley as conferees on Engrossed Senate Bill No. 2156.

INTRODUCTION AND FIRST READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2040, by Committee on Ways and Means (Originally sponsored by Senators Fleming, North and Talley):

Establishing a program to improve jails.

To Committee on Institutions.

SENATE BILL NO. 2194, by Senators Woody and Donohue:

Requiring cities to negotiate filing fee for justice court hearing cases involving city ordinance violations.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2211, by Senators Talley, Bausch and Marsh (by Department of Natural Resources request):

Authorizing commission on harbor lines to change harbor lines.

To Committee on Natural Resources

ENGROSSED SENATE BILL NO. 2293, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Decriminalizing certain traffic offenses.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 2306, by Committee on Financial Institutions (Originally sponsored by Senators Herr, Woody and Lewis):

Changing the financial requirements for vehicle accident liability.

To Committee on Insurance

SUBSTITUTE SENATE BILL NO. 2389, by Committee on Social and Health Services (Originally sponsored by Senator Day):

Providing for payment of fees for certain tests by state laboratories.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2453, by Senators Donohue, Clarke and Henry:

Modifying restrictions on small loan companies.

To Committee on Financial Institutions

SENATE BILL NO. 2465, by Senators Francis, Bottiger, Woody, Clarke and Washington:

Governing the publication of the reports of the supreme court and court of appeals.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2512, by Senators von Reichbauer, Ridder and Murray:

Giving preference to the acquisition of historical landmarks for public needs.

To Committee on Parks and Recreation

SUBSTITUTE SENATE BILL NO. 2530, by Committee on Transportation (Originally sponsored by Senator Henry):

Requiring new school buses over thirty-six feet six inches long to have three axles.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 2591, by Committee on Higher Education (Originally sponsored by Senators Sandison and Guess):

Relating to postsecondary education.

To Committee on Higher Education

SUBSTITUTE SENATE BILL NO. 2608, by Committee on Judiciary (Originally sponsored by Senators Francis, Buffington and Marsh):

Revising laws relating to privacy of information about crimes and criminals.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 2654, by Committee on Ecology (Originally sponsored by Senator Bottiger):

Modifying public notice and judicial review provisions of the environmental policy act.

To Committee on Ecology

ENGROSSED SUBSTITUTE SENATE BILL NO. 2744, by Committee on Financial Institutions (Originally sponsored by Senators Clarke, Woody, Lewis and Hayner – by Insurance Commissioner request):

Providing for products liability actions.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 2809, by Committee on Education (Originally sponsored by Senator McDermott):

Changing population classification for certain 1st class districts in class AA counties.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 2872, by Committee on Judiciary (Originally sponsored by Senator Marsh):

Revising out-dated and offensive language pertaining to the physically, mentally and sensory handicapped and providing a defined process to determine mental status due to incompetency or disability.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 2889, by Committee on Education (Originally sponsored by Senator McDermott):

Enumerating RCW sections governing allocation and distribution of funds for common school plant facilities.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 2906, by Committee on Judiciary (Originally sponsored by Senator Fleming):

Expanding the right to be free from discrimination.

To Committee on Judiciary

SENATE BILL NO. 2951, by Senator Francis:

Authorizing summary probation after commitment.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 2958, by Committee on Judiciary (Originally sponsored by Senator Francis):

Increasing the minimum jurisdiction amount for justice courts.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 3024, by Committee on Natural Resources (Originally sponsored by Senators Peterson, Talley and Wanamaker):

Establishing a new policy of fisheries for the state.

To Committee on Natural Resources

SENATE BILL NO. 3048, by Senator Jones:

Making judgments effective for twelve years.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, by Committee on State Government (Originally sponsored by Senators Walgren, Rasmussen, Clarke, Marsh, Talley and Newschwander):

Establishing an office for coordination and assistance to prosecuting attorneys.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 3093, by Committee on Transportation (Originally sponsored by Senator Henry):

Establishing procedures for the construction of state ferries.

To Committee on Transportation

REPORTS OF STANDING COMMITTEES

May 5, 1977

HOUSE BILL NO. 1009, Prime Sponsor: Representative Sommers, pertaining to revenue and taxation. Reported by Committee on Rules.

MAJORITY recommendation: Refer to Committee on Revenue.

May 3, 1977

SUBSTITUTE SENATE BILL NO. 2383, Prime Sponsor: Senator Woody, providing for salary surveys and incentive pay for public employees. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*Section 1, Section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter 75, Laws of 1973 1st ex. sess. and RCW 41.06.150 are each amended to read as follows:

The board shall adopt ~~((and promulgate))~~ rules ~~((and regulations))~~, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis ~~((for:))~~ and procedures to be followed ~~for((:))~~:

(1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;

(2) Certification of names for vacancies, including departmental promotions, with the number of names equal to two more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;

(3) Examinations for all positions in the competitive and noncompetitive service;

(4) Appointments;

(5) Probationary periods of six months and rejections therein;

(6) Transfers;

(7) Sick leaves and vacations;

(8) Hours of work;

(9) Layoffs when necessary and subsequent reemployment, both according to seniority;

(10) Determination of appropriate bargaining units within any agency: PROVIDED, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(11) Certification and decertification of exclusive bargaining representatives~~((:))~~: PROVIDED, That after certification of an exclusive bargaining representative and upon said representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment shall constitute cause for dismissal: PROVIDED FURTHER, That no more often than once in each twelve month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause membership in the certified exclusive bargaining representative shall be satisfied by the payment of monthly or other periodic dues and shall not require payment of initiation, reinstatement, or any other fees or fines and shall include full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union sponsored insurance programs, and such employee shall not be a member of the union but shall be entitled to all the representation rights of a union member;

(12) Agreements between agencies and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion;

(13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: PROVIDED, That nothing contained herein shall permit or grant to any employee the right to strike or refuse to perform his official duties;

(14) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(15) Allocation and reallocation of positions within the classification plan;

(16) Adoption and revision of a state salary schedule to reflect ~~((not less than))~~ the prevailing rates in Washington state private industries and other governmental units ~~((for positions of a similar nature))~~, such

adoption and revision subject to approval by the ((state-budget)) director of the office of program planning and fiscal management in accordance with the provisions of chapter 43.88 RCW;

(17) Training programs, including in-service, promotional and supervisory;

(18) ((regular)) Increment increases within the series of steps for each pay grade(;) based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and

(19) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken state service, as defined by the board, the veteran's service in the military not to exceed five years. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran shall be entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" shall not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Sec. 2. Section 16, chapter 1, Laws of 1961 and RCW 41.06.160 are each amended to read as follows:

In ((adopting or revising)) preparing classification and salary schedules as set forth in RCW 41.06.150 as now or hereafter amended the ((board)) department of personnel shall give full consideration to prevailing rates in other public employment and in private employment in this state ((and)). For this purpose the department shall ((have made periodic wage)) undertake salary and fringe benefit surveys to be planned and conducted on a joint basis with the higher education personnel board, with one such survey to be conducted each year prior to the convening of each regular session of the state legislature(;). The results of ((such wage)) each salary and fringe benefit survey ((to)) shall be forwarded with a recommended state salary schedule to the governor and ((state-budget)) director of the office of program planning and fiscal management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the department of personnel to the standing committees for appropriations of the senate and house of representatives.

The department shall furnish the following supplementary data in support of its recommended salary schedule:

(1) A total dollar figure which reflects the recommended increase or decrease in state salaries as a direct result of the specific salary and fringe benefit survey that has been conducted and which is categorized to indicate what portion of the increase or decrease is represented by salary survey data and what portion is represented by fringe benefit survey data;

(2) An additional total dollar figure which reflects the impact of recommended increases or decreases to state salaries based on other factors rather than directly on prevailing rate data obtained through the survey process and which is categorized to indicate the sources of the requests for deviation from prevailing rates and the reasons for the changes;

(3) A list of class codes and titles indicating recommended monthly salary ranges for all state classes under the control of the department of personnel with:

(a) Those salary ranges which do not substantially conform to the prevailing rates developed from the salary and fringe benefit survey distinctly marked and an explanation of the reason for the deviation included; and

(b) Those department of personnel classes which are substantially the same as classes being used by the higher education personnel board clearly marked to show the commonality of the classes between the two jurisdictions;

(4) A supplemental salary schedule which indicates the additional salary to be paid state employees for hazardous duties or other considerations requiring extra compensation under specific circumstances. Additional compensation for these circumstances shall not be included in the basic salary schedule but shall be maintained as a separate pay schedule for purposes of full disclosure and visibility; and

(5) A supplemental salary schedule which indicates those cases where the board determines that prevailing rates do not provide similar salaries for positions that require or impose similar responsibilities, judgment, knowledge, skills, and working conditions. This supplementary salary schedule shall contain proposed salary adjustments necessary to eliminate any such dissimilarities in compensation. Additional compensation needed to eliminate such salary dissimilarities shall not be included in the basic salary schedule but shall be maintained as a separate salary schedule for purposes of full disclosure and visibility.

It is the intention of the legislature that requests for funds to support recommendations for salary deviations from the prevailing rate survey data shall be kept to a minimum, and that the requests be fully documented when forwarded by the department of personnel. Further, it is the intention of the legislature that the department of personnel and the higher education personnel board jointly determine job classes which are substantially common to both jurisdictions and that basic salaries for these job classes shall be equal based on salary and fringe benefit survey findings.

NEW SECTION. Sec. 3. There is added to chapter 41.06 RCW a new section to read as follows:

(1) In the conduct of salary and fringe benefit surveys under RCW 41.06.160 as now or hereafter amended, it is the intention of the legislature that the surveys be undertaken in a manner consistent with statistically accurate sampling techniques. For this purpose, a comprehensive salary and fringe benefit survey plan shall be submitted to the director of the office of program planning and fiscal management, employee organizations, the standing committees for appropriations of the senate and house of representatives, and to the legislative budget committee six months before the beginning of each periodic survey required before regular legislative sessions. This comprehensive plan shall include but not be limited to the following:

(a) A complete explanation of the technical, statistical process to be used in the salary and fringe benefit survey including the percentage of accuracy expected from the planned statistical sample chosen for the survey and a definition of the term "prevailing rates" which is to be used in the planned survey;

(b) A comprehensive salary and fringe benefit survey model based on scientific statistical principles which:

(i) Encompasses the interrelationships among the various elements of the survey sample including sources of salary and fringe benefit data by organization type, size, and regional location;

(ii) Is representative of private and public employment in this state;

(iii) Ensures that, wherever practical, data from smaller, private firms are included and proportionally weighted in the survey sample; and

(iv) Indicates the methodology to be used in application of survey data to job classes used by state government;

(c) A prediction of the increase or decrease in total funding requirements expected to result from the pending salary and fringe benefit survey based on consumer price index information and other available trend data pertaining to Washington state salaries and fringe benefits.

(2) Every comprehensive survey plan shall fully consider fringe benefits as an element of compensation in addition to basic salary data. The plans prepared under this section shall be developed jointly by the department of personnel in conjunction with the higher education personnel board established under chapter 28B.16 RCW. All comprehensive salary and fringe benefit survey plans shall be submitted on a joint signature basis by the department of personnel and the higher education personnel board. The legislative budget committee shall review and evaluate all survey plans before final implementation.

(3) Interim or special surveys conducted under RCW 41.06.160 as now or hereafter amended shall conform when possible to the statistical techniques and principles developed for regular periodic surveys under this section.

(4) The term "fringe benefits" as used in this section and in conjunction with salary surveys shall include but not be limited to compensation for:

(a) Leave time, including vacation, holiday, civil, and personal leave;

(b) Employer retirement contributions;

(c) Health and insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and

(d) Stock options, bonuses, and purchase discounts where appropriate.

NEW SECTION. Sec. 4. There is added to chapter 41.06 RCW a new section to read as follows:

Salary surveys shall be conducted according to the following criteria in addition to any other provisions under this chapter:

(1) Adjustments of state salaries to prevailing rates in Washington state private industries and other governmental units shall be determined by comparisons of weighted averages of salaries, including weighted averages of salaries from out-of-state sources when necessary to obtain statistically valid salary surveys; and

(2) Determination of state salary changes from prevailing rate data collected in salary surveys shall be based on occupational group averages containing related job classes where appropriate rather than on comparisons of survey data to individual state job classes.

NEW SECTION. Sec. 5. There is added to chapter 41.06 RCW a new section to read as follows:

The department of personnel shall undertake salary and fringe benefit surveys for officers of the Washington state patrol, with one survey to be conducted each year prior to the convening of each regular session of the state legislature. The results of each such survey shall be forwarded, after review and concurrence by the chief of the Washington state patrol, to the governor and director of the office of program planning and fiscal management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the department of personnel to the legislative budget committee and the standing committees for appropriations of the senate and house of representatives. The office of program planning and fiscal management shall analyze the survey results and conduct investigations which may be necessary to arbitrate differences between interested parties regarding the accuracy of collected survey data and the use of such data for salary adjustment.

Surveys conducted by the department of personnel for the Washington state patrol shall be undertaken in a manner consistent with statistically accurate sampling techniques, including comparisons of weighted averages of salaries. This service performed by the department of personnel shall be on a reimbursable basis in accordance with the provisions of RCW 41.06.080 as now existing or hereafter amended.

A comprehensive salary and fringe benefits survey plan shall be submitted jointly by the department of personnel and the Washington state patrol to the director of the office of program planning and fiscal management, the committee on ways and means of the senate, the committee on appropriations of the house of representatives and to the legislative budget committee six months before the beginning of each periodic survey. The legislative budget committee shall review and evaluate the survey plan before final implementation.

NEW SECTION. Sec. 6. There is added to chapter 41.06 RCW a new section to read as follows:

After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual agencies may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. Performance evaluation procedures shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling state agency and job objectives. A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees.

NEW SECTION. Sec. 7. Section 9, chapter 1, Laws of 1961 and RCW 41.06.090 are each repealed.

Sec. 8. Section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 1, chapter 122, Laws of 1975 1st ex. sess. and RCW 28B.16.100 are each amended to read as follows:

((+)) The higher education personnel board shall adopt ((and promulgate)) rules ((and regulations)), consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis ((for;)) and procedures to be followed for((;)):

(1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;
 (2) Certification of names for vacancies, including promotions, with the number of names equal to two more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;

(3) Examination for all positions in the competitive and noncompetitive service;

(4) Appointments;

(5) Probationary periods of six months and rejections therein;

(6) Transfers((;));

(7) Sick leaves and vacations;

(8) Hours of work;

(9) Layoffs when necessary and subsequent reemployment, both according to seniority;

(10) Determination of appropriate bargaining units within any institution or related boards: **PROVIDED**, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(11) Certification and decertification of exclusive bargaining representatives((;)): **PROVIDED**, That after certification of an exclusive bargaining representative and upon said representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such condition of employment shall constitute cause for dismissal: **PROVIDED FURTHER**, That no more often than once in each twelve month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: **PROVIDED FURTHER**, That for purposes of this clause membership in the certified exclusive bargaining representative shall be satisfied by the payment of monthly or other periodic dues and shall not require payment of initiation, reinstatement or any other fees or fines and shall include full and complete membership rights: **AND PROVIDED FURTHER**, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but shall be entitled to all the representation rights of a union member;

(12) Agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution or the related board may lawfully exercise discretion;

(13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the institution and the employee organization: **PROVIDED**, That nothing contained herein shall permit or grant to any employee the right to strike or refuse to perform his official duties;

(14) Adoption and revision of comprehensive classification plans for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(15) Allocation and reallocation of positions within the classification plan; ((training programs including in-service, promotional, and supervisory; regular increment increases within the series of steps for each pay grade, based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and))

(16) Adoption and revision of salary schedules and compensation plans which reflect ((not less than)) the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature and which shall be competitive in the state or the locality in which the institution or related boards are located, such adoption, revision, and implementation subject to approval as to availability of

funds by the director of the office of program planning and fiscal management in accordance with the provisions of chapter 43.88 RCW, and after consultation with the chief financial officer of each institution or related board for that institution or board, or in the case of community colleges, by the chief financial officer of the state board for community college education for the various community colleges;

(17) Training programs including in-service, promotional, and supervisory;

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and

(19) Providing for veteran's preference as provided by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken higher education service, as defined by the board, the veteran's service in the military not to exceed five years of such service. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran shall be entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" shall not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

((2) Rules and regulations adopted and promulgated by the higher education personnel board shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the board, of the following:

- (a) Appointment, promotion, and transfer of employees;
- (b) Dismissal, suspension, or demotion of an employee;
- (c) Examinations for all positions in the competitive and noncompetitive service;
- (d) Probationary periods of six months and rejections therein;
- (e) Sick leaves and vacations;
- (f) Hours of work;
- (g) Layoffs when necessary and subsequent reemployment;
- (h) Allocation and reallocation of positions with the classification plans;
- (i) Training programs;
- (j) Maintenance of personnel records;)

NEW SECTION. Sec. 9. There is added to chapter 36, Laws of 1969 ex. sess. and to chapter 28B.16 RCW a new section to read as follows:

Rules adopted by the higher education personnel board shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the board, of the following:

- (1) Appointment, promotion, and transfer of employees;
- (2) Dismissal, suspension, or demotion of an employee;
- (3) Examinations for all positions in the competitive and noncompetitive service;
- (4) Probationary periods of six months and rejections therein;
- (5) Sick leaves and vacations;
- (6) Hours of work;
- (7) Layoffs when necessary and subsequent reemployment;
- (8) Allocation and reallocation of positions within the classification plans;
- (9) Training programs; and
- (10) Maintenance of personnel records.

Sec. 10. Section 11, chapter 36, Laws of 1969 ex. sess. as amended by section 2, chapter 122, Laws of 1975 1st ex. sess. and RCW 28B.16.110 are each amended to read as follows:

The salary schedules and compensation plans, adopted and revised as provided in RCW 28B.16.100 as now or hereafter amended, shall reflect ((not less than)) prevailing rates in other public employment and in private ((industries and other governmental units for positions of a similar nature)) employment in this state or in the locality in which the institution or related board is located. For this purpose ((periodic wage)) salary and fringe benefit surveys shall be undertaken by the board with the assistance of the various personnel officers of the institutions of higher education and on a joint basis with the department of personnel, with one such survey to be conducted each year prior to the convening of each regular session of the state legislature. The results of such ((wage)) salary and fringe benefit survey shall be forwarded with recommended salary adjustments, which recommendations shall be advisory only, to the governor and the director of the office of program planning and fiscal management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the board to the standing committees for appropriations of the senate and house of representatives.

The board shall furnish the following supplementary data in support of its recommended salary schedule:

(1) A total dollar figure which reflects the recommended increase or decrease in state salaries as a direct result of the specific salary and fringe benefit survey that has been conducted and which is categorized

to indicate what portion of the increase or decrease is represented by salary survey data and what portion is represented by fringe benefit survey data;

(2) An additional total dollar figure which reflects the impact of recommended increases or decreases to state salaries based on other factors rather than directly on prevailing rate data obtained through the survey process and which is categorized to indicate the sources of the requests for deviation from prevailing rates and the reasons for the changes;

(3) A list of class codes and titles indicating recommended monthly salary ranges for all state classes under the control of the higher education personnel board with:

(a) Those salary ranges which do not substantially conform to the prevailing rates developed from the salary and fringe benefit survey distinctly marked and an explanation of the reason for the deviation included; and

(b) Those higher education personnel board classes which are substantially the same as classes being used by the department of personnel clearly marked to show the commonality of the classes between the two jurisdictions;

(4) A supplemental salary schedule which indicates the additional salary to be paid state employees for hazardous duties or other considerations requiring extra compensation under specific circumstances. Additional compensation for these circumstances shall not be included in the basic salary schedule but shall be maintained as a separate pay schedule for purposes of full disclosure and visibility; and

(5) A supplemental salary schedule which indicates those cases where the board determines that prevailing rates do not provide similar salaries for positions that require or impose similar responsibilities, judgment, knowledge, skills, and working conditions. This supplementary salary schedule shall contain proposed salary adjustments necessary to eliminate any such dissimilarities in compensation. Additional compensation needed to eliminate such salary dissimilarities shall not be included in the basic salary schedule but shall be maintained as a separate salary schedule for purposes of full disclosure and visibility.

It is the intention of the legislature that requests for funds to support recommendations for salary deviations from the prevailing rate survey data shall be kept to a minimum, and that the requests be fully documented when forwarded by the board. Further, it is the intention of the legislature that the department of personnel and the higher education personnel board jointly determine job classes which are substantially common to both jurisdictions and that basic salaries for these job classes shall be equal based on salary and fringe benefit survey findings.

NEW SECTION, Sec. 11. There is added to chapter 36, Laws of 1969 ex. sess. and to chapter 28B.16 RCW a new section to read as follows:

(1) In the conduct of salary and fringe benefit surveys under RCW 28B.16.110 as now or hereafter amended, it is the intention of the legislature that the surveys be undertaken in a manner consistent with statistically accurate sampling techniques. For this purpose, a comprehensive salary and fringe benefit survey plan shall be submitted to the director of the office of program planning and fiscal management, employee organizations, the standing committees for appropriations in the senate and house of representatives, and to the legislative budget committee six months before the beginning of each periodic survey required before regular legislative sessions. This comprehensive plan shall include but not be limited to the following:

(a) A complete explanation of the technical, statistical process to be used in the salary and fringe benefit survey including the percentage of accuracy expected from the planned statistical sample chosen for the survey and a definition of the term "prevailing rates" which is to be used in the planned survey;

(b) A comprehensive salary and fringe benefit survey model based on scientific statistical principles which:

(i) Encompasses the interrelationships among the various elements of the survey sample including sources of salary and fringe benefit data by organization type, size, and regional location;

(ii) Is representative of private and public employment in this state;

(iii) Ensures that, wherever practical, data from smaller, private firms are included and proportionally weighted in the survey sample; and

(iv) Indicates the methodology to be used in application of survey data to job classes used by state government;

(c) A prediction of the increase or decrease in total funding requirements expected to result from the pending salary and fringe benefit survey based on consumer price index information and other available trend data pertaining to Washington state salaries and fringe benefits.

(2) Every comprehensive survey plan shall fully consider fringe benefits as an element of compensation in addition to basic salary data. The plans prepared under this section shall be developed jointly by the higher education personnel board in conjunction with the department of personnel established under chapter 41.06 RCW. All comprehensive salary and fringe benefit survey plans shall be submitted on a joint signature basis by the higher education personnel board and the department of personnel. The legislative budget committee shall review and evaluate all survey plans before final implementation.

(3) Interim or special surveys conducted under RCW 28B.16.110 as now or hereafter amended shall conform when possible to the statistical techniques and principles developed for regular periodic surveys under this section.

(4) The term "fringe benefits" as used in this section and in conjunction with salary surveys shall include but not be limited to compensation for:

(a) Leave time, including vacation, holiday, civil, and personal leave;

(b) Employer retirement contributions;

(c) Health and insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and

(d) Stock options, bonuses, and purchase discounts where appropriate.

NEW SECTION. Sec. 12. There is added to chapter 36, Laws of 1969 ex. sess. and to chapter 28B.16 RCW a new section to read as follows:

Salary surveys shall be conducted according to the following criteria in addition to any other provisions under this chapter:

(1) Adjustments of state salaries to prevailing rates in Washington state private industries and other governmental units shall be determined by comparisons of weighted averages of salaries, including weighted averages of salaries from out-of-state sources when necessary to obtain statistically valid salary surveys; and

(2) Determination of state salary changes from prevailing rate data collected in salary surveys shall be based on occupational group averages containing related job classes where appropriate rather than on comparisons of survey data to individual state job classes.

NEW SECTION. Sec. 13. There is added to chapter 36, Laws of 1969 ex. sess. and to chapter 28B.16 RCW a new section to read as follows:

After consultation with institution heads, employee organizations, and other interested parties, the board shall develop standardized employee performance evaluation procedures and forms which shall be used by institutions of higher learning for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual institutions may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. This evaluation procedure shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling institution and job objectives. A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees.

NEW SECTION. Sec. 14. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 15. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.*

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Salatino, Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

May 3, 1977

ENGROSSED SENATE BILL NO. 2472, Prime Sponsor: Senator Bottiger, changing the law on recreational vehicles. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 24 after "traverses as" strike all the material down through "ORV tag" on line 25 and insert "permitting ORV travel"

On page 3, line 29 after "authority." strike all the material down through "ORV tag." on line 30

On page 5, line 17 after "within this state" strike all the material down through "ORV trails" on line 18

On page 5, beginning on line 30 strike all the material down through "ORV trails" on line 31 and insert "(under the provisions of this chapter)"

On page 5, beginning on line 35 add a new subsection (8) to read as follows:

"(8) Vehicles which are licensed pursuant to RCW 46.16 or in the case of nonresidents, vehicles which are validly licensed for operation over public highways in the jurisdiction of the owner's residence."

On page 7, beginning on line 6 strike all the material down through "public highways." on line 9

On page 7, line 18 after "dollars" strike all the material down through "highway operation" on line 20

On page 7, line 34 after "dollars" strike all the material down through "highway operation" on line 35

On page 14, line 2 after "facilities" strike all the material down to and including "ecology" on line 19

On page 14, line 31 after "moneys" and before the semicolon insert ": PROVIDED, HOWEVER, That the department of natural resources, two months prior to the acquisition and development of such trails, areas, campgrounds and trailheads for off road vehicles, shall conduct a public hearing at a suitable location in the nearest town of five hundred population or more, and the department shall publish a notice of such hearing on the same day of each week for two consecutive weeks in a legal newspaper of general circulation in the county or counties where the property which is the subject of the proposed facility is located. The department of natural resources shall further file such notice of hearing with the department of ecology at the main office in Olympia and shall comply with the provisions of the state environmental policy act, chapter 43.21C RCW and regulations promulgated thereunder"

Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Clayton, Clemente, Gallagher, Grier, Lysen, McCormick, Patterson, Walk, Wilson.

To Committee on Rules for second reading.

May 3, 1977

SENATE BILL NO. 2486, Prime Sponsor: Senator Bottiger, modifying the methods for closing highways and restricting traffic. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Clayton, Clemente, Gallagher, Grier, Lysen, McCormick, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

May 4, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3098, Prime Sponsor: Senator Herr, excluding certain information from driving record abstracts furnished to insurance companies. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Barnes, Erak, Erickson, Keller, Knedlik, Sanders, Taller.

To Committee on Rules for second reading.

May 3, 1977

REENGROSSED SENATE JOINT RESOLUTION NO. 104, Prime Sponsor: Senator Francis, amending the Constitution to adopt a new judicial article. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 6, beginning with "Article" strike everything through and including "proceedings." on page 2, line 3 and insert the following:

"the Constitution of the state of Washington by repealing all of Article IV as amended by Amendment 25, Amendment 28, Amendment 38, Amendment 41, and Amendment 50, and adopting in lieu thereof as Article IVA the following:

ARTICLE IVA THE JUDICIAL SYSTEM

Article IVA, section 1. JUDICIAL SYSTEM. The judicial power is vested in the supreme court, court of appeals, superior court, and district court.

Article IVA, section 2. SUPREME COURT JURISDICTION. The supreme court may exercise appellate jurisdiction over any court decision, issue any writ in aid of its jurisdiction, and issue writs of mandamus or quo warranto against state officials holding elective office.

Article IVA, section 3. COURT OF APPEALS JURISDICTION. Court of appeals jurisdiction shall be prescribed by statute or supreme court rule authorized by statute.

Article IVA, section 4. SUPERIOR COURT JURISDICTION. The superior court has original jurisdiction in all cases and proceedings unless otherwise prescribed by statute.

Article IVA, section 5. DISTRICT COURT JURISDICTION. District court jurisdiction shall be prescribed by statute.

Article IVA, section 6. NUMBER OF JUDGES AND JUSTICES. (1) The supreme court shall have not less than five or more than nine justices as prescribed by statute.

(2) The number of judges on the district and superior courts and court of appeals shall be prescribed by statute.

Article IVA, section 7. ADMINISTRATION. Authority to manage the judicial system is vested in the supreme court, and the supreme court shall by rule divide the state into regions for administration which may be geographical or by level of court or both. The judges of the courts of each level of court in each region shall elect a judge to serve as chief regional judge for that level of court in the region.

The chief regional judges shall serve on a courts administrative council which shall meet upon the call of the chief justice, who shall preside. The council shall meet at least annually with the supreme court to consider all administrative matters affecting the levels of courts represented thereon.

The supreme court shall, after consultation with the courts administrative council, adopt guidelines governing the administration of the courts. Each court region may adopt local administrative rules not in conflict with the guidelines governing the administration of the courts promulgated by the supreme court.

Article IVA, section 8. PROCEDURE. The supreme court shall prescribe rules of procedure for the courts of the state. Regions may adopt supplemental rules of procedure not in conflict with the rules prescribed by the supreme court.

Article IVA, section 9. CHIEF JUSTICE. The chief justice shall be elected from the supreme court by a majority of the justices for a term prescribed by rule and may be removed by majority vote of the justices.

Article IVA, section 10. PERSONNEL. The supreme court may employ personnel needed to aid in performance of its administrative functions.

Article IVA, section 11. ELIGIBILITY OF JUSTICES AND JUDGES. To be eligible for appointment or election to a judicial position a person must be admitted and in good standing to practice law in this state and be registered to vote. The legislature may prescribe additional qualifications.

Article IVA, section 12. **ELECTION OF JUSTICES AND JUDGES.** Judges and justices shall be elected by the electors in nonpartisan elections as provided by statute. Any eligible person may be a candidate. The legislature may provide that a candidate who is unopposed or receives a majority in the primary election is elected.

Article IVA, section 13. **OATHS.** An oath shall be made by each judge and justice to support the Constitutions of Washington and the United States and to perform the duties of judicial office.

Article IVA, section 14. **TERMS AND VACANCIES.** The term of office for judges and justices is six years. The governor shall fill a vacancy on the supreme court, the court of appeals, or the superior court by appointing a qualified person residing in the electoral area served by the office to serve until the election and qualification of a judge who shall be elected at the next general election for the unexpired term. District court vacancies shall be filled as provided by statute.

Article IVA, section 15. **COMPENSATION.** The legislature shall provide for compensation of judges and justices but may not reduce a judge's or justice's compensation during a term in office.

Article IVA, section 16. **RESTRICTIONS.** A judge or justice during tenure in office may not practice law or engage in activities which violate rules of judicial conduct adopted by the supreme court, and shall be ineligible to any other office or public employment than a judicial office or employment during the term of office for which elected or appointed.

Article IVA, section 17. **DISCIPLINE AND REMOVAL.** The supreme court may censure, suspend, or remove a judge or justice for violating a rule of judicial conduct and may retire a judge or justice for disability which is permanent or is likely to become permanent and which seriously interferes with the performance of judicial duties. The office of a judge or justice retired or removed by the supreme court becomes vacant, and that person is ineligible for judicial office until eligibility is reinstated by the supreme court. The salary of a removed judge or justice shall cease.

The supreme court shall specify the effect upon salary when disciplinary action other than removal is taken. The supreme court may not discipline or retire a judge or justice until the judicial qualifications commission recommends after notice and hearing that action be taken and the supreme court conducts a hearing after notice to review commission proceedings and findings against the judge or justice.

The judicial qualifications commission shall consist of a judge selected by and from the court of appeals judges, a judge selected by and from the superior court judges, a judge selected by and from the district court judges, two persons admitted to the practice of law in this state selected by the state bar association, and two persons who are not attorneys appointed by the governor and confirmed by the senate.

The legislature shall provide for commissioners' terms of office and commission procedures including due process and confidentiality of proceedings.

Article IVA, section 18. **COURTS OF RECORD.** The supreme court, court of appeals, and superior court are courts of record. The legislature may make the district court a court of record.

Article IVA, section 19. **CLERK OF THE SUPERIOR COURT.** The county clerk shall be, by virtue of his office, clerk of the superior court.

Article IVA, section 20. **REVIEW OF DECISIONS.** A decision determining a cause shall be subject to judicial review as provided by statute or rule authorized by statute.

Article IVA, section 21. **DECISION TIME LIMITS.** Following submission, decisions determining causes shall be rendered no later than three months in the superior court, eight months in the court of appeals, and twelve months in the supreme court.

Article IVA, section 22. **TEMPORARY ASSIGNMENT.** The supreme court may by rule provide for temporary assignment of incumbent or retired judges or justices to any court.

Article IVA, section 23. **JUDGES PRO TEMPORE.** The supreme court shall by rule provide that upon agreement of the trial court and parties or attorneys of record, a superior or district court case may be tried by a person admitted to the practice of law in this state who shall be sworn and empowered to act in that case until final determination.

Article IVA, section 24. **COURT COMMISSIONERS.** The legislature may provide for district and superior court commissioners.

Article IVA, section 25. **SUPREME COURT OPINIONS.** Supreme court decisions determining causes shall state the ground and be written.

Article IVA, section 26. **CHARGING JURIES.** A judge shall instruct jurors on the law but may not comment with respect to matters of fact.

Article IVA, section 27. **SUPREME COURT SESSIONS.** Supreme court sessions shall be at the state capital unless otherwise provided by statute.

Article IVA, section 28. **TRANSITION AND SAVINGS.** The adoption of this article shall not be construed to affect any existing right acquired under any statute, rule, regulation, resolution, ordinance, or order promulgated pursuant to and taking its validity from such superseded constitutional provision; nor as affecting any actions, activities, or proceedings validated thereunder, nor as affecting any civil or criminal proceedings instituted thereunder, nor the term of office, or appointment or employment of any person appointed or elected thereunder. All rights coming into existence and occurring on or after the effective date of this article shall be governed by the provisions of this article as though the article superseded hereby never existed.

Article IVA, section 29. **EFFECTIVE DATE.** This article, if approved by the voters, will become effective on the tenth day of January, 1979.

Article IVA, section 30. **NEW ARTICLE.** Sections 1 through 27 of this joint resolution shall constitute a new article number IVA in the Constitution of the state of Washington.

Article IVA, section 31. REPEALER. The following article of the Constitution of the state of Washington, or parts thereof, or amendments thereto, are each hereby repealed:

- (1) Article IV, sections 1 through 30;
- (2) Amendment 25;
- (3) Amendment 28;
- (4) Amendment 38;
- (5) Amendment 41; and
- (6) Amendment 50.*

Signed by Representatives Knowles, Chairman; Hanna, Knedlik, Newhouse, Sherman, Shinpoch, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

MOTION

On motion of Mr. King, Representative Hurley (Margaret) was excused from the Call of the House.

SECOND READING

On motion of Mr. King, all bills listed on today's second reading calendar were rereferred to Committee on Rules with the exception of HOUSE BILL NO. 861, HOUSE BILL NO. 1327 and HOUSE JOINT RESOLUTION NO. 9.

THIRD READING

On motion of Mr. King, all bills listed on today's third reading calendar were rereferred to Committee on Rules with the exception of ENGROSSED HOUSE BILL NO. 1191, ENGROSSED HOUSE BILL NO. 1252 and SUBSTITUTE HOUSE JOINT RESOLUTION NO. 36.

MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 11:00 a.m., Friday, May 6, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 6, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Clemente, Gaines, Grimm, King, Moreau, Oliver, Owen and Mr. Speaker. Representatives Grimm, King and the Speaker were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Judy Mentor and Leroy Sisley. Prayer was offered by Reverend Richard W. Hart 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

May 6, 1977

**TO THE HONORABLE,
THE HOUSE OF REPRESENTATIVES
OF THE STATE OF WASHINGTON
LADIES AND GENTLEMEN:**

I have the honor to advise that on May 6, 1977, Governor Ray approved the following House Bill, entitled:

HOUSE BILL NO. 573: Appropriating funds for session law publication.

Sincerely,
Joe Zaspel, Legislative Assistant.

MESSAGES FROM THE SENATE

May 5, 1977

Mr. Speaker:

The Senate has passed:

**SUBSTITUTE SENATE BILL NO. 2373,
SUBSTITUTE SENATE BILL NO. 3053,**

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 5, 1977

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 118,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 5, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, and the President has appointed as Senate conferees thereon: Senators Odegaard, Benitz, Sandison.

Bill Gleason, Assistant Secretary.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House former Representative Fred J. Martin, who had been a member of the 1935 Legislature from District 40.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2373, by Committee on Education (Originally sponsored by Senators Grant, Day, Van Hollebeke, Keefe, Goltz and McDermott):

Implementing law relating to providing of courses and ancillary services to private school students by the public schools.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 3053, by Committee on Higher Education (Originally sponsored by Senators Goltz, Odegaard and Scott):

Redesignating rights relative to dismissal of community college faculty.

To Committee on Higher Education

REPORTS OF STANDING COMMITTEES

May 5, 1977

ENGROSSED SENATE BILL NO. 2185, Prime Sponsor: Senator McDermott, permitting aliens to teach in the common school system. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 1, line 4 strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. Section 28A.67.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.020 are each hereby repealed.

Sec. 2. Section 28A.67.035, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.035 are each amended to read as follows:

Any person teaching in any school in violation of RCW ((28A.67.020-or)) 28A.67.030, and any school director knowingly permitting any person to teach in any school in violation of RCW ((28A.67.020-or)) 28A.67.030, shall be guilty of a misdemeanor."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending section 28A.67.035, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.035; repealing section 28A.67.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.020; and prescribing penalties."

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Boldt, Ehlers, Fuller, McKibbin, Schmitt, Warnke, Whiteside.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Ranking Minority Member; Craswell, Fortson.

To Committee on Rules for second reading.

May 5, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2405, Prime Sponsor: Senator McDermott, mandating rules and regulations for voluntary transfer of students between schools in same school district. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 19 after "area" insert ": PROVIDED FURTHER, That no student who transfers pursuant to this section may be denied the right to participate in any school activity because of such transfer"

On page 1, line 23 beginning with "Nothing" strike all material down to and including "transportation." on line 24, and insert "No school district shall be required to provide transportation to any student who, pursuant to section 1 of this act, transfers to a school outside the service area in which he lives."

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Dunlap, Ehlers, Fortson, Fuller, McKibbin, Warnke, Whiteside.

To Committee on Rules for second reading.

May 4, 1977

SUBSTITUTE SENATE BILL NO. 2430, Prime Sponsor: Senator Mardesich, authorizing class AA or class A counties to assume the powers, functions, and obligations of a metropolitan municipal corporation. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Douthwaite, Keller, Shinoda, Vrooman.

MINORITY recommendation: Do not pass. Signed by Representatives Lee, Ranking Minority Member; Fancher, Zimmerman.

To Committee on Rules for second reading.

May 5, 1977

ENGROSSED SENATE BILL NO. 2570, Prime Sponsor: Senator Washington, providing for a school facilities cost stabilization program. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 11 strike all of section 5 and renumber the remaining sections consecutively

On page 3, line 16 strike "1983" and insert "1979"

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Boldt, Craswell, Ehlers, Fortson, Fuller, McKibbin, Schmitt, Whiteside.

To Committee on Rules for second reading.

May 5, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2731, Prime Sponsor: Senator Ridder, providing for designation of specialty plumbers and revising other laws on plumbing. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Bond, Ranking Minority Member; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

May 5, 1977

SUBSTITUTE SENATE BILL NO. 2811, Prime Sponsor: Senator McDermott, providing for disposal of moneys in associated student body program fund, including moneys received by students for private purposes. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 12 after "purposes," insert "and funds received by school boards of directors in accordance with RCW 28.58.030."

On page 2, at the beginning of line 14, strike "in trust"

On page 2, line 17, after "district" insert "general fund"

Signed by Representatives Heck, Vice Chairman; Barnes, Ranking Minority Member; Dunlap, Ehlers, Fortson, Fuller, McKibbin, Warnke, Whiteside.

To Committee on Rules for second reading.

May 4, 1977

SENATE BILL NO. 2927, Prime Sponsor: Senator von Reichbauer, changing the time when animals are deemed abandoned. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Eng, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

May 4, 1977

ENGROSSED SENATE BILL NO. 3009, Prime Sponsor: Senator Peterson, authorizing parks and recreation districts to issue interest bearing warrants. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after "follows:" on line 8 strike the remainder of section 1, down to and including "voters" on line 26 and insert the following:

"A park and recreation district shall not have power to levy ((an annual authorized)) a regular property tax levy, but it shall have the power to levy ((a tax)) an excess levy upon the property included within the district, in the manner prescribed ((for cities for the purpose of exceeding the limitations established)) by Article VII, section 2, of the Constitution and by RCW 84.52.052. Such ((special, voted)) excess levy may be either for operating funds or for capital outlay, or for a cumulative reserve fund. A park and recreation district may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness equal to three-eighths of one percent of the value of the taxable property within such district, as the term 'value of the taxable property' is defined in RCW 39.36-.015, and may provide for the retirement thereof by levies in excess of dollar rate limitations in accordance with the provisions of RCW 84.52.056: PROVIDED, That when authorized by the voters of the district, the district may issue interest bearing warrants payable out of and to the extent of excess levies authorized in the year in which the excess levy was approved."

Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Lee, Ranking Minority Member; Adams, Bender, Douthwaite, Eng, Fancher, Gilleland, Keller, North, Shinoda, Vrooman, Whiteside, Zimmerman.

To Committee on Rules for second reading.

May 5, 1977

SENATE BILL NO. 3068, Prime Sponsor: Senator Gould, allowing school districts to start terms in August with apportionment credit therefor in succeeding school year beginning in September. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Craswell, Ehlers, Fortson, Fuller, McKibbin, Schmitten, Warnke, Whiteside.

To Committee on Rules for second reading.

MOTIONS

On motion of Mr. Bender, the House advanced to the eighth order of business.

On motion of Mr. Bender, SUBSTITUTE SENATE BILL NO. 2608 was rereferred from Committee on Judiciary to Committee on Institutions.

On motion of Mr. Bender, SENATE BILL NO. 2339 was rereferred from Committee on Judiciary to Committee on State Government.

On motion of Mr. Bender, the House adjourned until 11:00 a.m., Monday, May 9, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

SIXTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 9, 1977.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative McKibbin, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Teri Ambrose and Bredt Martin. Prayer was offered by Reverend George Mitchell of the First Christian Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

May 6, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 506,
HOUSE BILL NO. 613,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 506,
HOUSE BILL NO. 613,
HOUSE BILL NO. 852,
SENATE CONCURRENT RESOLUTION 118.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. King, the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 2063, by Committee on Ways and Means (Originally sponsored by Senators Odegaard, Clarke, Donohue, Woody, Scott and Wilson – by Legislative Budget Committee request):

Requiring fiscal impact statements on proposed legislation.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2063 was placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2063, and the bill passed the House by the following vote: Yeas, 72; nays, 1; not voting, 25.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lysen, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk,

Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Struthers, Taller, Thompson, Tilly, Valle, Walk, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representative Fischer.

Not voting: Representatives Barnes, Becker, Burns, Clayton, Deccio, Dunlap, Erak, Fancher, Fuller, Haley, Heck, Hurley G. S., Hurley M., Keller, Lee, Lux, Martinis, Maxie, McKibbin, Shinoda, Smith, Sommers, Vrooman, Warnke, Winsley.

Substitute Senate Bill No. 2063, having received the 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. 2108, by Senators Henry, Bailey, Morrison and Sellar (by Office of Community Development request):

Revising laws pertaining to metropolitan public transportation.

The bill was read the second time.

Committee on Transportation recommendation: Do pass as amended. (For amendment, see Journal, 43rd Day ex. sess., April 22, 1977.)

On motion of Mr. Conner, the committee amendment was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2108 as amended by the House was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2108 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 2; not voting, 22.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Hawkins.

Not voting: Representatives Adams, Barnes, Clayton, Dunlap, Erickson, Flanagan, Haley, Hurley M., Leckenby, Martinis, McKibbin, Nelson D., North, O'Brien, Pardini, Pruitt, Shinoda, Smith, Sommers, Vrooman, Winsley, Zimmerman.

Engrossed Senate Bill No. 2108 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. 2122, by Senators Van Hollebeke and Jones:

Providing for enforcement of foreign judgments.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 53rd Day ex. sess., May 2, 1977.)

On motion of Mr. Enbody, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2122 as amended by the House was placed on final passage.

Mr. Charette spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2122 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines,

Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Martinis, McKibbin, Shinoda, Sommers.

Engrossed Senate Bill No. 2122 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 called on Mr. O'Brien to preside.

MOTION

On motion of Mr. King, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

May 6, 1977

HOUSE BILL NO. 778, Prime Sponsor: Representative Conner, authorizing voluntary deductions for group insurance premiums from state patrol retirement allowances. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 18 insert the following:

"Deductions made in the past from retirement benefits are hereby expressly recognized, ratified and affirmed. Future deductions may only be made in accordance with this 1977 amendatory act."

Signed by Representatives Shipoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Becker, Chandler, Deccio, Ehlers, Hawkins, Lee, Polk, Taller, Valle, Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

May 6, 1977

HOUSE BILL NO. 1210, Prime Sponsor: Representative Whiteside, permitting certain teachers to pick up prior service in the teachers' retirement system under certain conditions. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shipoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Becker, Boldt, Chandler, Charette, Deccio, Ehlers, Hawkins, Keller, Lee, Maxie, Pardini, Polk, Thompson, Valle, Vrooman, Warnke, Williams.

To Committee on Rules for second reading.

May 6, 1977

HOUSE BILL NO. 1221, Prime Sponsor: Representative Warnke, adding time as cadets in the patrol training program to the state patrol retirement system. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shipoch, Chairman; Blair, Ranking Minority Member; Amen, Becker, Chandler, Charette, Deccio, Ehlers, Hawkins, Lee, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

May 9, 1977

HOUSE JOINT RESOLUTION NO. 15, Prime Sponsor: Representative O'Brien, authorizing state income tax with limitations upon tax structure. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairman; Knedlik, Vice Chairman; Eng, Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick), O'Brien.

To Committee on Rules for second reading.

May 5, 1977

SUBSTITUTE SENATE BILL NO. 2154, Prime Sponsor: Senator Bottiger, governing increased state participation in third party industrial insurance actions. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 21 following "self-insurer," strike the remainder of the bill and insert "which may prosecute or compromise the action in its discretion in the name of the injured worker, beneficiary or legal representative.

(2) The injured worker or beneficiary shall be entitled to the remaining balance of any award or settlement recovered by the department or self-insurer after deduction of the following amounts:

(a) The expenses incurred in making the recovery including reasonable costs of legal services; and

(b) The compensation and benefits paid to or on behalf of the injured worker or beneficiary by the department or self-insurer.

(3) Thereafter no payment shall be made to or on behalf of a worker or beneficiary by the department or self-insurer for such injury until the amount of any further compensation or benefits shall equal any such remaining balance. Thereafter, such benefits shall be paid by the department or self-insurer to or on behalf of the worker or beneficiary as though no third party person claim had been made.

NEW SECTION, Sec. 4. There is added to chapter 51.24 RCW a new section to read as follows:

(1) In an action by the injured worker or beneficiary against the third person, any award or settlement shall be distributed as follows:

(a) The costs and reasonable attorneys' fees shall be paid;

(b) The injured worker or beneficiary shall be paid twenty-five percent of the balance of the award: **PROVIDED,** That in the event of a compromise and settlement by the parties, the injured worker or beneficiary may agree to a sum less than twenty-five percent;

(c) The department or self-insurer shall be paid the balance of the award, but only to the extent necessary to reimburse the department or self-insurer for compensation or benefits paid;

(d) Any remaining balance shall be paid to the injured worker or beneficiary;

(e) Thereafter no payment shall be made to or on behalf of a worker or beneficiary by the department or self-insurer for such injury until the amount of any further compensation or benefits shall equal any such remaining balance. Thereafter, such benefits shall be paid by the department or self-insurer to or on behalf of the worker or beneficiary as though no third party person claim had been made.

(2) The award or settlement shall be subject to a lien by the department or self-insurer for its share under this section.

NEW SECTION, Sec. 5. There is added to chapter 51.24 RCW a new section to read as follows:

(1) The department or self-insurer may require the injured worker or beneficiary to exercise the right of election under this chapter by serving a written demand by registered mail, certified mail, or personal service on the worker or beneficiary.

(2) Unless an election is made within sixty days of the receipt of the demand, and unless an action is instituted or settled within the time granted by the department or self-insurer, the injured worker or beneficiary is deemed to have assigned the action to the department or self-insurer. The department or self-insurer shall allow the worker or beneficiary at least ninety days from the election to institute or settle the action.

(3) If an action which has been filed is not diligently prosecuted, the department or self-insurer may petition the court in which the action is pending for an order assigning the cause of action to the department or self-insurer. Upon a sufficient showing of a lack of diligent prosecution the court in its discretion may issue the order.

NEW SECTION, Sec. 6. There is added to chapter 51.24 RCW a new section to read as follows:

(1) If the injured worker or beneficiary elects to seek damages from the third person, notice of the election must be given to the department or self-insurer. The notice shall be by registered mail, certified mail, or personal service. If an action is filed by the injured worker or beneficiary, a copy of the complaint must be sent by registered mail to the department or self-insurer.

(2) A return showing service of the notice on the department or self-insurer shall be filed with the court but shall not be part of the record except as necessary to give notice to the defendant of the lien imposed by section 4(2).

NEW SECTION, Sec. 7. There is added to chapter 51.24 RCW a new section to read as follows:

Any compromise or settlement of the third party cause of action by the injured worker or beneficiary which results in less than the entitlement under this title is void unless made with the written approval of the department or self-insurer.

NEW SECTION, Sec. 8. There is added to chapter 51.24 RCW a new section to read as follows:

The fact that the injured worker or beneficiary is entitled to compensation under this title shall not be pleaded or admissible in evidence in any third party action under this chapter. Any challenge of the right to bring such action shall be made by supplemental pleadings only and shall be decided by the court as a matter of law.

NEW SECTION, Sec. 9. This 1977 amendatory act shall apply only to causes of action which arise on or after its effective date.

NEW SECTION, Sec. 10. Section 51.24.010, chapter 23, Laws of 1961, section 7, chapter 274, Laws of 1961, section 37, chapter 289, Laws of 1971 ex. sess., section 93, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.24.010 are each repealed."

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Bond, Ranking Minority Member; Clayton, Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

May 6, 1977

SUBSTITUTE SENATE BILL NO. 2169, Prime Sponsor: Senator Talley, amending law authorizing disposal of gravel and sand from state shorelands onto private property. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 1 insert a new section to read as follows:

"NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "lands;" strike "and" and on line 3 after "79.01.178" insert "; and declaring an emergency"

Signed by Representatives Martinis, Chairman; Wilson, Ranking Minority Member; Fuller, Gilleland, Greengo, May, Schmitt, Shinoda, Smith.

To Committee on Rules for second reading.

May 4, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2197, Prime Sponsor: Senator Woody, revising laws regulating escrow officers and agents. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Section 1, chapter 153, Laws of 1965 as amended by section 1, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.010 are each amended to read as follows:

Unless the context otherwise requires terms used in this chapter shall have the following meanings:

(1) 'Department' means the department of motor vehicles.

(2) 'Director' means the director of the department of motor vehicles, or his duly authorized representative.

(3) 'Escrow' means any transaction wherein any person or persons, for the purpose of effecting and closing the sale, purchase, exchange, transfer, encumbrance, or lease of real or personal property to another person or persons, delivers any written instrument, money, evidence of title to real or personal property, or other thing of value to a third person to be held by such third person until the happening of a specified event or the performance of a prescribed condition or conditions, when it is then to be delivered by such third person, in compliance with instructions under which he is to act, to a grantee, grantor, promisee, promisor, obligee, obligor, lessee, lessor, bailee, bailor, or any agent or employee thereof.

(4) 'Escrow agent' means any ((person)) sole proprietorship, firm, association, partnership, or corporation engaged in the business of performing for compensation the duties of the third person referred to in RCW 18.44.010(3) above.

(5) 'Certificated escrow agent' means any ((person)) sole proprietorship, firm, association, partnership, or corporation holding a certificate of registration as an escrow agent under the provisions of this chapter((; including corporations, firms, copartnerships and sole proprietors)).

(6) 'Person' unless a different meaning appears from the context, includes an individual, a firm, association, partnership or corporation, or the plural thereof, whether resident, nonresident, citizen or not.

(7) 'Escrow officer' means any natural person handling escrow transactions and licensed as such by the director.

(8) 'Escrow commission' means the escrow commission of the state of Washington created by RCW 18.44.210.

(9) 'Controlling person' is any person who owns or controls ten percent or more of the beneficial ownership of any escrow agent, regardless of the form of business organization employed and regardless of whether such interest stands in such person's true name or in the name of a nominee.

Sec. 2. Section 2, chapter 153, Laws of 1965 as last amended by section 2, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.020 are each amended to read as follows:

It shall be unlawful for any person to engage in business as an escrow agent within this state unless such person ((has been registered with the department and issued a)) possesses a valid certificate of registration issued by the director pursuant to this chapter: **PROVIDED**, That the registration and licensing requirements of this chapter shall not apply to:

(1) Any person doing business under the law of this state or the United States relating to banks, trust companies, mutual savings banks, savings and loan associations, credit unions, insurance companies, title insurance companies, the duly authorized agents of title insurance companies the business of which agents is exclusively devoted to the title insurance business, or any federally approved agency or lending institution under the National Housing Act.

(2) Any person licensed to practice law in this state while engaged in the performance of his professional duties.

(3) Any company, broker, or agent subject to the jurisdiction of the director while performing acts in the course of or incidental to sales or purchases of real or personal property handled or negotiated by such company, broker, or agent: PROVIDED, HOWEVER, That no compensation is received for escrow services.

(4) Any transaction in which money or other property is paid to, deposited with, or transferred to a joint control agent for disbursement or use in payment of the cost of labor, material, services, permits, fees, or other items of expense incurred in the construction of improvements upon real property.

(5) Any receiver, trustee in bankruptcy, executor, administrator, guardian, or other person acting under the supervision or order of any superior court of this state or of any federal court.

Sec. 3. Section 3, chapter 153, Laws of 1965 and RCW 18.44.030 are each amended to read as follows:

An application for registration as an escrow agent shall be in writing in such form as is prescribed by the director, and shall be verified on oath by the applicant. If the applicant is a corporation, the application shall include a list of the officers and directors of such corporation, and their addresses; if the applicant is a firm or (~~copartnership~~) partnership, the application shall include a list of the names and addresses of the partners. The application shall include a consent to service of process, in such form as the director shall prescribe, and payment of the fee required by RCW 18.44.080.

Sec. 4. Section 4, chapter 153, Laws of 1965 as amended by section 3, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.040 are each amended to read as follows:

Each applicant shall, at the time of applying for registration, file with the director:

(1) ~~((Affidavits by any three persons listed in subsections (1) through (3) of RCW 18.44.020, stating that they are acquainted with the applicant or its principal officers and that they believe him to be of good character and reputation:))~~ The applicant's business form and place of organization.

(2) In the event the applicant is doing business under an assumed name, a certified copy of the certificate of assumed name as filed with the county clerk in the county or counties in which the applicant does business or proposes to do business, as provided in chapter 19.80 RCW.

(3) The qualification and business history including a commercial type credit and character report from a recognized credit reporting bureau satisfactory to the director on the applicant, principal officers, controlling person, or partners.

(4) Such proof as the director may require concerning the honesty, veracity, and good reputation, as well as the identity of the applicant, principal officers, controlling person, or partners. Identification of the applicant, principal officers, or partners shall include but not be limited to fingerprints.

(5) Whether the applicant, principal officers, or partners have been convicted of any crime within the preceding ten years which relate directly to the business or duties of escrow agents, or have suffered a judgment within the preceding five years in any civil action involving fraud, misrepresentation, or conversion.

(6) The identity of the natural person designated as the escrow officer to supervise the agent's escrow activity.

(7) Any other information the director may reasonably require.

Sec. 5. Section 5, chapter 153, Laws of 1965 as amended by section 4, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.050 are each amended to read as follows:

At the time of filing an application as an escrow agent, or any renewal or reinstatement thereof, the applicant shall satisfy the director that it has obtained ~~((a fidelity bond providing fidelity coverage on the applicant and on each officer and employee of the applicant engaged in escrow transactions. Such applicant shall keep said bond in effect at all times while his certificate of registration is in effect. Such bond shall be a primary commercial blanket bond or its equivalent as required by the director and written by an insurer authorized to transact surety insurance business in the state of Washington. Such bond shall provide fidelity coverage in the amount of two hundred thousand dollars and may be canceled by the surety upon delivering thirty days' written notice to the director and the principal:))~~ the following as evidence of financial responsibility:

(1) A fidelity bond providing coverage in the amount of two hundred thousand dollars on each officer and employee of the applicant engaged in escrow transactions; and

(2) An errors and omissions policy issued to the escrow agent providing coverage in the minimum amount of fifty thousand dollars per loss.

For the purposes of this section, a 'fidelity bond' shall mean a primary commercial blanket bond or its equivalent satisfactory to the director and written by an insurer authorized to transact surety business in the state of Washington. Such bond shall provide fidelity coverage for any fraudulent or dishonest acts committed by any one or more of the employees or officers as defined in the bond, acting alone or in collusion with others. Said bond shall be for the sole benefit of the escrow agent and under no circumstances whatsoever shall the bonding company be liable under the bond to any other party. The bond shall name the escrow agent as obligee and shall protect the obligee against the loss of money or other real or personal property belonging to the obligee, or in which the obligee has a pecuniary interest, or for which the obligee is legally liable or held by the obligee in any capacity, whether the obligee is legally liable therefor or not. The bond may be canceled by the insurer upon delivery of thirty days' written notice to the director and to the escrow agent.

For the purposes of this section, an 'errors and omissions policy' shall mean a group or individual insurance policy satisfactory to the director and issued by an insurer authorized to transact insurance business in the state of Washington. Such policy shall provide coverage for unintentional errors and omissions of

the escrow agent and its employees, and may be canceled by the insurer upon delivery of thirty days' written notice to the director and to the escrow agent.

Except as provided in section 30 of this 1977 amendatory act, the fidelity bond and the errors and omissions policy required by this section shall be kept in full force and effect as a condition precedent to the escrow agent's authority to transact escrow business in this state, and the escrow agent shall supply the director with satisfactory evidence thereof upon request.

Sec. 6. Section 7, chapter 153, Laws of 1965 and RCW 18.44.070 are each amended to read as follows: Every certificated escrow agent shall keep adequate records of all transactions handled by or through him including itemization of all receipts and disbursements of each transaction, which records shall be open to inspection by the director or his authorized representatives.

Every certificated agent shall keep a separate escrow fund account in a recognized Washington state depository authorized to receive funds, in which shall be kept separate and apart and segregated from the agent's own funds, all funds or moneys of clients which are being held by the agent pending the closing of a transaction and such funds shall be deposited not later than the first banking day following receipt thereof.

Violation of this section shall constitute grounds for suspension or revocation of the registration (~~and the certificate thereof~~) or license of any person under this chapter and such additional penalties as may be prescribed in Title 9A RCW.

Sec. 7. Section 8, chapter 153, Laws of 1965 as amended by section 5, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.080 are each amended to read as follows:

The director shall charge and collect the following fees:

(1) For filing an original or a renewal application for registration as an escrow agent, an annual fee of one hundred dollars for the first office or location and ~~((five))~~ twenty-five dollars for each additional office or location.

~~((2) For filing an ((original or a renewal application for registration as an escrow officer, an annual fee of fifty dollars)) application for a change of address, ten dollars for each certificate of registration and for each escrow officer license being so changed.~~

(3) For filing an application for a duplicate of a certificate of registration or of an escrow officer license lost, stolen, destroyed, or for replacement, ~~((five))~~ ten dollars.

(4) All fees received by the director under this chapter shall be paid by him into the state treasury to the credit of the general fund.

Sec. 8. Section 9, chapter 153, Laws of 1965 and RCW 18.44.090 are each amended to read as follows:

Upon the filing of the application for registration as an escrow agent (~~the affidavits of character, the certificate of assumed name, if appropriate, the acceptance of the bond or other indemnity insurance, and the payment of the filing fee~~) on a form provided by the director and satisfying the requirements as set forth in this chapter, the director shall issue and deliver to the applicant a certificate of registration to engage in the business of an escrow agent at the location ((or locations)) set forth in the certificate ((or certificates)).

Sec. 9. Section 13, chapter 153, Laws of 1965 and RCW 18.44.130 are each amended to read as follows:

The revocation, suspension, surrender or expiration of an escrow agent's certificate shall not impair or affect preexisting escrows accepted by the agent prior to such revocation, suspension, surrender or expiration: PROVIDED, That the escrow agent shall within five work days provide written notice to all principals of such preexisting escrows of the agent's loss of registration. The notice shall include as a minimum the reason for the loss of registration, the estimated date for completing the escrow, and the condition of the agent's bond and whether it is in effect or whether notice of cancellation has been given. The notice shall afford the principals the right to withdraw the escrow without monetary loss.

Sec. 10. Section 17, chapter 153, Laws of 1965 and RCW 18.44.160 are each amended to read as follows:

Whenever it shall appear that any person, required by this chapter to register with the department, is conducting business as an escrow agent without having applied for and obtained a certificate of registration, or that any certificated escrow agent is conducting business in a manner deemed unsafe or injurious to the public or any party having business relations with such escrow agent as a contracting party to an escrow agreement as defined in RCW 18.44.010, or in violation of any of the provisions of this chapter, the attorney general or the prosecuting attorney of the appropriate county may, after such investigation as may be necessary, apply to the appropriate court for an order enjoining the person from engaging in or continuing to engage in the activity violative of this chapter, and upon a showing that such person has engaged, or is about to engage, in any such activity, a permanent or temporary injunction, restraining order, or other appropriate order may be issued by the court.

~~((Alternatively or in addition, the attorney general or prosecuting attorney of the appropriate county may bring an action in the superior court to revoke or suspend the registration of any person under this chapter for violation of any provision thereof.))~~

Sec. 11. Section 7, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.200 are each amended to read as follows:

No escrow agent shall engage in the business of handling escrow transactions unless such transactions are ~~((handed by an agent))~~ supervised by a licensed ((as an)) 'escrow officer': PROVIDED, That (1) in the case of a partnership, one licensed partner ((may)) shall act on behalf of the partnership; (2) in the case of a corporation, one licensed officer thereof ((may)) shall act on behalf of the corporation; and (3) each branch office shall be required to have at least one licensed escrow officer designated by the escrow agent. Respon- sibility for the conduct of any escrow agent, escrow officers, or branch escrow officers covered by this chapter

shall rest with the escrow officer having direct supervision of such person's escrow activities. The branch escrow officer shall bear responsibility for persons operating under each branch escrow officer's supervision at a branch escrow office.

Sec. 12. Section 8, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.210 are each amended to read as follows:

There is established an escrow commission of the state of Washington, consisting of the director, who shall be chairman, and four commission members who shall act in an advisory capacity to the director. The commission (~~shall consist of five members, which shall consist of the director who shall be chairman, and the remaining~~) members shall be appointed by the governor for a term of four years each: PROVIDED, That one of such appointees shall be selected from persons designated by the governing authority of the escrow association of Washington, and one shall be selected from designees of the governing authority of the Washington state bar association, and the remaining two members shall be selected from persons engaged in the business of handling escrow transactions(~~(-PROVIDED FURTHER, That for the first term of office, the two members selected at the governor's discretion shall serve for a term of two years each)~~).

Sec. 13. Section 9, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.220 are each amended to read as follows:

Any person desiring to be an escrow officer (~~shall meet the requirement of RCW 18.44.040 and~~) must successfully pass an examination(~~(- be a resident of the state of Washington and furnish such other proof as the director may require concerning his honesty, truthfulness, and good reputation)~~). The person shall make application for an escrow officer examination on a form provided by the director and pay an examination fee of twenty-five dollars. The applicant shall satisfy the director that the applicant is at least eighteen years old and is a resident of the state of Washington.

Sec. 14. Section 11, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.240 are each amended to read as follows:

The escrow officer examination (~~given~~) shall encompass the following:

- (1) Appropriate knowledge of the English language, including reading, writing, and arithmetic(~~(:)~~);
- (2) An understanding of the principles of real estate conveyancing, the general purposes and legal effects of deeds, mortgages, deeds of trust, contracts of sale, exchanges, rental and optional agreements, leases, earnest money agreements, personal property transfers, and encumbrances(~~(:)~~);
- (3) An understanding of the obligations between principal and agent(~~(:)~~); and
- (4) An understanding of the meaning and nature of encumbrances upon real property.

The examination shall be in such form as prescribed by the director and approved by the commission, and shall be given at least annually.

(Upon successful completion of the examination the director shall issue an 'escrow officer' license to the applicant which license shall be renewable annually-)

Sec. 15. Section 12, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.250 are each amended to read as follows:

The (~~commission~~) director shall have the authority to hold educational conferences for the benefit of the industry and shall conduct examinations for licenses as an escrow officer.

Sec. 16. Section 13, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.260 are each amended to read as follows:

The director may, (~~upon his own motion, and shall, upon verified complaint in writing by any person, investigate the actions of any licensed escrow officer and may temporarily~~) upon notice to the escrow agent and to the insurer providing coverage under RCW 18.44.050 as now or hereafter amended, by order deny, suspend, or (~~permanently~~) revoke (~~(or deny such license for any holder who)~~) the certificate of registration or license of any escrow agent or escrow officer if he finds that the applicant or any partner, officer, director, controlling person, or employee is guilty of the following:

- (1) Obtaining a license or registration by means of fraud, misrepresentation, concealment, or through the mistake or inadvertence of the director.
- (2) Violating any of the provisions of this chapter or any lawful rules or regulations made by the director pursuant thereto.
- (3) The commission of a crime against the laws of this or any other state or government, involving moral turpitude or dishonest dealings.
- (4) Knowingly committing or being a party to, any material fraud, misrepresentation, concealment, conspiracy, collusion, trick, scheme, or device whereby any other person lawfully relying upon the word, representation, or conduct of the licensee or agent or any partner, officer, director, controlling person, or employee acts to his injury or damage.

(5) Conversion of any money, contract, deed, note, mortgage, or abstract or other evidence of title to his own use or to the use of his principal or of any other person, when delivered to him in trust or on condition, in violation of the trust or before the happening of the condition; and failure to return any money or contract, deed, note, mortgage, abstract or other evidence of title within thirty days after the owner thereof is entitled thereto, and makes demand therefor, shall be prima facie evidence of such conversion.

(6) Failing, upon demand, to disclose any information within his knowledge to, or to produce any document, book, or record in his possession for inspection of, the director or his authorized representatives (~~(acting by authority of law)~~).

(7) Committing any act of fraudulent or dishonest dealing, and a certified copy of the final holding of any court of competent jurisdiction in such matter shall be conclusive evidence in any hearing under this chapter.

(8) Accepting, taking or charging any undisclosed commission, rebate or direct profit on expenditures made for the principal.

Sec. 17. Section 14, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.270 are each amended to read as follows:

The proceedings for revocation ((or)), suspension ((of a license)), or refusal to renew ((a license)) or accept an application for renewal of an escrow agent's registration or escrow officer license, and any appeal therefrom or review thereof shall be governed by the provisions of chapter 34.04 RCW.

NEW SECTION. Sec. 18. There is added to chapter 18.44 RCW a new section to read as follows:

No escrow agent, officer, or employee shall publish or otherwise place before the public any advertisement, announcement, or statement which uses or makes reference to the existence of the financial responsibility requirements of this chapter, including but not limited to references to 'bonded' or 'insured'.

No firm or organization engaged in escrow transactions, whether or not such firm is doing business in a corporate form, shall use in the name of such firm any reference to the financial responsibility requirements of this chapter, including but not limited to 'bonded' or 'insured'.

NEW SECTION. Sec. 19. There is added to chapter 18.44 RCW a new section to read as follows:

Notice in writing shall be given to the director and to the insurer providing coverage under RCW 18.44.050 as now or hereafter amended of any change of business location or of branch office location. Upon the surrender of the original registration for the agent or the registration applicable to a branch office and a payment of a fee, the director shall issue a new certificate covering the new location.

NEW SECTION. Sec. 20. There is added to chapter 18.44 RCW a new section to read as follows:

If the director determines after notice and hearing that a person has:

- (1) Violated any provision of this chapter; or
- (2) Directly, or through an agent or employee, engaged in any false, deceptive, or misleading
 - (a) advertising or promotional activity, or
 - (b) business practices; or
- (3) Violated any lawful order, rule, or regulation of the director; the director may issue an order

requiring the person to cease and desist from the unlawful practice and to take such affirmative action as in the judgment of the director will carry out the purposes of this chapter.

If the director makes a finding of fact in writing that the public interest will be irreparably harmed by delay in issuing an order, the director may issue a temporary cease and desist order. Prior to issuing the temporary cease and desist order, the director, whenever possible by telephone or otherwise, shall give notice of the proposal to issue a temporary cease and desist order to the person. Every temporary cease and desist order shall include in its terms a provision that upon request a hearing will be held to determine whether or not the order becomes permanent.

If it appears that a person has engaged or is about to engage in an act or practice constituting a violation of a provision of this chapter, or a rule or order under this chapter, the director, with or without prior administrative proceedings, may bring an action in the superior court to enjoin the acts or practices and to enforce compliance with this chapter or any rule, regulation, or order under this chapter. Upon proper showing, injunctive relief or temporary restraining orders shall be granted and a receiver or conservator may be appointed. The director shall not be required to post a bond in any court proceedings.

NEW SECTION. Sec. 21. There is added to chapter 18.44 RCW a new section to read as follows:

The director may:

- (1) Make necessary public or private investigations within or outside of this state to determine whether any person has violated or is about to violate this chapter or any rule, regulation, or order under this chapter, or to aid in the enforcement of this chapter or in the prescribing of rules and forms under this chapter; or
- (2) Require or permit any person to file a statement in writing, under oath or otherwise as the director determines, as to all facts and circumstances concerning the matter to be investigated.

For the purpose of any investigation or proceeding under this chapter, the director or any officer designated by him may administer oaths or affirmations, and upon his own motion or upon request of any party, may subpoena witnesses, compel their attendance, take evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge or relevant facts, or any other matter reasonably calculated to lead to the discovery of material evidence.

Upon failure to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable notice to all persons affected thereby, the director may apply to the superior court for an order compelling compliance.

Except as otherwise provided in this chapter, all proceedings under this chapter shall be in accordance with the administrative procedure act, chapter 34.04 RCW.

NEW SECTION. Sec. 22. There is added to chapter 18.44 RCW a new section to read as follows:

Any person desiring to be an escrow officer shall meet the requirements of RCW 18.44.220 as provided in this chapter. The applicant shall make application endorsed by a certificated escrow agent to the director on a form to be prescribed and furnished by the director. Such application must be received by the director within one year of passing the escrow officer examination. With this application the applicant shall:

- (1) Pay a license fee as set forth in this chapter; and
- (2) Furnish such proof as the director may require concerning his honesty, truthfulness, good reputation, and identity, including but not limited to fingerprints.

NEW SECTION. Sec. 23. There is added to chapter 18.44 RCW a new section to read as follows:

Any person desiring to be an escrow officer must include with the application a license fee of fifty dollars. Every escrow officer license issued under the provisions of this chapter expires on the date one year from the date of issue which date will henceforth be the renewal date. An annual license renewal fee in the same amount must be paid on or before each renewal date: **PROVIDED**, That licenses issued or renewed prior to the effective date of this 1977 amendatory act shall use the existing renewal date as the date of issue. If the application for a renewal license is not received by the director on or before the renewal date such license is expired. The license may be reinstated at any time prior to the next succeeding renewal date following its expiration upon the payment to the director of the annual renewal fee then in default. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency. Licenses not renewed within one year of the renewal date then in default shall be cancelled. A new license may be obtained by satisfying the procedures and qualifications for initial licensing, including where applicable successful completion of examinations.

NEW SECTION, Sec. 24. There is added to chapter 18.44 RCW a new section to read as follows:

The license of an escrow officer shall be retained and displayed at all times by the certificated escrow agent, and when the officer ceases to represent the agent, the license shall cease to be in force. Notice of such termination shall be given by the next regular business day by the escrow agent to the director and such notice shall be accompanied by and include the surrender of the escrow officer's license. Failure to notify the director of such termination after demand by the affected escrow officer shall work a forfeiture of the escrow agent's certificate of registration.

The director may hold the escrow officer's license inactive for a period not exceeding three consecutive years upon application of the escrow officer: **PROVIDED**, That the escrow officer shall pay the annual renewal fee. Such license may be activated upon application of a certificated escrow agent on a form provided by the director, endorsement by an escrow officer, and the payment of a ten dollar fee. The director shall thereupon issue a new license for the unexpired term if such escrow officer is otherwise entitled thereto. An escrow officer's first license shall not be issued inactive.

NEW SECTION, Sec. 25. There is added to chapter 18.44 RCW a new section to read as follows:

The director may issue rules and regulations to govern the activities of certificated escrow agents and escrow officers. The director shall enforce all laws, rules, and regulations relative to the registration of escrow agents and licensing of escrow officers. The director may hold hearings and suspend or revoke the registration or licenses of violators and may deny, suspend, or revoke the authority of an escrow officer to act as the designated escrow officer of a person who commits violations of this chapter or of the rules and regulations.

Except as specifically provided in this chapter, the rules adopted and the hearings conducted shall be in accordance with the provisions of chapter 34.04 RCW, the administrative procedure act.

NEW SECTION, Sec. 26. There is added to chapter 18.44 RCW a new section to read as follows:

An escrow agent shall not operate an escrow business in a location other than the location set forth on the agent's certificate of registration issued by the director. The escrow agent may apply to the director for authority to establish one or more branch offices under the same name as the main office.

Any person desiring to operate a branch escrow office shall make application on a form provided by the director and pay a fee as set forth in this chapter. Such application shall identify the natural person designated as the escrow officer to supervise the agent's escrow activity at the escrow agent branch office.

No escrow agent branch office certificate of registration shall be issued until the applicant has satisfied the director that the escrow activity of said branch meets all financial responsibility requirements governing the conduct of escrow activity.

NEW SECTION, Sec. 27. There is added to chapter 18.44 RCW a new section to read as follows:

Upon the filing of the application for an escrow agent branch office and satisfying the requirements of this chapter, the director shall issue and deliver to the applicant a certificate of registration to engage in the business of an escrow agent at the branch location set forth on the certificate.

NEW SECTION, Sec. 28. There is added to chapter 18.44 RCW a new section to read as follows:

Each escrow agent and escrow agent branch office certificate of registration and each escrow officer license, when issued, shall be in the form and size prescribed by the director and shall state in addition to any other matter required by the director:

- (1) The name of the licensee or registrant;
- (2) The name under which the applicant will do business;
- (3) The address at which the applicant will do business;
- (4) The expiration date of the license or registration; and
- (5) In the case of a corporation, partnership, or branch office, the name of the natural person who is designated to act as the escrow officer on behalf thereof.

NEW SECTION, Sec. 29. There is added to chapter 18.44 RCW a new section to read as follows:

The four escrow commission members shall each receive fifty dollars per day for each day engaged in official business of the commission, plus travel expenses as provided for state officials and employees in RCW 43.03.050 and 43.03.060, when called into session by the director or when otherwise engaged in the business of the commission.

NEW SECTION, Sec. 30. There is added to chapter 18.44 RCW a new section to read as follows:

The director shall, within thirty days after the written request of the escrow commission, hold a public hearing to determine whether the fidelity bond and/or the errors and omissions policy specified in RCW 43.04.050 as now or hereafter amended is reasonably available to a substantial number of certificated escrow agents. If the director determines and the insurance commissioner concurs that such bond and/or policy is

not reasonably available, the director shall waive the requirements for such bond and/or policy for a fixed period of time not to exceed ninety days after the next regular session of the legislature.

NEW SECTION. Sec. 31. There is added to chapter 18.44 RCW a new section to read as follows:

After a written determination by the director, with the consent of the insurance commissioner, that the fidelity bond and/or the errors and omissions policy required under RCW 18.44.050 as now or hereafter amended is cost-prohibitive, or after a determination as provided in section 30 of this 1977 amendatory act that such bond or policy is not reasonably available, upon the request of an association comprised of certificated escrow agents, the director, with the consent of the insurance commissioner, may authorize such association to organize a mutual corporation pursuant to chapter 24.06 RCW, exempt from the provisions of Title 48 RCW, for the purpose of insuring or self-insuring against claims arising out of escrow transactions, if, in the director's judgment, there is a substantial likelihood that the corporation will operate for the benefit of the public and if the corporation shall have established rules, procedures, and reserves which satisfy the director that it will operate in a financially responsible manner which provides a substantial probability that it shall be able to pay any claims made against the corporation, up to the limits of financial responsibility as provided in RCW 18.44.050, as now or hereafter amended. The director, with the consent of the insurance commissioner, may limit the authority of the corporation to the insuring or self-insuring of claims which would be within the coverage specified in RCW 18.44.050. The director, with the consent of the insurance commissioner, may revoke the authority of the corporation to transact insurance or self-insurance if he determines, pursuant to chapter 34.04 RCW, that the corporation is not acting in a financially responsible manner or for the benefit of the public. Any corporation established pursuant to this section shall cease to exist, except for the payment of incurred claims, ninety days after the next regular session of the legislature unless extended by law for an additional fixed period of time.

NEW SECTION. Sec. 32. Section 10, chapter 245, Laws of 1971 ex. sess., section 1, chapter 163, Laws of 1973 1st ex. sess. and RCW 18.44.230 are each repealed.

NEW SECTION. Sec. 33. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 34. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect on June 15, 1977.*

In the title, line 1, strike everything after "escrow;" and insert "amending section 1, chapter 153, Laws of 1965 as amended by section 1, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.010; amending section 2, chapter 153, Laws of 1965 as last amended by section 2, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.020; amending section 3, chapter 153, Laws of 1965 and RCW 18.44.030; amending section 4, chapter 153, Laws of 1965 as amended by section 3, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.040; amending section 5, chapter 153, Laws of 1965 as amended by section 4, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.050; amending section 7, chapter 153, Laws of 1965 and RCW 18.44.070; amending section 8, chapter 153, Laws of 1965 as amended by section 5, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.080; amending section 9, chapter 153, Laws of 1965 and RCW 18.44.090; amending section 13, chapter 153, Laws of 1965 and RCW 18.44.130; amending section 17, chapter 153, Laws of 1965 and RCW 18.44.160; amending section 7, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.200; amending section 8, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.210; amending section 9, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.220; amending section 11, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.240; amending section 12, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.250; amending section 13, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.260; amending section 14, chapter 245, Laws of 1971 ex. sess. and RCW 18.44.270; adding new sections to chapter 18.44 RCW; repealing section 6, chapter 153, Laws of 1965 and RCW 18.44.060; repealing section 10, chapter 245, Laws of 1971 ex. sess., section 1, chapter 163, Laws of 1973 1st ex. sess. and RCW 18.44.230; declaring an emergency; and prescribing an effective date.*

Signed by Representatives Douthwaite, Chairman; Grier, Vice Chairman; Barnes, Erak, Keller, Knedlik, Sanders, Taller.

To Committee on Rules for second reading.

May 6, 1977

SENATE BILL NO. 2202, Prime Sponsor: Senator Donohue, regulating funds and properties managed by the department of natural resources. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Wilson, Ranking Minority Member; Fuller, Gilleland, Greengo, May, Schmitten, Shinoda, Smith.

To Committee on Rules for second reading.

May 6, 1977

ENGROSSED SENATE BILL NO. 2211, Prime Sponsor: Senator Talley, authorizing commission on harbor lines to change harbor lines. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Wilson, Ranking Minority Member; Fuller, Gilleland, Greengo, May, Schmitten, Shinoda, Smith.

To Committee on Rules for second reading.

May 5, 1977

SUBSTITUTE SENATE BILL NO. 2389, Prime Sponsor: Senator Day, providing for payment of fees for certain tests by state laboratories. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 10 after "chapter" insert ", such fees to be charged to the parents of the infant tested"
Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Lux, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

May 5, 1977

SENATE BILL NO. 2479, Prime Sponsor: Senator Day, allowing a monthly earned income exemption for unemployable persons under the public assistance laws. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Whiteside, Ranking Minority Member; Barr, Fortson, Gruger, Haley, Lux, May, Newhouse, Pearsall, Pruitt, Schmitten.

To Committee on Rules for second reading.

May 5, 1977

ENGROSSED SENATE BILL NO. 2485, Prime Sponsor: Senator Bottiger, establishing new functional classification for highways. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 17 strike all of subsection (a) down through line 24 and insert a new subsection to read as follows:

"(a) The 'principal arterial system' shall consist of a connected network of rural arterial routes with appropriate extensions into and through urban areas, including all routes designated as part of the interstate system, which serve corridor movements having travel characteristics indicative of substantial statewide and interstate travel;"

On page 2, line 12 after "commission" strike "may" and insert "shall"

On page 2, line 27 after "service" insert "which shall include public transportation"

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Bender, Burns, Charnley, Dunlap, Gallagher, Lysen, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

May 5, 1977

SENATE BILL NO. 2493, Prime Sponsor: Senator Sandison, making miscellaneous changes in community college law. Reported by Committee on Higher Education.

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. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

The district board of trustees of any community college district currently operating an educational program with funds provided by another state agency, including federal funds, which program has been in existence for five or more years under the administration of one or more community college districts, shall provide for the award or denial of tenure to anyone who holds a special faculty appointment in such curricular program and for as long as the program continues to be funded in such manner, utilizing the prescribed probationary processes and procedures set forth in this chapter with the exception that no student representative shall be required to serve on the review committee defined in RCW 28B.50.851: PROVIDED, That such review processes and procedures shall not be applicable to faculty members whose contracts are renewed after the effective date of this 1977 amendatory act and who have completed at least three consecutive years of satisfactory full time service in such program, who shall be granted tenure by the community college district: PROVIDED FURTHER, That faculty members who have completed one year or more of satisfactory full time service in such program shall be credited with such service for the purposes of this section: PROVIDED, FURTHER, That provisions relating to tenure for faculty under the provisions of this section shall be distinct from provisions relating to tenure for other faculty of the community college district

and faculty appointed to such special curricular program shall be treated as a separate unit as respects selection, retention, reduction in force or dismissal hereunder: AND PROVIDED FURTHER, That the provisions of this section shall only be applicable to faculty holding a special faculty appointment in an educational program operated in a state correctional institution pursuant to a written contract with a community college district.

Sec. 2. Section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 17, chapter 62, Laws of 1973 and RCW 28B.50.100 are each amended to read as follows:

There is hereby created a community college board of trustees for each community college district as set forth in this chapter. Each community college board of trustees shall be composed of five trustees, who shall be appointed by the governor for terms commencing October 1st of the year in which appointed. In making such appointments the governor shall give consideration to geographical exigencies, and the interests of labor, industry, agriculture, the professions and ethnic groups.

The successors of the trustees initially appointed shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of the term.

Every trustee shall be a resident and qualified elector of his community college district. No trustee may be an employee of the community college system, a member of the board of directors of any school district, a member of the governing board of any public or private educational institution, or an elected officer or member of the legislative authority of any municipal corporation.

Each board of trustees shall organize itself by electing a chairman from its members. The board shall adopt a seal and may adopt such bylaws, rules and regulations as it deems necessary for its own government. Three members of the board shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws, rules, or regulations. The district president, or if there be none, the president of the community college, shall serve as, or may designate another person to serve as, the secretary of the board, who shall not be deemed to be a member of the board.

NEW SECTION. Sec. 3. Notwithstanding any other provisions of law, the terms for present members of the community college boards of trustees shall be extended for a period of six months, or not later than October 1st of the year of expiration, to carry out the purposes of section 2 of this 1977 amendatory act.

Sec. 4. Section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 16, chapter 62, Laws of 1973 and RCW 28B.50.090 are each amended to read as follows:

The college board shall have general supervision and control over the state system of community colleges. In addition to the other powers and duties imposed upon the college board by this chapter, the college board shall be charged with the following powers, duties and responsibilities:

(1) Review the budgets prepared by the community college boards of trustees, prepare a single budget for the support of the state system of community colleges and adult education, and submit this budget to the governor as provided in RCW 43.88.090; the coordinating council shall assist with the preparation of the community college budget that has to do with vocational education programs;

(2) Establish guidelines for the disbursement of funds; and receive and disburse such funds for adult education and maintenance and operation and capital support of the community college districts in conformance with the state and district budgets, and in conformance with chapter 43.88 RCW;

(3) Ensure, through the full use of its authority:

(a) that each community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; and community services of an educational, cultural, and recreational nature; and adult education: PROVIDED, That notwithstanding any other provisions of this chapter, a community college shall not be required to offer a program of vocational-technical training, when such a program as approved by the coordinating council for occupational education is already operating in the district;

(b) that each community college district shall maintain an open-door policy, to the end that no student will be denied admission because of the location of his residence or because of his educational background or ability; that, insofar as is practical in the judgment of the college board, curriculum offerings will be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: PROVIDED, That the administrative officers of a community college may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, he would not be competent to profit from the curriculum offerings of the community college, or would, by his presence or conduct, create a disruptive atmosphere within the community college not consistent with the purposes of the institution;

(4) Prepare a comprehensive master plan for the development of community college education and training in the state; and assist the office of program planning and fiscal management in the preparation of enrollment projections to support plans for providing adequate community college facilities in all areas of the state;

(5) Define and administer criteria and guidelines for the establishment of new community colleges or campuses within the existing districts;

(6) Establish criteria and procedures for modifying district boundary lines consistent with the purposes set forth in RCW 28B.50.020 as now or hereafter amended and in accordance therewith make such changes as it deems advisable;

(7) Establish minimum standards to govern the operation of the community colleges with respect to:

(a) qualifications and credentials of instructional and key administrative personnel, except as otherwise provided in the state plan for vocational education,

(b) internal budgeting, accounting, auditing, and financial procedures as necessary to supplement the general requirements prescribed pursuant to chapter 43.88 RCW,

(c) the content of the curriculums and other educational and training programs, and the requirements, degrees and diplomas awarded by the colleges,

(d) standard admission policies;

(8) Establish and administer criteria and procedures for all capital construction including the establishment, installation, and expansion of facilities within the various community college districts;

(9) Encourage innovation in the development of new educational and training programs and instructional methods; coordinate research efforts to this end; and disseminate the findings thereof;

(10) Exercise any other powers, duties and responsibilities necessary to carry out the purposes of this chapter;

(11) Authorize the various community colleges to offer programs and courses in other districts when it determines that such action is consistent with the purposes set forth in RCW 28B.50.020 as now or hereafter amended;

(12) Notwithstanding any other law or statute regarding the sale of state property, sell or exchange and convey any or all interest in any community college real and personal property, except such property as is received by a community college district in accordance with RCW 28B.50.140(8), when it determines that such property is surplus or that such a sale or exchange is in the best interests of the community college system;

(13) Notwithstanding the provisions of subsection (12) of this section, may receive such gifts, grants, conveyances, devises, and bequests of real or personal property from private sources as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs and may sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

The college board shall have the power of eminent domain.

Sec. 5. Section 17, chapter 15, Laws of 1970 ex. sess. as amended by section 19, chapter 62, Laws of 1973 and RCW 28B.50.140 are each amended to read as follows:

Each community college board of trustees:

(1) Shall operate all existing community colleges and vocational-technical institutes in its district;

(2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);

(3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and notwithstanding any other provision of law, publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships, conduct at the various community college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board;

(16) Notwithstanding any other provision of law, may offer educational services on a contractual basis other than the tuition and fee basis set forth in chapter 28B.15 RCW for a special fee to private or governmental entities, consistent with rules and regulations adopted by the state board for community college education: PROVIDED, That the whole of such special fee shall go to the college district and be not less than the full instructional costs of such services: PROVIDED FURTHER, That enrollments generated hereunder shall not be counted toward the official enrollment level of the college district for state funding purposes.

(17) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; such association may expend any or all of such funds to submit biennially, or more often if necessary, to the governor and to the legislature, the recommendations of the association regarding changes which would affect the efficiency of such association; and

~~((+7))~~ (18) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

Sec. 6. Section 28B.50.300, chapter 223, Laws of 1969 ex. sess. as amended by section 73, chapter 81, Laws of 1971 and RCW 28B.50.300 are each amended to read as follows:

Title to or all interest in real estate, choses in action and all other assets, including but not limited to assignable contracts, cash, deposits in county funds (including any interest or premiums thereon), equipment, buildings, facilities, and appurtenances thereto held as of the date of passage of this act by or for a school district and obtained identifiably with federal, state or local funds appropriated for community college purposes or post-high school vocational educational purposes, or used or obtained with funds budgeted for community college purposes or post-high school vocational educational purposes, or used or obtained primarily for community college or vocational educational purposes, shall, on the date on which the first board of trustees of each district takes office, vest in or be assigned to the state board for community college education: PROVIDED, That cash, funds, accounts or other deposits obtained or raised by a school district to pay for indebtedness, bonded or otherwise, contracted on or before April 3, 1967 for community college purposes shall remain with and continue to be, after April 3, 1967, an asset of the school district: AND PROVIDED FURTHER, That any option acquired by the school district to purchase real property which in the judgment of the school district will be used in the common school program may remain with the school district notwithstanding that such option was obtained in consideration of the purchase by such school district of other property for community college purposes: AND PROVIDED FURTHER, That unexpended funds of a common school district derived from the sale, prior to July 1, 1967, of bonds authorized for any purpose which includes community college purposes and not committed for any existing construction contract, shall remain with and continue to be an asset of such common school district, unless within thirty days after said date such common school district determines to transfer such funds to the board of trustees.

~~((For the purposes of this section and to facilitate the process of allocating the assets, the board of directors of each school district in which a community college is located, and the president of each community college, shall each submit to the state board of education, and the state board for community college education within sixty days of April 3, 1967, an inventory listing all real estate, personal property, choses in action, and other assets, held by a school district, which under the criteria of this section, will become the assets of the state board for community college education: PROVIDED, That assets used "primarily" for community college purposes shall include, but not be limited to, all assets currently held by school districts which have been used on an average of at least seventy-five percent of the time during the school year 1965-1966, or if acquired subsequent to July 1, 1966, since its time of acquisition, for community college purposes:~~

~~PROVIDED, FURTHER, That the ultimate decision and approval with respect to the allocation and disposition of the assets under this section shall be made by the governor, or an advisory committee appointed by him for that purpose. The decision of the governor or his advisory committee may be appealed within sixty days after such decision is issued by appealing to the district court of Thurston county. The decision of the superior court may be appealed to the supreme court or the court of appeals of the state in accordance with the provision of the Administrative Procedure Act, chapter 34.04 RCW-)~~

Sec. 7. Section 38, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.860 are each amended to read as follows:

A tenured faculty member, upon appointment to an administrative appointment((-except that of president;)) shall be allowed to retain his tenure.

NEW SECTION. Sec. 8. The following acts or parts thereof are hereby repealed:

(1) Section 28B.50.570, chapter 223, Laws of 1969 ex. sess., section 23, chapter 62, Laws of 1973 and RCW 28B.50.570;

(2) Section 28B.50.590, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.590;

(3) Section 28B.50.750, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.750; and

(4) Section 6, chapter 133, Laws of 1972 ex. sess. and RCW 28B.56.060.

NEW SECTION. Sec. 9. Sections 2 and 3 of this 1977 amendatory act shall not take effect until January 1, 1978.

NEW SECTION. Sec. 10. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On line 1 of the title after "colleges;" strike the remainder of the title and insert the following:

"amending section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 17, chapter 62, Laws of 1973 and RCW 28B.50.100; amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 16, chapter 62, Laws of 1973 and RCW 28B.50.090; amending section 17, chapter 15, Laws of 1970 ex. sess. as amended by section 19, chapter 62, Laws of 1973 and RCW 28B.50.140; amending section 28B.50.300, chapter 223, Laws of 1969 ex. sess. as amended by section 73, chapter 81, Laws of 1971 and RCW 28B.50.300; amending section 38, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.860; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; repealing section 28B.50.570, chapter 223, Laws of 1969 ex. sess., section 23, chapter 62, Laws of 1973 and RCW 28B.50.570; repealing section 28B.50.590, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.590; repealing section 28B.50.750, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.750; repealing section 6, chapter 133, Laws of 1972 ex. sess. and RCW 28B.56.060; and making effective dates."

Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Enbody, Haley, Oliver, Patterson, Thompson.

To Committee on Rules for second reading.

May 6, 1977

ENGROSSED SENATE BILL NO. 2512, Prime Sponsor: Senator von Reichbauer, giving preference to the acquisition of historical landmarks for public needs. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Owen, Paris.

To Committee on Rules for second reading.

May 5, 1977

SUBSTITUTE SENATE BILL NO. 2530, Prime Sponsor: Senator Henry, requiring new school buses over thirty-six feet six inches long to have three axles. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Bender, Dunlap, Gallagher, Lysen, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

May 6, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2619, Prime Sponsor: Senator Benitz, relating to irrigation projects. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Amen, Ranking Minority Member; Clayton, Flanagan, Hansen.

To Committee on Rules for second reading.

May 5, 1977

SUBSTITUTE SENATE BILL NO. 2638, Prime Sponsor: Senator Day, authorizing certain alternative systems for correcting septic tank failures. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

- On page 2, line 7 strike "state" and insert "stated"
- On page 2, line 8 after "secretary of" insert "the department of"
- On page 2, line 9 after "services" insert a comma
- On page 2, line 13 after "secretary of" insert "the department of"
- On page 2, line 18 strike "1" and insert "2"

Signed by Representatives Adams, Chairman; Kreidler, Vice Chairman; Fortson, Gruger, Haley, Lux, Pearsall, Pruitt, Schmitten.

MINORITY recommendation: Do not pass. Signed by Representatives Barr, May, Newhouse.

To Committee on Rules for second reading.

May 6, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2949, Prime Sponsor: Senator Bottiger, implementing the gambling act. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Gallagher, Hansen, Owen, Struthers, Walk.

POINT OF ORDER

Mr. Polk: "Mr. Speaker, House Rule 81 requires that a majority recommendation of a committee must be signed by the majority of the entire membership of the committee in a regularly called meeting before a bill may be reported out. Engrossed Substitute Senate Bill No. 2949 was not signed in accordance with that rule. Looking at the committee report, there are seven signatures, two of whom were not present at the meeting, including the committee chairman. It is not proper, under the House rules, for this bill to be read in and reported for Rules Committee second reading."

The Speaker (Mr. O'Brien presiding): "Your point of order is on the validity of the signing of the do pass report. What would you like to have us do?"

Mr. Polk: "Mr. Speaker, the report of the committee should not be accepted by the body, but it should be referred back to the committee until they have had a meeting at which time they come out with seven signatures of people who are actually there at the meeting. It's not possible for the body to accept the committee report."

The Speaker (Mr. O'Brien presiding): "What names do you have that are in question?"

Mr. Polk: "I could question two names—that of Representative Warnke and Representative Owen. Representative Warnke, being the committee chairman, was not present; his vice chairman conducted the meeting, so at no time could there have been more than six there. As a matter of fact, there were only five members there when the vote was taken. There was not even a quorum present, and under Rule 82 there should be a quorum required also. I believe they are in violation of two House rules and therefore the body should not accept that committee report. It should be reported back to committee. Further, the Chair should reject the report, rather than the body, because it would require a suspension of the rules for the body to do that, but the Chair should automatically send it back to the committee."

The Speaker (Mr. O'Brien presiding): "The Speaker will withhold rendering an opinion on your point of order until we have checked the question and we will hold the bill where it is on Committee Reports until we check out your statement."

POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "Going back to Rule 81, where it does state that a majority of the entire membership of the committee in a regularly called meeting must be present before a bill is passed out, we understand that, but would you give us a ruling as to the necessity of a quorum being present in a committee before action is taken on a bill? I think that is the issue before us, a quorum was not present."

The Speaker (Mr. O'Brien presiding): "Representative Berentson, the Speaker will interpret the rule literally, but I am holding the ruling on the point of order until we have checked some of the statements made by Representative Polk."

Mr. Berentson: "Can you tell us the procedure you will use to determine whether a quorum was present? I assume you are going to check the roll call in the committee. It is quite apparent, in our opinion, that a quorum was not present. Our members were there."

The Speaker (Mr. O'Brien presiding): "We intend to check your assumptions."

May 6, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3036, Prime Sponsor: Senator Van Hollebeke, authorizing class H licenses for facilities on the premises of domestic wineries. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Gallagher, Hawkins, Owen, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

May 6, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3071, Prime Sponsor: Senator Peterson, extending and updating the commercial fishing gear reduction program. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Wilson, Ranking Minority Member; Enbody, Fuller, Gilleland, May, Schmitt, Shinoda, Smith.

To Committee on Rules for second reading.

May 6, 1977

SUBSTITUTE SENATE BILL NO. 3109, Prime Sponsor: Senator Donohue, adopting the 1977-1979 operating budget. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. A budget is hereby adopted and subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, other expenses of the agencies and officers of the state, and for other specified purposes for the fiscal biennium beginning July 1, 1977, and ending June 30, 1979, except as otherwise provided, out of the several funds of the state hereinafter named.

Any appropriation or appropriations contained in this act shall be subject to the conditions and limitations set forth in the section making such appropriation or appropriations. Such conditions and limitations shall be strictly construed.

NEW SECTION. Sec. 2. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation	\$	16,832,000
Total Appropriation	\$	16,832,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$12,500 shall be expended for expenses incurred in hosting the 1978 annual meeting of The Council of State Governments, Western Conference.
- (2) \$7,500 for the house ethics committee.
- (3) \$7,500 for Western Forest Practices Task Force.
- (4) \$27,000 for dues of the National Conference of State Legislatures.
- (5) \$5,000,000 for the 1979 legislative session.

NEW SECTION. Sec. 3. FOR THE SENATE

General Fund Appropriation	\$	10,011,500
Total Appropriation	\$	10,011,500

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$25,000 shall be expended for expenses incurred in hosting the 1977 Lieutenant Governors' Annual Conference.
- (2) \$7,500 for the senate ethics committee.
- (3) \$7,500 for Western Forest Practices Task Force.
- (4) \$27,000 for dues of the National Conference of State Legislatures.
- (5) Not more than \$12,500 shall be expended for expenses incurred in hosting the 1978 annual meeting of the Council of State Governments, Western Conference.

NEW SECTION. Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation	\$	831,412
Total Appropriation	\$	831,412

The appropriation contained in this section shall be subject to the following condition or limitation: A performance audit of the state library shall be conducted.

NEW SECTION. Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation	\$	864,708
Total Appropriation	\$	864,708

NEW SECTION. Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation	\$	292,000
Total Appropriation	\$	292,000

NEW SECTION. Sec. 7. FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation	\$	3,012,769
Total Appropriation	\$	3,012,769

NEW SECTION. Sec. 8. FOR THE SUPREME COURT

General Fund Appropriation	\$	3,610,000
Total Appropriation	\$	3,610,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$747,387 shall be expended exclusively for expenses incurred in perfecting appellate review of indigent cases.

NEW SECTION. Sec. 9. FOR THE LAW LIBRARY

General Fund Appropriation	\$	1,056,000
Total Appropriation	\$	1,056,000

The appropriation contained in this section shall be subject to the following conditions and limitations: (1) Not more than \$36,000 shall be expended exclusively for joining a computerized legal information system.

(2) The Revised Code of Washington and appellate case law shall be available on the computerized legal information system.

(3) All nonstate agency users of the system shall be charged a service fee sufficient to cover the costs of their usage.

NEW SECTION. Sec. 10. FOR THE COURT OF APPEALS

General Fund Appropriation	\$	3,075,000
Total Appropriation	\$	3,075,000

NEW SECTION. Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	6,346,305
Total Appropriation	\$	6,346,305

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$155,194 shall be expended exclusively for criminal cost bills.

(2) The SCOMIS system shall be 90% complete by June 30, 1979, if LEAA funding is provided.

(3) Not more than \$1,082,539 in state funds shall be expended exclusively for the development of a judicial information system and the upgrade of the Legislative Information System.

(4) Not more than \$89,472 shall be expended exclusively for judges pro tem for the superior courts and the administrator for the courts shall authorize and approve all such expenditures.

(5) Not more than \$4,397,000 shall be expended exclusively for superior court judges.

NEW SECTION. Sec. 12. FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	186,219
Total Appropriation	\$	186,219

NEW SECTION. Sec. 13. FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$	2,436,761
General Fund Appropriation—Federal	\$	200,000
Total Appropriation	\$	2,636,761

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$2,339,165 for executive operations. \$20,000 of such amount shall be expended for negotiating reciprocal agreements with adjoining states.

(2) \$20,000 for investigation and emergency purposes to be distributed on vouchers approved by the governor.

(3) \$184,096 for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives when approved by the governor, including prior claims and for legal services as determined by the attorney general.

(4) \$93,500 for mansion maintenance.

NEW SECTION. Sec. 14. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation	\$	1,421,360
Total Appropriation	\$	1,421,360

The appropriation contained in this section shall be subject to the following conditions and limitations:
 (1) \$630,000 for the governor's emergency fund to be allocated for the purpose of carrying out the critically necessary work of any agency.

(2) Not more than \$700,000 may be allotted by the governor exclusively for survey and special study purposes.

(3) \$20,000 for the Interstate Nuclear Compact.

(4) \$56,360 for the Council on State Governments.

(5) \$15,000 for the National Association of State Auditors, Comptrollers, and Treasurers Conference.

NEW SECTION, Sec. 15. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State	\$ 151,623,271
General Fund Appropriation—Federal	\$ 21,419,000
Special Fund Salary and Insurance Contribution Increase Revolving Fund	
Appropriation	\$ 59,818,000
Total Appropriation	\$ 232,860,271

The salary and benefit increases provided for in this act (based on current salaries with fiscal year 1979 increases compounded) equate to average percentage increases by jurisdiction as follows:

	STATE PERSONNEL BOARD	HIGHER EDUCATION PERSONNEL BOARD	WASHINGTON STATE PATROL
Salary Increases Separate Funding			
Fiscal Year 1978	10.1%	9.35%	8%
Fiscal Year 1979	6%	6%	7.6%
Total	16.1%	15.35%	15.6%

Salary Increments Funded in Agency Budgets			
Fiscal Year 1978	2.4%	2.4%	2.4%
Fiscal Year 1979	2.4%	2.4%	2.4%
Total	4.8%	4.8%	4.8%

Insurance Benefit Increases			
Fiscal Year 1978	3.7%	4.2%	2.7%
Fiscal Year 1979	0%	0%	0%
Total	3.7%	4.2%	2.7%

Total Percentage Increases			
Fiscal Year 1978	16.2%	15.95%	13.1%
Fiscal Year 1979	8.4%	8.4%	10.0%
Total	24.6%	24.35%	23.1%

	EXEMPT PERSONNEL	FACULTY & EXEMPT PERSONNEL U of W	FACULTY & EXEMPT PERSONNEL WSU
Salary Increases Separate Funding			
Fiscal Year 1978	10.1%	9%	9%
Fiscal Year 1979	6%	6.5%	6.5%
Total	16.1%	15.5%	15.5%

Salary Increments Funded in Agency Budgets			
Fiscal Year 1978	0%	0%	0%

Fiscal Year 1979	0%	0%	0%
Total	0%	0%	0%
Insurance Benefit Increases			
Fiscal Year 1978	2.4%	2.3%	2.4%
Fiscal Year 1979	0%	0%	0%
Total	2.4%	2.3%	2.4%
Total Percentage Increases			
Fiscal Year 1978	12.5%	11.3%	11.4%
Fiscal Year 1979	6%	6.5%	6.5%
Total	18.5%	17.8%	17.9%
	FACULTY & EXEMPT PERSONNEL CWSC	FACULTY & EXEMPT PERSONNEL EWSC	FACULTY & EXEMPT PERSONNEL TESC
Salary Increases Separate Funding			
Fiscal Year 1978	5%	7%	5%
Fiscal Year 1979	3.2%	4.3%	3.2%
Total	8.2%	11.3%	8.2%
Salary Increments Funded in Agency Budgets			
Fiscal Year 1978	0%	0%	0%
Fiscal Year 1979	0%	0%	0%
Total	0%	0%	0%
Insurance Benefit Increases			
Fiscal Year 1978	2.5%	2.6%	2.4%
Fiscal Year 1979	0%	0%	0%
Total	2.5%	2.6%	2.4%
Total Percentage Increases			
Fiscal Year 1978	7.5%	9.6%	7.4%
Fiscal Year 1979	3.2%	4.3%	3.2%
Total	10.7%	13.9%	10.6%
		FACULTY & EXEMPT PERSONNEL WWSC	FACULTY & EXEMPT PERSONNEL COM. COLL.
Salary Increases Separate Funding			
Fiscal Year 1978		9%	9%
Fiscal Year 1979		6.5%	6.5%
Total		15.5%	15.5%
Salary Increments Funded in Agency Budgets			

Fiscal Year 1978	0%	0%
Fiscal Year 1979	0%	0%
Total	0%	0%
Insurance Benefit Increases		
Fiscal Year 1978	2.6%	2.8%
Fiscal Year 1979	0%	0%
Total	2.6%	2.8%
Total Percentage Increases		
Fiscal Year 1978	11.6%	11.8%
Fiscal Year 1979	6.5%	6.5%
Total	18.1%	18.3%

The appropriations contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated herein and shall be subject to the following conditions and limitations:

(1) Not more than \$67,054,000 of general fund moneys (including \$16,911,000 in federal funds) shall be expended to effect salary increases for state classified employees and for state employees exempt from the classified service. Not more than \$50,530,000 of this amount (including \$12,744,000 in federal funds) shall be expended to effect, beginning July 1, 1977, an average of 10.1% salary increases for state classified employees and for comparable salary increases for state employees exempt from the classified service. Not more than \$16,524,000 of this amount (including \$4,167,000 of federal funds) shall be expended to effect, beginning July 1, 1978, an average 6% salary increase for state classified employees and for comparable salary increases for state employees exempt from the classified service.

(2) Not more than \$24,409,075 of general fund moneys shall be expended to effect salary increases for state higher education classified employees excluding student employees not under the jurisdiction of the State Personnel Board or Higher Education Personnel Board. Not more than \$18,033,093 of this amount shall be expended to effect, beginning July 1, 1977, an average 9.35% salary increase for state higher education classified employees. Not more than \$6,375,982 of this amount shall be expended to effect, beginning July 1, 1978, an average 6% salary increase for state higher education classified employees.

(3) Not more than \$29,542,000 of general fund moneys shall be expended to effect salary increases including increments or their equivalents for faculty and exempt employees of the four-year units of higher education. Not more than \$12,899,000 of this amount shall be expended to effect, beginning July 1, 1977, an average 5% salary increase including increments or their equivalents for faculty and exempt employees of the four-year units of higher education. Not more than \$4,197,000 of this amount shall be expended to effect, beginning July 1, 1978, an average 3% salary increase including increments or their equivalents for faculty and exempt employees of the four-year units of higher education. It is the intent of the Legislature to strive for equity in faculty and exempt salaries for the four-year units of higher education. To this end, not more than \$8,871,000 of this amount shall be expended to effect additional salary increases for faculty and exempt employees, effective July 1, 1977, averaging 4% for the University of Washington, Washington State University, and Western Washington State College, and averaging 2% for Eastern Washington State College and not more than \$3,575,000 of this amount shall be expended to effect salary increases for faculty and exempt employees, effective July 1, 1978, averaging 3% for the University of Washington, Washington State University, and Western Washington State College, and averaging 1% for Eastern Washington State College: PROVIDED, That no four-year unit of higher education may grant from any fund source any additional salary increase greater than that provided in this act for faculty and exempt employees.

(4) Not more than \$20,236,196 of general fund moneys shall be expended to effect salary increases including increments or their equivalents for faculty and exempt employees of the community college system. Not more than \$14,771,140 of this amount shall be expended to effect, beginning July 1, 1977, an average 9% salary increase including increments or their equivalents for faculty and exempt employees of each community college district: PROVIDED, That no district may grant from any fund source any additional salary increase greater than that provided in this act for faculty and exempt employees except that in addition to the increase provided herein, those districts whose actual average faculty salary for 1976-77 is less than that earned from the system's 1976-77 hypothetical schedule may increase the average salary of the faculty and exempt employees in 1977-78 up to the average earned by the district from the hypothetical schedule or 5% whichever is less, as determined from rules and regulations promulgated by the State Board for Community College Education: PROVIDED FURTHER, That collective bargaining negotiations will be completed before individual negotiations take place.

Not more than \$5,465,056 of this amount shall be expended to effect, beginning July 1, 1978, an average 6% salary increase including increments or their equivalents for faculty and exempt employees of each community college district: PROVIDED, That no district may grant from any fund source any additional salary increase greater than that provided in this act for faculty and exempt employees: PROVIDED FURTHER, That collective bargaining negotiations will be completed before individual negotiations take place.

(5) Not more than \$192,000 of general fund moneys (including \$36,000 in federal funds) shall be expended to effect salary increases for commissioned members of the Washington State Patrol. Not more than \$130,000 of this amount (including \$24,000 in federal funds) shall be expended to effect, beginning July 1, 1977, an average 8% salary increase for commissioned members of the Washington State Patrol. Not more than \$62,000 of this amount (including \$12,000 in federal funds) shall be expended to effect, beginning July 1, 1978, an average 7% salary increase for commissioned members of the Washington State Patrol: PROVIDED, That no additional salary increases may be granted from any fund source greater than those authorized by this act: PROVIDED FURTHER, That the Department of Personnel shall conduct a comprehensive survey for providing salary rates for positions similar (both in-state and out-of-state) to commissioned members of the Washington State Patrol and report back to the Legislature no later than January 15, 1978.

(6) Not more than \$31,573,000 of general fund moneys (including \$4,472,000 in federal funds) shall be expended to effect, beginning July 1, 1977, an increase in the state's maximum contribution for employee insurance benefits from \$35 per month to \$72.50 per month per eligible employee.

(7) Not more than \$44,595,000 of Special Fund Salary and Insurance Contribution Increase Revolving Fund moneys shall be expended to provide salary increases for state classified employees and state employees exempt for the classified service. Not more than \$33,605,000 of this amount shall be expended to effect beginning July 1, 1977, an average of 10.1% salary increases. Not more than \$10,990,000 of this amount shall be expended to effect, beginning July 1, 1978, an average of 6.0% salary increases.

(8) Not more than \$91,000 of Special Fund Salary and Insurance Contribution Increase Revolving Fund moneys shall be expended to provide salary increases for Higher Education classified employees. Not more than \$67,000 of this amount shall be expended to effect, beginning July 1, 1977, an average of 9.35% salary increases. Not more than \$24,000 of this amount shall be expended to effect, beginning July 1, 1978, an average of 6% salary increases.

(9) Not more than \$3,853,000 of Special Fund Salary and Insurance Contribution Increase Revolving Fund moneys shall be expended to provide salary increases for commissioned members of the Washington State Patrol. Not more than \$2,617,000 of this amount shall be expended to effect, beginning July 1, 1977, an average of 8% salary increases. Not more than \$1,236,000 of this amount shall be expended to effect, beginning July 1, 1978, an average of 7% salary increases.

(10) Not more than \$93,000 of Special Fund Salary and Insurance Contribution Increase Revolving Fund moneys shall be expended to effect salary increases including increments or their equivalents for University of Washington faculty and exempt employees. Not more than \$38,000 of this amount shall be expended to effect, beginning July 1, 1977, an average 5% increase including increments or their equivalents. Not more than \$12,000 of this amount shall be expended to effect, beginning July 1, 1978, an average 3% increase including increments or their equivalents. It is the intent of the Legislature to strive for equity in faculty and exempt salaries for the four-year units of higher education. To this end, not more than \$31,000 shall be expended to effect additional salary increases, effective July 1, 1977, averaging 4% and not more than \$12,000 shall be expended to effect additional salary increases, effective July 1, 1978, averaging 3%.

(11) Not more than \$11,186,000 of Special Fund Salary and Insurance Contribution Increase Revolving Fund moneys shall be expended to effect, beginning July 1, 1977, an increase in the state's maximum contribution for employee insurance benefits from \$35 per month to \$72.50 per month per eligible employee.

(12) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is hereby directed to transfer sufficient income from each special fund to the Special Fund Salary and Insurance Contribution Increase Revolving Fund hereby created in accordance with schedules provided by the Office of Program Planning and Fiscal Management.

NEW SECTION. Sec. 16. FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	148,000
Total Appropriation	\$	148,000

NEW SECTION. Sec. 17. FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	2,578,000
Total Appropriation	\$	2,578,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$880,000 shall be expended exclusively for support of the initiatives and referendums program.

NEW SECTION. Sec. 17A. FOR THE WOMEN'S COMMISSION

General Fund Appropriation	\$	198,000
Total Appropriation	\$	198,000

NEW SECTION. Sec. 18. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS

General Fund Appropriation	\$	106,633
Total Appropriation	\$	106,633

NEW SECTION. Sec. 19. FOR THE STATE TREASURER

State Treasurer's Service Fund Appropriation	\$	2,983,297
General Fund Appropriation	\$	2,045
Total Appropriation	\$	2,985,342

The appropriations contained in this section shall be subject to the following condition or limitation: The general fund appropriation shall be distributed as provided in RCW 84.38.120 to the appropriate county

and city finance officers for senior citizen and disabled property tax and special assessment deferrals authorized by chapter 84.38 RCW.

NEW SECTION. Sec. 20. FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	4,772,000
General Fund Appropriation—Federal	\$	415,000
Motor Vehicle Fund Appropriation	\$	150,000
Total Appropriation	\$	5,337,000

NEW SECTION. Sec. 21. FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	2,191,756
Legal Services Revolving Fund Appropriation	\$	11,376,897
Total Appropriation	\$	13,568,653

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$94,715 of the general fund appropriation shall be expended exclusively to provide attorney general services for Counsel for the Environment.

NEW SECTION. Sec. 22. FOR THE OFFICE OF PROGRAM PLANNING AND FISCAL MANAGEMENT

General Fund Appropriation	\$	7,090,000
Total Appropriation	\$	7,090,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$5,825,000 shall be expended exclusively for operations. \$20,000 of such amount shall be expended exclusively for the purpose of entering into a contract with the bureau of the census for block statistics and for preparing maps and related materials for those areas specified in chapter ... (SSB 2356), Laws of 1977 1st ex. sess. An amount not to exceed \$30,000 of this appropriation shall be expended exclusively for a population study to determine long range enrollment demand for higher education. The study shall determine geographical areas of future enrollment growth and decline. The study shall include the construction of a data base sufficient to analyze the future requirements for campus based programs, off-campus based programs and capital budgets. A preliminary report shall be submitted to the legislature by January 1, 1978.

(2) Not more than \$75,000 shall be expended exclusively for payment of assessments against state owned lands.

(3) Not more than \$1,140,000 shall be expended exclusively for payment of supplies and services furnished in prior biennia.

(4) Not more than \$50,000 shall be expended exclusively for the development of a conceptual design and related specifications for a higher education payroll/personnel system which will be consistent with and meet the requirements of the state central accounting system and the state personnel/payroll system. The senate ways and means committee and the house appropriations committee shall approve the conceptual system design and specifications before proceeding with development of the system. A report on the project shall be submitted to the legislature no later than December 1, 1977.

NEW SECTION. Sec. 23. FOR THE DEPARTMENT OF PERSONNEL

Personnel Service Revolving Fund Appropriation—State	\$	6,246,000
Personnel Service Revolving Fund Appropriation—Federal	\$	288,000
State Employees' Insurance Fund Appropriation	\$	1,122,000
Data Processing Revolving Fund Appropriation	\$	2,930,000
Total Appropriation	\$	10,586,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$662,000 of the personnel service revolving fund—state appropriation shall be expended exclusively for the personnel/payroll system.

(2) Not more than \$211,347 of the personnel service revolving fund—state appropriation shall be expended exclusively for department of personnel initiated audits.

(3) Funds have been provided in this appropriation to permit the department of personnel to provide the technical training required by the data processing authority to meet the needs expressed in chapter 43.105 RCW.

(4) The department shall conduct a comprehensive survey of providing salary rates for positions similar (both in-state and out-of-state) to commissioned members of the Washington state patrol and report back to the legislature no later than January 15, 1978.

(5) Not more than \$171,204 shall be expended exclusively for the employee suggestion awards program.

NEW SECTION. Sec. 24. FOR THE CAPITOL COMMITTEE

General Fund—Capitol Building Construction Account Appropriation	\$	20,000
Total Appropriation	\$	20,000

The appropriation contained in this section shall be subject to the following condition or limitation: If chapter ... (HB 789), Laws of 1977 1st ex. sess. becomes law no expenditures from this appropriation shall be made.

NEW SECTION. Sec. 25. FOR THE DATA PROCESSING AUTHORITY

General Fund Appropriation	\$	855,000
Data Processing Revolving Fund Appropriation	\$	26,396,192
Total Appropriation	\$	27,251,192

The appropriations contained in this section shall be subject to the following conditions and limitations:
 (1) The authority shall approve the billing rates charged by the state's data processing service centers. The billing format shall be developed in such a manner as to allow rate comparisons between service centers. Initial approval by the authority shall be completed no later than January 1, 1978.

(2) Not more than \$12,384,000 of the data processing revolving fund appropriation shall be expended exclusively for data processing service center number one.

(3) Not more than \$8,847,000 of the data processing revolving fund appropriation shall be expended exclusively for data processing service center number three.

(4) Not more than \$5,165,192 of the data processing revolving fund appropriation shall be expended exclusively for the data processing equipment pool.

(5) Data processing service centers number one and three shall submit, no later than April 1, 1978, an integrated management and budget plan for fiscal year 1979 for approval by the office of program planning and fiscal management and the legislative budget committee.

NEW SECTION, Sec. 26. FOR THE FINANCE COMMITTEE

General Fund—Investment Reserve Account Appropriation	\$	799,678
Total Appropriation	\$	799,678

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) The committee shall assume full responsibility for the investment management of the state trust and retirement funds.

(2) \$150,000 of the appropriation contained in this section shall be expended exclusively for the purpose of developing the computerized investment management and accounting system.

NEW SECTION, Sec. 27. FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	25,736,000
General Fund—State Timber Reserve Account Appropriation	\$	1,885,000
Motor Vehicle Fund Appropriation	\$	81,000
Total Appropriation	\$	27,702,000

NEW SECTION, Sec. 28. FOR THE TAX APPEALS BOARD

General Fund Appropriation	\$	604,353
Total Appropriation	\$	604,353

NEW SECTION, Sec. 29. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation	\$	7,897,127
Department of General Administration Facilities and Services Revolving Fund		
Appropriation	\$	9,025,155
General Fund—Motor Transport Account Appropriation	\$	4,486,841
Total Appropriation	\$	21,409,123

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$631,020 of the motor transport account appropriation shall be expended exclusively for increased operating costs associated with additional vehicles being transferred to the motor transport division from other state agencies. Such funds shall be held in reserve and not be available for allotment until a plan for the transfer of vehicles shall have been reviewed and approved by the office of program planning and fiscal management. A report of any amounts approved for allotment shall be filed with the legislative auditor and the auditor shall transmit such report to the house committee on appropriations and the senate committee on ways and means.

(2) The department of agriculture shall transfer \$79,009 from its local fund accounts to the motor transport account and the state treasurer shall transfer to the motor transport account \$125,759 from the state general fund, \$62,725 from the grain and hay inspection fund, \$7,956 from the fertilizer, agricultural, mineral and lime fund, \$27,160 from the accident fund and \$4,075 from the commercial feed fund. These transfers shall be in accordance with schedules provided by the office of program planning and fiscal management.

(3) Not more than \$220,000 of the general fund appropriation and 6 FTE staff years shall be expended exclusively for upkeep and maintenance of the Northern State Hospital facility for the period July 1, 1977, through June 30, 1978.

(4) Not more than \$131,267 of the general fund appropriation shall be expended exclusively to implement the risk management office.

NEW SECTION, Sec. 31. FOR THE STATE TREASURER—STATE REVENUES FOR

DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$	2,064,170
General Fund Appropriation for snowmobile registration fee distribution	\$	34,779
General Fund Appropriation for public utility district excise tax distribution	\$	13,728,000
General Fund Appropriation for prosecuting attorneys salaries	\$	1,129,226
General Fund Appropriation for motor vehicle excise tax distribution	\$	32,270,709
General Fund Appropriation for local mass transit assistance	\$	47,174,038
General Fund Appropriation for travel trailer and camper excise tax distribution	\$	1,687,563
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$	244,030

Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	16,360,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	134,042,500
Liquor Board Revolving Fund Appropriation for liquor profits distribution	\$	44,600,000
State Timber Tax Account "A" Appropriation for distribution to "Timber" Counties	\$	26,580,000
State Timber Reserve Account Appropriation for distribution to "Timber" Counties	\$	37,260,000
State Timber Tax Account "B" Appropriation for distribution to "Timber" Counties	\$	2,950,000

NEW SECTION. Sec. 32. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

Forest Reserve Fund Appropriation for forest reserve fund distribution	\$	34,498,000
General Fund Appropriation for federal flood control funds distribution	\$	22,000
General Fund Appropriation for federal grazing fees distribution	\$	42,000

NEW SECTION. Sec. 33. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST

Highway Bond Retirement Fund Appropriation	\$	66,286,783
Toll Bridge Authority Bond Redemption Fund 1977 Appropriation	\$	1,017,000
Public School Building Bond Redemption Fund 1959 Appropriation	\$	4,776,350
Public School Building Bond Redemption Fund 1961 Appropriation	\$	7,384,258
Public School Building Bond Redemption Fund 1963 Appropriation	\$	8,657,390
Public School Building Bond Redemption Fund 1965 Appropriation	\$	2,446,350
Common School Building Bond Redemption Fund 1967 Appropriation	\$	6,925,160
University of Washington Bond Retirement Fund Appropriation	\$	3,304,360
Washington State University Bond Retirement Fund Appropriation	\$	2,365,950
Washington State University Bond Redemption Fund 1977 Appropriation	\$	276,683
Central Washington State College Bond Retirement Fund Appropriation	\$	873,660
Eastern Washington State College Bond Retirement Fund Appropriation	\$	938,465
Western Washington State College Bond Retirement Fund Appropriation	\$	1,277,092
The Evergreen State College Bond Retirement Fund 1967 Appropriation	\$	374,524
State Higher Education Bond Redemption Fund 1973 Appropriation	\$	4,393,670
State Higher Education Bond Redemption Fund 1974 Appropriation	\$	1,234,150
Higher Education Bond Redemption Fund 1975-76 Appropriation	\$	2,028,119
University of Washington Hospital Bond Retirement Fund 1975 Appropriation	\$	992,596
Higher Education Bond Redemption Fund 1977 Appropriation	\$	150,000
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation	\$	7,516,634
Community College Capital Construction Bond Redemption Fund 1975 Appropriation	\$	7,418,504
Indian Cultural Center Construction Bond Redemption Fund of 1976 Appropriation	\$	104,704
Community College Refunding Bond Retirement Fund 1974 Appropriation	\$	9,731,005
Community College Building Bond Retirement Fund 1977 Appropriation	\$	313,000
Office-Laboratory Facilities Bond Redemption Fund Appropriation	\$	298,124
Institutional Building Bond Redemption Fund 1957 Appropriation	\$	3,569,480
State Building Construction Bond Redemption Fund Appropriation	\$	5,668,016
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation	\$	8,544,003
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation	\$	9,757,993
Fisheries Bond Redemption Fund 1976 Appropriation	\$	777,984
Fisheries Bond Redemption Fund 1977 Appropriation	\$	391,000
Fisheries Salmon Enhancement Bond Redemption Fund Appropriation	\$	391,000
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation	\$	624,025
General Administration Building Bond Redemption Fund Appropriation	\$	674,139
State Building and Parking Bond Redemption Fund 1969 Appropriation	\$	2,451,980
State Building Bond Redemption Fund 1967 Appropriation	\$	651,310
State Building Bond Retirement Fund 1975 Appropriation	\$	797,871
State Building Bond Redemption Fund 1973A Appropriation	\$	389,720
State Building Bond Redemption Fund 1973 Appropriation	\$	3,938,398
State Facilities Bond Redemption Fund 1977 Appropriation	\$	235,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation	\$	3,001,772
Social and Health Services Bond Redemption Fund 1975-76 Appropriation	\$	3,214,625
Outdoor Recreational Bond Redemption Fund Appropriation	\$	2,323,491

Recreation Improvements Bond Redemption Fund Appropriation	\$	4,775,630
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation	\$	3,855,866
Outdoor Recreational Bond Redemption Fund 1967 Appropriation	\$	6,290,278
State Building Authority Bond Redemption Fund Appropriation	\$	9,916,880
Waste Disposal Facilities Bond Redemption Fund Appropriation	\$	8,740,396
Water Supply Facilities Bond Redemption Fund Appropriation	\$	8,564,387
Emergency Water Projects Bond Redemption Fund of 1977 Appropriation	\$	2,750,450
DSHS Facilities Bond Redemption Fund of 1977 Appropriation	\$	235,000

NEW SECTION, Sec. 34. FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	815,435
Total Appropriation	\$	815,435

NEW SECTION, Sec. 35. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS

General Fund Appropriation	\$	345,866,500
Retirement System Expense Fund Appropriation	\$	3,150,100
Teachers' Retirement Fund Appropriation	\$	680,700
Motor Vehicle Fund Appropriation	\$	25,000
Total Appropriation	\$	349,722,300

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$2,773,400 of the retirement system expense fund appropriation contained in this section shall be expended for administration of the Washington public employees' retirement system.

(2) Not more than \$376,700 of the retirement system expense fund appropriation contained in this section shall be expended for administration of the Law Enforcement Officers' and Fire Fighters' Retirement System.

(3) \$9,400 of the general fund appropriation contained in this section shall be expended for the administrative expenses of the judicial retirement system.

(4) \$140,100,000 of the general fund appropriation contained in this section shall be expended for contributions to the LEOFF system.

(5) \$121,000 of the general fund appropriation contained in this section shall be expended for contributions to the judicial retirement system.

(6) \$199,400,000 of the general fund appropriation contained in this section (of which \$69,000,000 is to be from federal revenue sharing funds received during the 1977-79 biennium) shall be expended for contributions to the teachers' retirement system.

(7) \$680,700 of the general fund appropriation contained in this section shall be expended for the state portion of the administrative expenses of the teachers' retirement system.

(8) \$584,000 of the general fund appropriation contained in this section shall be expended for contribution to the judges' retirement system.

(9) \$400 of the general fund appropriation contained in this section shall be expended for administrative expenses of the judges' retirement system.

(10) \$25,000 of the motor vehicle fund appropriation contained in this section shall be expended for administrative expenses of the Washington state patrol retirement system.

(11) \$680,700 of the teachers' retirement fund appropriation shall be expended for the members' portion of the administrative expenses of the teachers' retirement system.

(12) Not more than \$4,991,000 of the general fund appropriation shall be expended within the teachers' retirement system to provide an ad hoc increase for the 1977-79 biennium in the minimum pension provided in RCW 41.32.497, to eight dollars and fifty cents per month for each year of creditable service to all members who retired prior to April 25, 1973.

NEW SECTION, Sec. 36. FOR THE MUNICIPAL RESEARCH COUNCIL

General Fund Appropriation	\$	850,000
Total Appropriation	\$	850,000

NEW SECTION, Sec. 37. FOR THE UNIFORM LEGISLATION COMMISSION

General Fund Appropriation	\$	19,881
Total Appropriation	\$	19,881

NEW SECTION, Sec. 38. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	381,000
Total Appropriation	\$	381,000

NEW SECTION, Sec. 39. FOR THE ATHLETIC COMMISSION

General Fund Appropriation	\$	47,529
Total Appropriation	\$	47,529

NEW SECTION, Sec. 40. FOR THE CEMETERY BOARD

General Fund—Cemetery Account Appropriation	\$	42,000
Total Appropriation	\$	42,000

NEW SECTION, Sec. 41. FOR THE HORSE RACING COMMISSION

Horse Racing Commission Fund Appropriation	\$	1,452,000
Total Appropriation	\$	1,452,000

The appropriation contained in this section shall be subject to the following conditions and limitations:
 (1) If there are more than 499 racing days during the 1977-79 biennium, the governor is hereby authorized to allocate such additional funds as may be required.

NEW SECTION, Sec. 42. FOR THE LIQUOR CONTROL BOARD

Liquor Board Revolving Fund Appropriation	\$ 46,586,745
Total Appropriation	\$ 46,586,745

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$888,596 of the appropriation contained in this section shall be expended exclusively for the opening of 23 new stores and 30 new agencies during the 1977-79 biennium and not more than 37.5 FTE staff years shall be expended for operation of new stores.

NEW SECTION, Sec. 43. FOR THE PHARMACY BOARD

General Fund Appropriation	\$ 602,726
Total Appropriation	\$ 602,726

NEW SECTION, Sec. 44. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund Appropriation—State	\$ 10,468,000
Public Service Revolving Fund Appropriation—Federal	\$ 205,000
Grade Crossing Protective Fund Appropriation	\$ 1,107,000
Total Appropriation	\$ 11,780,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$525,000 from the grade crossing protective fund appropriation shall be expended exclusively for obligations incurred in the 1975-77 biennium for the grade crossing protective program.

(2) Not more than \$1,730,000 from the Public Service Revolving Fund Appropriation—State and \$55,000 from the Public Service Revolving Fund Appropriation—Federal shall be expended exclusively for the utilities program.

NEW SECTION, Sec. 45. FOR THE BOARD FOR VOLUNTEER FIREMEN

Volunteer Firemen's Relief and Pension Fund	
Appropriation	\$ 85,490
Total Appropriation	\$ 85,490

The appropriation contained in this section shall be subject to the following condition or limitation: \$2,000 shall be expended exclusively for actuarial services.

NEW SECTION, Sec. 46. FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$ 423,403
General Fund Appropriation—Federal	\$ 1,861,891
Total Appropriation	\$ 2,285,294

NEW SECTION, Sec. 47. FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$ 4,331,000
General Fund Appropriation—Federal	\$ 492,000
Total Appropriation	\$ 4,823,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$176,930 shall be expended exclusively for major maintenance and repair of installations.

NEW SECTION, Sec. 48. FOR THE DEPARTMENT OF PRINTING

State Printing Plant Revolving Fund Appropriation	\$ 21,068,000
Total Appropriation	\$ 21,068,000

NEW SECTION, Sec. 49. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation	\$ 840,000
Total Appropriation	\$ 840,000

NEW SECTION, Sec. 50. THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES.

State Funding Sources	\$ 983,872,000
Federal Funding Sources	\$ 711,032,000
Other Funding Sources	\$ 1,452,000
Total Funding Sources For Department	\$ 1,696,356,000
Total FTE Staff Years For Department	26,109

The appropriations contained in sections 51 through 60 of this act shall be subject to the following conditions and limitations:

- (1) There shall be no transfer of funds or full time equivalent staff years between programs.
- (2) Any funds derived from settlement of litigation against the United states government shall be deposited in the state general fund by the state treasurer and no expenditure shall be made therefrom without specific legislative appropriation pursuant to law.
- (3) All program savings realized by the department in dollars shall be placed in a reserve account within the department on a quarterly basis in the respective fiscal year. FTE staff years shall be held in reserve. The department may make expenditures from such account and FTE staff years reserve only upon express authorization from the office of program planning and fiscal management.
- (4) The department shall not initiate any new services beyond those authorized by specific appropriation in this act.

(5) The department shall not impose rateable reduction in any public assistance grant payments for which funds are appropriated in sections 55 through 58 of this act.

(6) Reappropriations contained in section 61 of this act shall be accounted and allotted separately from all other categorical appropriations.

(7) The secretary shall structure the planning process for social services as provided by Title XX of the Social Security Act of 1935, as amended, to reflect the time frame of the state budgetary process. Further, the secretary shall report to the appropriate committees of the legislature on or before January 1 of each year on the extent of the impact of Title XX local plans upon the respective budget proposals.

NEW SECTION. Sec. 51. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS AND REHABILITATION PROGRAM.

State Funding Sources	\$ 82,878,000
Federal Funding Sources	\$ 999,000
Total Funding Sources For Program	\$ 83,877,000
Total FTE Staff Years For Program	3,738

COMMUNITY REHABILITATION SERVICES CATEGORY.

General Fund Appropriation—State	\$ 18,515,000
General Fund Appropriation—Federal	\$ 999,000
Total Appropriation	\$ 19,514,000
Total FTE Staff Years	871

INSTITUTIONAL REHABILITATION SERVICES CATEGORY.

General Fund Appropriation	\$ 19,913,000
Total Appropriation	\$ 19,913,000
Total FTE Staff Years	906

CUSTODY CATEGORY.

General Fund Appropriation	\$ 20,452,000
Total Appropriation	\$ 20,452,000
Total FTE Staff Years	1,372

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation	\$ 536,000
Total Appropriation	\$ 536,000
Total FTE Staff Years	26

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation	\$ 23,462,000
Total Appropriation	\$ 23,462,000
Total FTE Staff Years	563

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

(1) A new 100 bed honor camp shall be established. Up to 54 FTE staff years and \$1,355,000 may be expended.

(2) A minimum security facility for up to 50 inmates shall be established at the Washington State Penitentiary. Up to 33 FTE staff years and \$582,000 may be expended.

(3) Clearwater Honor Camp shall be expanded. Up to 10 FTE staff years and \$135,000 may be expended.

(4) Up to an additional 12 FTE staff years and \$175,000 may be expended at the Firlands Correctional Center.

(5) Six new minimum security work training release facilities for up to 150 inmates from institutions shall be established. Up to 31 FTE staff years and \$1,194,000 may be expended.

(6) Custody staff shall be increased. Up to 99 FTE staff years and \$1,355,000 may be expended.

(7) Up to 15 FTE staff years and \$200,000 shall be expended to expand the institutional counseling program.

(8) Adult probation and parole services shall be increased. Up to 48 FTE staff years and \$800,000 may be expended.

(9) The Corporate Task Force for diversion of felons from institutions shall be funded. Up to \$773,000 may be expended. Reimbursement shall be at a rate not to exceed \$13.85 per day based on actual services provided.

(10) The department shall provide for the establishment and implementation of a program for ex felons that includes an employment plan, employment orientation, employer orientation, job placement, and follow-up services. Up to \$675,000 shall be expended exclusively for this program.

(11) The classification and work units shall be continued. Up to 67 FTE staff years and \$2,355,000 including \$496,000 from LEAA funds may be expended.

(12) Intensive parole supervision shall be continued. Up to 21 FTE staff years and \$610,000 including \$503,000 from LEAA funds may be expended.

NEW SECTION. Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION SERVICES PROGRAM.

State Funding Sources	\$ 44,967,000
-----------------------------	---------------

Federal Funding Sources	\$	1,153,000
Total Funding Sources For Program	\$	46,120,000
Total FTE Staff Years For Program		1,998

COMMUNITY REHABILITATION SERVICES CATEGORY.

General Fund Appropriation—State	\$	14,848,000
General Fund Appropriation—Federal	\$	406,000
Total Appropriation	\$	15,254,000
Total FTE Staff Years		331

INSTITUTIONAL REHABILITATION SERVICES CATEGORY.

General Fund Appropriation	\$	18,489,000
Total Appropriation	\$	18,489,000
Total FTE Staff Years		1,164

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation	\$	500,000
Total Appropriation	\$	500,000
Total FTE Staff Years		41

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$	11,130,000
General Fund Appropriation—Federal	\$	747,000
Total Appropriation	\$	11,877,000
Total FTE Staff Years		462

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

(1) Community programs selected by the department shall be funded. Delinquency prevention services shall be considered to be a community program. Up to \$3,877,000 may be expended.

(2) Community based diagnostic centers shall be funded. Up to 10 FTE staff years and \$500,000 may be expended.

NEW SECTION. Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM.

State Funding Sources	\$	74,963,000
Federal Funding Sources	\$	12,931,000
Local Funding Sources	\$	1,083,000
Total Funding Sources For Program	\$	88,977,000
Total FTE Staff Years For Program		2,413

COMMUNITY SERVICES CATEGORY.

General Fund Appropriation—State	\$	26,876,000
General Fund Appropriation—Federal	\$	5,624,000
General Fund Appropriation—Local	\$	1,083,000
Total Appropriation	\$	33,583,000
Total FTE Staff Years		18

INSTITUTIONAL REHABILITATION SERVICES CATEGORY.

General Fund Appropriation—State	\$	25,080,000
General Fund Appropriation—Federal	\$	1,102,000
Total Appropriation	\$	26,182,000
Total FTE Staff Years		1,722

ALCOHOLISM CATEGORY.

General Fund Appropriation—State	\$	8,559,000
General Fund Appropriation—Federal	\$	3,641,000
Total Appropriation	\$	12,200,000
Total FTE Staff Years		34

DRUG ABUSE CATEGORY.

General Fund Appropriation—State	\$	138,000
General Fund Appropriation—Federal	\$	1,581,000
Total Appropriation	\$	1,719,000
Total FTE Staff Years		24

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation—Federal	\$	374,000
Total Appropriation	\$	374,000

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$	14,310,000
General Fund Appropriation—Federal	\$	609,000
Total Appropriation	\$	14,919,000
Total FTE Staff Years		615

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

- (1) Community services to seriously mentally ill children and adults shall be expanded. Not more than \$23,612,000 in total may be expended for community mental health programs for the seriously mentally ill. Such amount includes a vendor rate increase up to 5.5% in each year of the biennium.
- (2) Involuntary treatment services shall be continued. Up to \$6,940,000 may be expended.
- (3) Vendor rates for drug abuse services shall be increased up to 5.5% in each year of the biennium. Up to \$6,000 may be expended for this increase.
- (4) Vendor rates for alcoholism detoxification services shall be increased up to 5.5% in each year of the biennium. Up to \$73,000 may be expended for this increase.
- (5) Existing drug abuse staff of the planning and community affairs agency shall be transferred to the department. Up to 24 FTE staff years and \$1,719,000 including \$1,581,000 from federal funds may be expended for this program.
- (6) Construction moneys shall be provided for the Greater Lakes Mental Health facility. Up to \$63,272 may be expended as state matching funds contingent upon matching funds being available from local and federal sources.
- (7) Up to \$230,000 shall be transferred to the department of personnel for its alcoholism program for state employees. \$132,000 of this amount may be expended for expansion of services to other geographical locations.
- (8) A new mentally ill offender ward shall be established and operated at Western State Hospital. Up to 30 FTE staff years and \$436,000 may be expended for this increase.

NEW SECTION. Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM.

State Funding Sources	\$ 85,364,000
Federal Funding Sources	\$ 33,025,000
Total Funding Sources For Program	\$ 118,389,000
Total FTE Staff Years For Program	5,798

COMMUNITY SERVICES CATEGORY.

General Fund Appropriation—State	\$ 13,359,000
General Fund Appropriation—Federal	\$ 10,657,000
Total Appropriation	\$ 24,016,000
Total FTE Staff Years	243

INSTITUTIONAL REHABILITATION SERVICES CATEGORY.

General Fund Appropriation—State	\$ 43,164,000
General Fund Appropriation—Federal	\$ 13,196,000
Total Appropriation	\$ 56,360,000
Total FTE Staff Years	4,023

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation—State	\$ 951,000
General Fund Appropriation—Federal	\$ 4,971,000
Total Appropriation	\$ 5,922,000
Total FTE Staff Years	122

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$ 27,890,000
General Fund Appropriation—Federal	\$ 4,201,000
Total Appropriation	\$ 32,091,000
Total FTE Staff Years	1,410

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

- (1) Home aid respite care shall be provided. Such care shall not include regular or continuous day care. "Respite care" as used herein means an interval of temporary relief or rest not to exceed a total of 21 days for any one client in any fiscal year. Up to \$1,100,000 may be expended for this activity.
- (2) Home aid therapeutic services shall be provided. Up to \$202,000 may be expended for this activity.
- (3) Extended home aid day care services shall be provided. Up to \$145,000 may be expended for this activity.
- (4) Vendor rates for group homes shall be increased by up to 5.5% in each year of the biennium based on allocations according to the department's cost reimbursement system for such vendors.
- (5) The available beds in group homes shall be increased by up to 106, phased-in by the addition of up to 43 in the first year of the biennium and up to an additional 63 in the second year of the biennium. Up to \$306,000 may be expended for this increase.
- (6) Up to \$220,000 shall be expended exclusively to increase salaries for Group Home resident care aides.
- (7) Vendor rates for developmental centers shall be increased by up to 5.5% in each year of the biennium.
- (8) Up to three state residential training centers may be opened. Up to 101.4 FTE staff years and \$1,808,000 may be expended in total.

(9) The department shall develop a schedule of contribution payments that may be charged to parents of developmentally disabled children. The schedule shall set forth amounts chargeable on the basis of parental financial ability to pay, measured by income, number of dependents, and other factors deemed relevant by the department including the federal poverty level. No amount may be charged which exceeds the actual average cost of providing domiciliary care services to a child in residential placement, but different schedules may be developed for the various institutions or group home programs to reflect differing costs of care.

The schedule developed under this subsection shall be submitted no later than January, 1978, to the legislature: PROVIDED, That no schedule shall be implemented until approved by the legislature.

(10) Up to \$67,000 may be expended for career opportunities for the deaf.

NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE PROGRAM.

State Funding Sources	\$ 293,951,000
Federal Funding Sources	\$ 233,090,000
Total Funding Sources For Program	\$ 527,041,000
Total FTE Staff Years For Program	3,179

MAINTENANCE GRANTS CATEGORY.

General Fund Appropriation—State	\$ 264,591,000
General Fund Appropriation—Federal	\$ 193,680,000
Total Appropriation	\$ 458,271,000

OTHER ASSISTANCE CATEGORY.

General Fund Appropriation—State	\$ 2,820,000
General Fund Appropriation—Federal	\$ 1,154,000
Total Appropriation	\$ 3,974,000
Total FTE Staff Years	62

ELIGIBILITY DETERMINATION CATEGORY.

General Fund Appropriation—State	\$ 12,736,000
General Fund Appropriation—Federal	\$ 15,720,000
Total Appropriation	\$ 28,456,000
Total FTE Staff Years	1,747

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation—Federal	\$ 13,067,000
Total Appropriation	\$ 13,067,000

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$ 13,804,000
General Fund Appropriation—Federal	\$ 9,469,000
Total Appropriation	\$ 23,273,000
Total FTE Staff Years	1,370

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

(1) Assistance grants shall be increased by up to 5.5% in each year of the biennium. Up to \$52,564,000 including \$17,152,000 from federal funds shall be expended. SSI increases may be higher than 5.5% if necessary in order to pass along federal grant increases.

(2) Up to \$23,485,000 including \$7,057,000 from federal funds shall be expended to fund catch-up grant increases recommended by the department's study of public assistance standards.

(3) Grant maxima shall be eliminated. Up to \$368,000 including \$190,000 from federal funds shall be expended.

(4) The continuing general assistance standard shall be paid to unemployed employable persons who meet the eligibility requirements for noncontinuing general assistance. Up to \$6,090,000 shall be expended.

(5) Up to \$18,576,000 shall be provided for chore services.

(6) Up to \$21,333,000 including \$6,345,000 from federal funds shall be expended to remove the grant differences between Area 1 and Area 2.

(7) Up to \$430,000 shall be expended exclusively to increase salaries for resident care aides in congregate care facilities.

(8) Vendor rates shall be increased by up to 5.5% in each year of the biennium. Up to \$1,825,000 shall be expended.

(9) The department shall implement the Washington Employment Security Test Program to include a program of supported work within the state for a broad range of the department's clients. The department shall report to the legislature in January, 1978, and January, 1979, on the status of such programs. The department shall make maximum use of CETA funds available to implement this program. The department shall apply to the federal government for demonstration funds to assist in the accomplishment of this purpose and shall explore development of any federal legislation or regulatory waivers required to accomplish this purpose. Any such unanticipated federal funds received specifically to implement this program shall be in addition to all other sums appropriated in this act.

NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM.

State Funding Sources	\$ 76,396,000
Federal Funding Sources	\$ 87,564,000
Total Funding Sources For Program	\$ 163,960,000
Total FTE Staff Years For Program	3,400

FAMILY AND CHILDRENS' SERVICES CATEGORY.

General Fund Appropriation—State	\$ 52,733,000
General Fund Appropriation—Federal	\$ 50,924,000
Total Appropriation	\$ 103,657,000
Total FTE Staff Years	2,006

ADULT SERVICES CATEGORY.

General Fund Appropriation—State	\$ 16,644,000
General Fund Appropriation—Federal	\$ 23,893,000
Total Appropriation	\$ 40,537,000
Total FTE Staff Years	686

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation—State	\$ 430,000
General Fund Appropriation—Federal	\$ 1,451,000
Total Appropriation	\$ 1,881,000
Total FTE Staff Years	41

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$ 6,589,000
General Fund Appropriation—Federal	\$ 10,296,000
Total Appropriation	\$ 16,885,000
Total FTE Staff Years	667

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

(1) A cost reimbursement rate setting system for private group care facilities shall be established. Up to \$1,598,000 including \$98,000 from federal funds may be expended.

(2) Foster care rates shall be increased up to 5.5% in each year of the biennium. Up to \$270,000 including \$52,000 from federal funds may be expended.

(3) Vendor rates shall be increased up to 5.5% in each year of the biennium. Up to \$5,294,000 including \$1,572,000 from federal funds may be expended.

(4) A maximum effort toward shortening foster care length of stay and increasing adoptive placements shall be made.

(5) Up to \$24,761,000, including \$20,950,000 from federal funds, shall be expended for day care services. Day care services shall be expanded to provide assistance to non-AFDC recipient families in meeting their day care costs. Day care expenses for single working parents, two parent working families, and two parent families where one parent is disabled and the other parent employed shall be subsidized in proportion to their ability to pay. Parents shall participate and share in paying for day care such that 50 percent of all earned income in excess of grant standards plus work expenses be applied toward the cost of day care. Up to \$7,850,000, including \$5,887,000 from federal funds, shall be expended exclusively for this program expansion subject to continuation of special federal funding for day care now provided under PL 94-401.

(6) An expanded crisis intervention program based on keeping families together at the point at which they are about to break up and have one or more members institutionalized shall be funded. Up to \$400,000 may be expended to expand this program.

(7) Senior citizen services shall be continued as authorized by chapter 131, Laws of 1975-'76 2nd ex. sess. on the effective date of this act. In addition those other senior citizen programs operating in fiscal year 1977 may continue. Up to 43 FTE staff years and \$28,990,000 including \$18,416,000 from federal funds may be expended.

(8) Specialized foster care rates for disturbed adolescents and children shall be increased to equal the rates for the grossly retarded or severely handicapped. Up to \$451,000 in state funds may be expended.

(9) Up to \$56,000 including \$11,000 from federal funds may be expended to fund catch-up grant increases recommended by the department's study of public assistance standards.

(10) The department shall complete the development of work load standards for the community social services program and begin the implementation of such standards. Not later than December 1, 1977, the department shall report the results of such development and implementation to the house appropriations committee and senate ways and means committee for their review.

(11) Up to 55 FTE staff years and \$881,000 shall be expended exclusively to increase foster care services.

(12) Child protective services shall be considered a priority service within community social services. When workload problems occur caseworkers shall be diverted from lower priority service areas, except foster care.

(13) Work incentive program staffing may be increased. Up to 12 FTE staff years and \$201,000 including \$181,000 from federal funds shall be expended.

(14) Up to \$2,300,000 of the general fund appropriations—state contained in this section shall be expended to continue employment orientation and career change programs. The department shall contract for the program. Contracts awarded under this subsection shall contain performance specifications and financial penalties to the contractor for nonperformance. The contracting process shall stress past performance by potential contractors in the implementation of these programs. A legislative review committee comprised of the majority leaders and appropriation chairmen of both houses shall be created to audit the performance of the programs and contracting agencies. A report on the performance of the program shall be made to the legislature no later than January 1, 1978, and January 1, 1979.

NEW SECTION. Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM.

State Funding Sources	\$	259,292,000
Federal Funding Sources	\$	227,905,000
Total Funding Sources For Program	\$	487,197,000
Total FTE Staff Years For Program		895

GENERAL MEDICAL ASSISTANCE CATEGORY.

General Fund Appropriation—State	\$	247,311,000
General Fund Appropriation—Federal	\$	212,186,000
Total Appropriation	\$	459,497,000

PREVENTION OF BLINDNESS ASSISTANCE CATEGORY.

General Fund Appropriation—State	\$	1,617,000
General Fund Appropriation—Federal	\$	1,323,000
Total Appropriation	\$	2,940,000
Total FTE Staff Years		5

ELIGIBILITY DETERMINATION CATEGORY.

General Fund Appropriation—State	\$	2,033,000
General Fund Appropriation—Federal	\$	1,650,000
Total Appropriation	\$	3,683,000
Total FTE Staff Years		262

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$	8,331,000
General Fund Appropriation—Federal	\$	12,746,000
Total Appropriation	\$	21,077,000
Total FTE Staff Years		628

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

- (1) Up to \$34,033,000 including \$13,097,000 from federal funds shall be expended for an inflationary increase for hospital provider payments.
- (2) Up to \$3,706,000 including \$1,903,000 from federal funds shall be expended for an inflationary increase for drug payments.
- (3) Up to \$11,119,000 including \$5,434,000 from federal funds shall be expended for an inflationary increase in other vendor payments.
- (4) Up to \$566,000 including \$76,000 from federal funds shall be expended for resuming general assistance for persons who are receiving training in the vocational rehabilitation program.
- (5) Cost reimbursement rates for nursing home vendors shall be increased for inflation up to \$15,531,000 including \$8,308,000 from federal funds.
- (6) Up to \$7,351,000 including \$3,796,000 from federal funds shall be expended exclusively to increase salaries for nursing home aides.
- (7) Claims processing and medical service review shall be increased. Up to 24 FTE staff years and dollar savings resulting from the use of the medicaid management information system may be expended in an amount up to \$408,000.
- (8) The nursing home audit staff shall be increased. Up to 26 FTE staff years and \$478,000 including \$191,000 from federal funds may be expended for this increase.
- (9) The department shall not modify its method of disbursement of property and related cost payments to nursing homes, as that method was in existence on April 1, 1977, without the prior approval of the senate ways and means committee and the house appropriations committee.
- (10) Full scope medical care shall be provided for unemployed employable recipients of general assistance. Up to \$837,000 may be expended for this increase in medical care.
- (11) Up to \$2,000,000 shall be expended to increase voluntary inpatient care for local hospitals for acutely mentally ill patients.

NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM.

State Funding Sources	\$	17,776,000
Federal Funding Sources	\$	40,708,000
Private/Local Funding Sources	\$	358,000
Total Funding Sources For Program	\$	58,842,000
Total FTE Staff Years For Program		857

PERSONAL HEALTH IMPROVEMENT CATEGORY.

General Fund Appropriation—State	\$	7,359,000
General Fund Appropriation—Federal	\$	18,499,000
General Fund Appropriation—Private/Local	\$	358,000
Total Appropriation	\$	26,216,000
Total FTE Staff Years		398

PATIENT CARE CATEGORY.

General Fund Appropriation—State	\$	4,121,000
General Fund Appropriation—Federal	\$	2,635,000
Total Appropriation	\$	6,756,000
Total FTE Staff Years		38

HEALTH SYSTEMS IMPROVEMENT CATEGORY.

General Fund Appropriation—State	\$	4,710,000
General Fund Appropriation—Federal	\$	7,288,000
Total Appropriation	\$	11,998,000
Total FTE Staff Years		329

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation—State	\$	355,000
General Fund Appropriation—Federal	\$	12,037,000
Total Appropriation	\$	12,392,000
Total FTE Staff Years		28

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$	1,231,000
General Fund Appropriation—Federal	\$	249,000
Total Appropriation	\$	1,480,000
Total FTE Staff Years		64

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

(1) Family planning services shall be increased up to a total level of \$10,820,000 including \$3,078,000 from federal Title XX funds. Title XX funds shall be expended to purchase increased services from family planning clinics.

(2) Kidney center funding in this program shall be continued. Up to \$690,000 may be expended in the public health program to fund kidney centers.

(3) Existing health planning staff of the planning and community affairs agency shall be transferred to the department. Up to 13.9 FTE staff years and \$819,000 may be expended for this activity.

(4) Up to \$355,000 of the general fund appropriation—state shall be expended exclusively to provide local matching funds to purchase equipment for the 6th and 7th floors of the Fred Hutchinson Cancer Research Center.

(5) Up to \$206,000 and 15 FTE staff years shall be expended for the expansion of birth defect and metabolic disorder screening and testing.

(6) Up to \$229,000 and 5.6 FTE staff years shall be expended for the expansion of the dental rinsing program for children.

(7) Up to \$575,000 and 6 FTE staff years shall be expended for the implementation of the Safe Drinking Water Act.

(8) Up to \$200,000 and 4 FTE staff years shall be expended for implementing a blood pressure control screening program.

NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM.

State Funding Sources	\$	5,997,000
Federal Funding Sources	\$	38,323,000
Local Funding Sources	\$	11,000
Total Funding Sources For Program	\$	44,331,000
Total FTE Staff Years For Program		775

REHABILITATION SERVICES—GENERAL CATEGORY.

General Fund Appropriation—State	\$	1,821,000
General Fund Appropriation—Federal	\$	27,081,000
Total Appropriation	\$	28,902,000
Total FTE Staff Years		532

REHABILITATIVE FACILITIES AND SHELTERED WORKSHOPS—GENERAL CATEGORY.

General Fund Appropriation—State	\$	2,722,000
General Fund Appropriation—Federal	\$	5,278,000
General Fund Appropriation—Local	\$	11,000
Total Appropriation	\$	8,011,000
Total FTE Staff Years		52

REHABILITATIVE SERVICES FOR THE BLIND CATEGORY.

General Fund Appropriation—State	\$	992,000
General Fund Appropriation—Federal	\$	3,376,000
Total Appropriation	\$	4,368,000
Total FTE Staff Years		112

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation—State	\$	147,000
General Fund Appropriation—Federal	\$	1,326,000
Total Appropriation	\$	1,473,000
Total FTE Staff Years		18

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$	315,000
General Fund Appropriation—Federal	\$	1,262,000
Total Appropriation	\$	1,577,000
Total FTE Staff Years		61

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to make provision for the following:

- (1) Up to \$207,000 including \$176,000 from federal funds may be expended to increase case services.
- (2) The number of developmentally disabled clients in sheltered workshops shall be increased by 395 clients during the biennium. Up to 6 FTE staff years and \$732,000 including \$549,000 from federal Title XX funds may be expended.
- (3) Vendor rates for sheltered workshops shall be increased up to 5.5% in each year of the biennium. Up to \$457,000 may be expended.
- (4) Rehabilitation training service for the visually handicapped shall be increased. Up to 19 FTE staff years and \$257,000 including \$206,000 from federal Vocational Rehabilitation Act funds may be expended for this increase.
- (5) Kidney center funding in this program shall be continued. Up to a total of \$555,000 may be expended in this program to fund kidney centers.
- (6) The department shall provide for the establishment and implementation of a vocational training and employment program for the mentally retarded. Up to \$275,000 may be expended.

NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM.

State Funding Sources	\$	42,288,000
Federal Funding Sources	\$	35,334,000
Total Funding Sources For Program	\$	77,622,000
Total FTE Staff Years For Program		3,056

GENERAL ADMINISTRATION CATEGORY.

General Fund Appropriation—State	\$	8,088,000
General Fund Appropriation—Federal	\$	3,354,000
Total Appropriation	\$	11,442,000
Total FTE Staff Years		343

PERSONNEL CATEGORY.

General Fund Appropriation—State	\$	2,038,000
General Fund Appropriation—Federal	\$	1,191,000
Total Appropriation	\$	3,229,000
Total FTE Staff Years		139

INFORMATION SYSTEMS CATEGORY.

General Fund Appropriation—State	\$	9,312,000
General Fund Appropriation—Federal	\$	4,914,000
Total Appropriation	\$	14,226,000
Total FTE Staff Years		530

COLLECTIONS AND DISBURSEMENTS CATEGORY.

General Fund Appropriation—State	\$	5,904,000
General Fund Appropriation—Federal	\$	8,167,000
Total Appropriation	\$	14,071,000
Total FTE Staff Years		843

OPERATING AND FISCAL AUDIT SERVICES CATEGORY.

General Fund Appropriation—State	\$	5,202,000
General Fund Appropriation—Federal	\$	4,001,000
Total Appropriation	\$	9,203,000
Total FTE Staff Years		427

FISCAL SERVICES CATEGORY.

General Fund Appropriation—State	\$	4,610,000
General Fund Appropriation—Federal	\$	1,068,000

Total Appropriation	\$	5,678,000
Total FTE Staff Years		278

SPECIAL PROJECTS CATEGORY.

General Fund Appropriation—Federal	\$	9,690,000
Total Appropriation	\$	9,690,000
Total FTE Staff Years		28

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$	7,134,000
General Fund Appropriation—Federal	\$	2,949,000
Total Appropriation	\$	10,083,000
Total FTE Staff Years		468

In making allotments for expenditures from the appropriations contained in this section the office of program planning and fiscal management shall require the department to provide up to 160 FTE staff years and \$3,241,000 including \$2,400,000 in federal funds shall be expended to increase support enforcement and collections staffing.

NEW SECTION, Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS.

(1) General Fund—State and Local Improvements Revolving Account Reappropriation—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	15,064,000
---	----	------------

The reappropriation contained in this subsection shall be expended exclusively for municipal and industrial water supply and distribution facilities as provided for in chapter 1, Laws of 1977 1st ex. sess.

(2) General Fund Reappropriation—State	\$	14,523,000
General Fund Reappropriation—Federal	\$	12,047,000

The reappropriations contained in this subsection shall be for payment of 1975–77 biennium claims not in excess of the unexpended balances of 1975–77 appropriations for the following purposes:

(a) Medical assistance	\$	25,800,000
(b) Family planning	\$	500,000
(c) Intermediate care	\$	220,000
(d) Involuntary treatment	\$	50,000
(3) General Fund Reappropriation—State	\$	427,000
General Fund Reappropriation—Federal	\$	71,000

The reappropriations contained in this subsection shall be for up to fifty percent payment of delinquent vendor claims filed under the provisions of RCW 74.09.160.

NEW SECTION, Sec. 62. FOR THE DEPARTMENT OF VETERAN AFFAIRS

State Funding Sources	\$	8,329,000
Federal Funding Sources	\$	1,197,000
Local Funding Sources	\$	881,000
Total Funding Sources	\$	10,407,000
Total FTE Staff Years		647

COMMUNITY SERVICES CATEGORY.

General Fund Appropriation	\$	792,000
Total Appropriation	\$	792,000
Total FTE Staff Years		34

INSTITUTIONAL REHABILITATION SERVICES CATEGORY.

General Fund Appropriation—State	\$	3,718,000
General Fund Appropriation—Local	\$	813,000
Total Appropriation	\$	4,531,000
Total FTE Staff Years		335

PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State	\$	3,819,000
General Fund Appropriation—Federal	\$	1,197,000
General Fund Appropriation—Local	\$	68,000
Total Appropriation	\$	5,084,000
Total FTE Staff Years		278

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than 20 FTE staff years and \$576,000 shall be expended for guardianship services and state office staffing.

NEW SECTION, Sec. 63. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	531,211
General Fund—Forest Development Account Appropriation	\$	54,554
General Fund—Resource Management Cost Account Appropriation	\$	413,353
Total Appropriation	\$	999,118

The appropriations contained in this section shall be subject to the following condition or limitation:
Expenditure of these funds are contingent upon the opening of an additional honor camp.

NEW SECTION, Sec. 64. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	4,372,000
General Fund Appropriation—Federal	\$	137,456,000
General Fund Appropriation—Private/Local	\$	253,000
Total Appropriation	\$	142,081,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) It is the intent of the legislature that state funds which are appropriated for the specific purpose of matching a federal grant and which are not used for that purpose shall be placed in reserve and shall revert to the general fund at the end of the biennium.

(2) The office of program planning and fiscal management shall allot and monitor expenditures at the element level in the community planning program and the human resources planning program.

(3) LEAA block grant funds of \$2,633,092 (contained within the general fund appropriation—federal) and corresponding state matching funds shall be expended exclusively for undesignated state projects from federal funds received in fiscal year 1978 and fiscal year 1979.

(4) LEAA block grant funds of \$2,612,772 (contained within the general fund appropriation—federal) and corresponding state matching funds shall be expended exclusively for carry forward funding of fiscal year 1976 and fiscal year 1977 state projects.

(5) The state share of LEAA funds shall be expended exclusively by statutorily created state agencies.

(6) \$192,000 shall be expended for the office of voluntary action: PROVIDED, That additional funding shall come from federal funds when available.

NEW SECTION, Sec. 65. FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	2,430,829
General Fund Appropriation—Federal	\$	96,000
General Fund Appropriation—Local	\$	72,000
Total Appropriation	\$	2,598,829

The appropriations contained in this section shall be subject to the following condition or limitation:

The commission shall operate a local office in the Vancouver, Washington vicinity.

NEW SECTION, Sec. 66. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Accident Fund Appropriation	\$	1,162,500
Medical Aid Fund Appropriation	\$	1,162,500
Total Appropriation	\$	2,325,000

NEW SECTION, Sec. 67. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING

COMMISSION

General Fund Appropriation	\$	100,347
General Fund—Criminal Justice Training Account Appropriation	\$	2,180,017
Total Appropriation	\$	2,280,364

NEW SECTION, Sec. 68. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	6,437,000
General Fund Appropriation—Federal	\$	100,000
Accident Fund Appropriation	\$	22,970,000
Medical Aid Fund Appropriation	\$	20,240,000
Plumbing Certificate Fund Appropriation	\$	125,000
Electrical License Account Appropriation	\$	4,393,000
Total Appropriation	\$	54,265,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) A cost/benefit study of the proposed enhancement of the automated records management system shall be submitted to the legislature no later than December 15, 1977.

(2) The building and construction safety program shall be divided into two programs: The electrical licensing and regulation program and the building and construction program.

(3) General fund expenditures in the building and construction program and its related administration expenses shall not exceed general fund revenues generated by the building and construction program.

NEW SECTION, Sec. 69. FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation—State	\$	1,539,059
General Fund Appropriation—Federal (Law Enforcement Assistance Administration)	\$	690,165
Total Appropriation	\$	2,229,224

NEW SECTION, Sec. 70. FOR THE HOSPITAL COMMISSION

General Fund Appropriation—Federal	\$	708,298
General Fund—Hospital Commission Account Appropriation	\$	600,000
Total Appropriation	\$	1,308,298

NEW SECTION, Sec. 71. FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	2,540,718
General Fund Appropriation—Federal	\$	225,000

General Fund Appropriation—Local	\$	496,699
Unemployment Compensation Administration Fund Appropriation—Federal	\$	90,469,388
Administrative Contingency Fund Appropriation	\$	400,000
Total Appropriation	\$	94,131,805

The appropriations contained in this section shall be subject to the following conditions and limitations:
 (1) Not more than \$2,248,300 of the general fund appropriation—state shall be expended exclusively for the Program for Local Service.

(2) Not more than \$93,960 and 6 FTE staff years contained in the administrative contingency fund appropriation shall be expended exclusively to bring the department into compliance with state accounting requirements.

(3) The department is directed to develop an integrated method of accounting which will fulfill the requirements of both the federal government and the state government without unnecessary duplication and shall provide a progress report to the house committee on appropriations and the senate committee on ways and means no later than January 1, 1978.

NEW SECTION. Sec. 72. FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	738,000
General Fund Appropriation—Federal	\$	1,335,297
Total Appropriation	\$	2,073,297

NEW SECTION. Sec. 73. FOR THE OCEANOGRAPHIC COMMISSION

General Fund Appropriation	\$	210,000
Total Appropriation	\$	210,000

NEW SECTION. Sec. 74. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation	\$	3,660
Total Appropriation	\$	3,660

NEW SECTION. Sec. 75. FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	15,795,309
General Fund Appropriation—Federal	\$	9,149,418
General Fund Appropriation—Private/Local	\$	68,845
General Fund—Reclamation Revolving Account Appropriation	\$	540,628
General Fund—Litter Control Account Appropriation	\$	2,988,984
Stream Gaging Basic Data Fund Appropriation	\$	180,000
General Fund—Special Grass Seed Burning Research Account Appropria- tion—State	\$	20,000
General Fund—State Emergency Water Projects Revolving Account Appropria- tion	\$	11,000,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	108,328,878
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	26,592,877
Total Appropriation	\$	174,664,939

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,131,706 in state funds from the appropriations contained herein shall be expended by the department for matching purposes for activated air pollution control authorities. If such authorities do not expend an equal amount to match such funds during the 1977-79 biennium, then such unmatched, unexpended state funds shall be available to the department.

(2) Not more than \$1,451,274 from federal air pollution control grant funds shall be made available to activated air pollution control authorities in the state as directed by the federal environmental protection agency.

(3) Not more than \$204,000 of the general fund appropriation—state shall be expended within the field operations program for the Washington state conservation commission exclusively for ongoing commission staff functions, including those responsibilities related to the implementation phase of section 208, P.L. 92-500, The Federal Clean Water Act.

(4) Not more than \$1,053,000 from the litter control account appropriation shall be expended to supervise and hire part time personnel for a Youth Corps Litter Pick-up Program.

(5) On or before October 1, 1977, the department of ecology shall file with the house appropriations and senate ways and means committees a master compilation by project type of those projects proposed for funding during the 1977-79 biennium from the appropriations for waste disposal facilities, municipal and industrial water supply facilities, and agricultural water supply facilities. The department shall submit updates for the master compilation to the house appropriations and senate ways and means committees at six month intervals during the 1977-79 biennium. The updates shall reflect project completions, deletions, and substitutions or additions made during the course of administering such projects. If the department proposes to change or modify any project listed on the master compilation, it shall give the house appropriations and senate ways and means committees thirty days written notice of such change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall inform the house

appropriations and senate ways and means committees as soon as is practicable of emergent federal action which has any affect whatsoever on the appropriations for waste disposal facilities and water supply facilities.

(6) The appropriation from the state and local improvements revolving account—municipal and industrial water supply facilities may be expended to pay up to fifty percent of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may loan up to one hundred percent of the eligible costs of preconstruction activities and the department may provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(7) The appropriation from the state and local improvements revolving account—waste disposal facilities may be expended by the department to pay for up to fifty percent of the eligible cost of any project, as a grant or loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is hereby authorized to loan up to one hundred percent of the eligible costs of preconstruction activities. The department is hereby authorized to provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

NEW SECTION. Sec. 76. FOR THE POLLUTION CONTROL HEARINGS BOARD

General Fund Appropriation	\$	498,911
Total Appropriation	\$	498,911

NEW SECTION. Sec. 77. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL

General Fund Appropriation—State	\$	346,676
General Fund Appropriation—Private/Local	\$	967,569
Total Appropriation	\$	1,314,245

NEW SECTION. Sec. 78. FOR THE SHORELINES HEARING BOARD

General Fund Appropriation	\$	44,522
Total Appropriation	\$	44,522

NEW SECTION. Sec. 79. FOR THE STATE PARKS AND RECREATION COMMISSION

Total Funding Sources For All Programs	\$	28,417,063
--	----	------------

(1) Administrative Services Program

General Fund Appropriation—State	\$	2,911,968
General Fund Appropriation—Federal	\$	446,638
General Fund—Trust Land Purchase Account Appropriation	\$	5,985,000
General Fund—State and Local Improvement Revolving Account Appropriation Public Recreation Facilities; appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess.	\$	842,199
Total Appropriation	\$	10,185,805

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- All state funded historic preservation grants shall be expended exclusively for local governments.
- All federally funded historic preservation grants including unanticipated receipts shall be expended exclusively for local governments and private parties.
- No more than 61.6 FTE staff years shall be expended in each fiscal year.
- The commission is authorized to transfer up to \$225,000 of the trust land purchase account appropriation to the department of natural resources and in return the department of natural resources is authorized to transfer approximately 147 acres of state forest lands, including timber adjacent to Sequest state park, to the commission and the department of natural resources shall expend the amount so transferred to acquire replacement forest lands in Cowlitz county.

(2) Resource Development Program

General Fund Appropriation	\$	2,285,028
Motor Vehicle Fund Appropriation	\$	725,000
Total Appropriation	\$	3,010,028

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- No more than 48.5 FTE staff years shall be expended each fiscal year.
- \$32,000 shall be expended exclusively for implementation of ESB 3002, only if ESB 3002 becomes law.

(3) Park Operations Program

General Fund Appropriation—State	\$	14,526,019
General Fund—Outdoor Recreation Account Appropriation	\$	70,312
Total Appropriation	\$	14,596,331

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- Not more than 316.3 FTE staff years shall be expended in fiscal year 1978 and not more than 315.1 FTE staff years shall be expended in fiscal year 1979.

(b) General fund state revenue from the Fort Warden Conference Center shall provide one-half of the costs to operate the conference center in fiscal year 1978. In fiscal year 1979 the conference center shall become entirely self-supporting.

(c) Not more than \$804,487 and 43 FTE staff years shall be expended exclusively for operation of the Fort Warden Conference Center.

(d) Not more than \$110,000 shall be expended exclusively within the park operation program for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(4) Youth Development Program

General Fund Appropriation—State	\$	324,899
General Fund Appropriation—Federal	\$	300,000
Total Appropriation	\$	624,899

The appropriations contained in this subsection shall be subject to the following condition or limitation: Not more than 276 FTE staff years shall be expended during the biennium.

(5) Notwithstanding any other provision of law to the contrary, the commission shall not expend any of the appropriations contained in subsections (1) through (4) of this section for entering into contractual agreements or receiving any donation of real property or an interest therein which commits the commission to either assuming on a current basis or to requesting funds at a future time for operating, development, or acquisition costs without prior approval of the office of program planning and fiscal management and, the legislative budget committee, or the senate ways and means committee and house appropriations committee if the legislature is in session.

NEW SECTION. Sec. 80. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

General Fund—Outdoor Recreation Account Appropriation	\$	16,230,435
General Fund—Outdoor Recreation Account Appropriation; Appropriated pursuant to section 4(2), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	\$	5,915,567
Total Appropriation	\$	22,146,002

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) Not more than \$888,730 from state funds and not more than \$59,270 from federal funds shall be expended exclusively for the administration program.

(2) Not more than \$21,198,002 shall be expended exclusively for the grants to local agencies program.

(3) A budget proposal shall be developed for the 1979–1981 biennium which apportions federal funds on a 60% local and 40% state basis.

NEW SECTION. Sec. 81. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	2,666,720
General Fund Appropriation—Federal	\$	12,453
Motor Vehicle Fund Appropriation	\$	305,187
Total Appropriation	\$	2,984,360

NEW SECTION. Sec. 82. FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	23,682,529
General Fund Appropriation—Federal	\$	3,824,103
General Fund Appropriation—Private/Local	\$	1,167,917
General Fund—Lewis River Hatchery Account Appropriation	\$	26,640
Vessel, Gear, License, and Permit Reduction Fund Appropriation	\$	3,500,000
Total Appropriation	\$	32,201,189

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$273,000 and 2 FTE staff years of the general fund appropriation—state contained in this section shall be expended exclusively for the purchase, operation, and maintenance of an off shore patrol vessel.

(2) Not more than \$400,000 of the general fund appropriation—state shall be expended within the salmon program exclusively for additional maintenance at existing department facilities.

(3) Not more than \$650,924 of the general fund appropriation—state shall be expended exclusively for increased hatchery production at existing department facilities.

NEW SECTION. Sec. 83. FOR THE DEPARTMENT OF GAME

General Fund Appropriation	\$	42,000
General Fund—Outdoor Recreation Account Appropriation	\$	72,000
Game Fund Appropriation—State	\$	19,471,000
Game Fund Appropriation—Federal	\$	8,000,000
Game Fund Appropriation—Private/Local	\$	813,000
Game Fund—Special Wildlife Account Appropriation	\$	142,000
Total Appropriation	\$	28,540,000

NEW SECTION. Sec. 84. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	15,228,000
General Fund Appropriation—Federal	\$	2,293,000

General Fund—Landowner Contingency Forest Fire Suppression Account	
Appropriation	\$ 845,000
General Fund—Resource Management Cost Account Appropriation	\$ 34,075,000
General Fund—Forest Development Account Appropriation	\$ 9,582,000
General Fund—State Timber Reserve Account Appropriation	\$ 2,389,000
General Fund—Outdoor Recreation Account Appropriation	\$ 1,228,000
Total Appropriation	\$ 65,640,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$50,000 shall be expended exclusively for conversion to the personnel/payroll system.

(2) All federal funds received by the department of natural resources shall be placed in the general fund—federal with the exception of federal funds received for the private forestry assistance and regulation program.

(3) If more than \$180,000 in Clark McNary funds are received for the private forestry assistance and regulation program a like amount of general fund moneys shall be placed in reserve.

(4) It shall be a priority of the department of natural resources to continue an escalated inventory of department managed lands for mineral wealth.

(5) \$1,000,000 of the general fund—state appropriation shall be expended exclusively for emergency forest fire suppression. Such funds shall also be available for interfund loans with the landowners forest fire suppression account.

(6) Not more than \$1,259,107 of the general fund—state appropriation shall be expended exclusively for the geology and earth resources program.

(7) The recreation program shall be split into two elements for accounting and allotment purposes: Maintenance and capital enhancement.

(8) \$230,000 of the general fund appropriation—state shall be expended by the department in a program directed toward the eradication of the star thistle weed (*centaurea solstitialis*), knapweed (*centaurea l.*), and bindweed (*convulvulus*). The department shall provide a one-third state share for problem areas to such lands which are privately owned if participating counties and individual landowners provide their equal one-third shares, and not to exceed \$30,000 for cooperative studies for control, demonstration plots, application rates, and timing, with the Department of Forestry and Range Management at Washington State University.

NEW SECTION. Sec. 85. FOR THE FOREST PRACTICES APPEALS BOARD

General Fund Appropriation	\$ 67,000
Total Appropriation	\$ 67,000

NEW SECTION. Sec. 86. FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$ 6,491,213
Commercial Feed Fund Appropriation	\$ 269,247
General Fund—Feed and Fertilizer Account Appropriation	\$ 14,455
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$ 268,813
Nursery Inspection Fund Appropriation	\$ 231,834
Seed Fund Appropriation	\$ 617,453
Grain and Hay Inspection Fund Appropriation	\$ 6,821,121
Total Appropriation	\$ 14,714,136

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$4,000 of the general fund appropriation—state shall be expended exclusively for the continued implementation of the starling control program.

(2) \$160,000 of the general fund appropriation—state shall be expended exclusively by the department for its one-third share for the special tansy ragwort control program in conjunction with those county noxious weed control boards which have placed tansy ragwort on their noxious weed list. Continued state expenditures are conditioned on the continuation of payment of an equal one-third share by participating county noxious weed control boards and individual landowners. No county noxious weed control board or individual landowners shall be eligible for the state's one-third share unless such board or landowner has developed a range management program approved by the department in cooperation with the appropriate local or other agency responsible for said conservation. \$20,000 of the \$160,000 shall be expended in cooperation with Washington State University for completion of research into the poisonous properties of tansy ragwort (*Senecio-Jacobaea*).

NEW SECTION. Sec. 87. FOR THE AERONAUTICS COMMISSION

General Fund—Search and Rescue Account Appropriation	\$ 48,000
General Fund—Aeronautics Account Appropriation	\$ 817,771
Total Appropriation	\$ 865,771

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$77,771 of the general fund—aeronautics account appropriation shall be expended exclusively for improvement of state owned emergency landing fields.

NEW SECTION. Sec. 88. FOR THE BOARD OF PILOTAGE COMMISSIONERS

General Fund—Puget Sound Pilotage Account Appropriation	\$ 8,000
Total Appropriation	\$ 8,000

NEW SECTION. Sec. 89. FOR THE STATE PATROL

General Fund Appropriation	\$	4,556,881
Motor Vehicle Fund Appropriation	\$	56,181,981
Total Appropriation	\$	60,738,862

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than 3 FTE staff years and \$139,968 shall be expended in fiscal year 1978 for the Washington Crime Information Center, and the patrol shall provide the house appropriations committee and the senate ways and means committee with a report by January 15, 1978, on a billing system for the participants' share of the cost of operating the Washington Crime Information Center.

(2) Not more than \$1,061,419 of the motor vehicle fund appropriation shall be expended exclusively for a central computer enforcement service system (ACCESS).

NEW SECTION. Sec. 90. FOR THE VEHICLE EQUIPMENT SAFETY COMMISSION

Highway Safety Fund Appropriation	\$	6,800
Total Appropriation	\$	6,800

NEW SECTION. Sec. 91. FOR THE TRAFFIC SAFETY COMMISSION

Highway Safety Fund Appropriation—State	\$	430,000
Highway Safety Fund Appropriation—Federal	\$	3,941,000
Total Appropriation	\$	4,371,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$110,000 shall be expended exclusively for a grant to the city of Bremerton to provide additional supplemental salaries and equipment as may be required because of the impact of the Trident Submarine Support Base upon the city's current and future needs for traffic control, public safety, law enforcement, prosecutorial and municipal court services.

(2) Not more than \$100,000 shall be expended exclusively for grants to cities or towns which have a portion of their boundaries located within two or less miles of the Canadian/Washington border, which grants shall be used exclusively for law enforcement purposes: PROVIDED, That such border cities or border towns which are also located on an interstate highway shall receive eighty-five percent of such funds.

NEW SECTION. Sec. 92. FOR THE DEPARTMENT OF MOTOR VEHICLES

General Fund Appropriation	\$	4,812,000
General Fund—Architect's License Account Appropriation	\$	117,401
General Fund—Commercial Automobile Driver Training School Account Appropriation	\$	3,406
General Fund—Optician's Account Appropriation	\$	23,327
General Fund—Optometry Account Appropriation	\$	56,734
General Fund—Professional Engineer's Account Appropriation	\$	359,582
General Fund—Real Estate Commission Account Appropriation	\$	1,828,000
General Fund—Sanitarian's Licensing Account Appropriation	\$	13,019
General Fund—Board of Psychological Examiners Account Appropriation	\$	27,581
Game Fund Appropriation	\$	73,615
Highway Safety Fund Appropriation	\$	19,483,000
Motor Vehicle Fund Appropriation	\$	17,451,000
Total Appropriation	\$	44,248,665

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$100,000 of the motor vehicle fund appropriation shall be expended exclusively for vehicle title guarantees.

NEW SECTION. Sec. 93. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund Appropriation	\$	172,151
Total Appropriation	\$	172,151

**NEW SECTION. Sec. 94. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
(INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State	\$	9,962,808
General Fund Appropriation—Federal	\$	5,333,000
General Fund—Traffic Safety Education Account Appropriation	\$	323,250
Total Appropriation	\$	15,619,058

**NEW SECTION. Sec. 95. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
GENERAL APPORTIONMENT FOR FISCAL YEAR 1978**

General Fund Appropriation:		
For General Apportionment	\$	598,022,129
Total Appropriation	\$	598,022,129

The schedule used by the superintendent of public instruction during the 1977-78 fiscal year in computing the apportionment of these funds for each school district shall be based on the full time equivalent student enrollment for each district as follows: The superintendent shall utilize the 1976-77 staff characteristic of each school district for purposes of determining the 1977-78 weighted student enrollment; the superintendent shall distribute to each district, in accordance with the provisions of RCW 28A.41.130, an

equalized guarantee of \$538 per weighted student; in addition, the superintendent shall distribute to each school district an amount not to exceed \$64 per average annual full time equivalent student.

**NEW SECTION. Sec. 96. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
GENERAL APPORTIONMENT FOR FISCAL YEAR 1979**

General Fund Appropriation:

For General Apportionment	\$ 795,368,528
Total Appropriation	\$ 795,368,528

The schedule used by the superintendent of public instruction during the 1978-79 fiscal year in computing the apportionment of these funds for each school district shall be based on full time equivalent student enrollment for each district as follows:

(1) An entitlement of one full time equivalent certificated staff unit for each twenty average annual full time equivalent students, except that:

(a) A school district with an average annual full time equivalent enrollment of 40 students or less in grades K-6 shall receive an entitlement of two full time equivalent certificated staff units;

(b) A school district with an average annual full time equivalent enrollment of 20 students or less in grades 7-8 shall receive an entitlement of one full time equivalent certificated staff unit;

(c) A school district with an average annual full time equivalent enrollment of 100 students or less in grades 9-12 shall receive an entitlement of five full time certificated staff units;

(2) An entitlement of one full time equivalent classified staff unit for each sixty average annual full time equivalent students, except that:

(a) A school district with an average annual full time equivalent enrollment of 40 students or less in grades K-6 shall receive an entitlement of .67 of a full time equivalent classified staff unit;

(b) A school district with an average annual full time equivalent enrollment of 20 students or less in grades 7-8 shall receive an entitlement of .33 of a full time equivalent classified staff unit;

(c) A school district with an average annual full time equivalent enrollment of 100 students or less in grades 9-12 shall receive an entitlement of 1.67 full time equivalent classified staff units;

(3) A compensation entitlement for each full time equivalent certificated staff unit shall be calculated on:

(a) The respective school district average salary calculated for 1977-78 as provided for in section 97 of this act; plus

(b) An additional amount for payroll benefits equal to 6.23 percent of such district average salary; plus

(c) An additional amount of \$870 for insurance benefits;

(4) A compensation entitlement for each full time equivalent classified staff unit shall be calculated on:

(a) The respective school district average salary calculated for 1977-78 as provided for in section 97 of this act; plus

(b) An additional amount for payroll benefits equal to 13.90 percent of such district average salary; plus

(c) An additional amount of \$870 for insurance benefits;

(5) The certificated staff entitlement for each school district as provided for in subsection (1) of this section shall be multiplied by the respective certificated unit compensation entitlement for each district as provided for in subsection (3) of this section;

(6) The classified staff entitlement for each school district as provided for in subsection (2) of this section shall be multiplied by the respective classified unit compensation entitlement for each district as provided for in subsection (4) of this section;

(7) A nonpersonnel cost entitlement for each school district equal to the sum of the dollars provided for compensation by the calculations made in subsections (5) and (6) of this section divided by 85 percent and multiplied by 15 percent.

(8) Not more than \$6,700,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1978-79 school year from the 1977-78 base enrollment level for certificated staff. The superintendent of public instruction, in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or 300 full time equivalent students, whichever is less, from the immediately preceding year, shall increase the enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from the previous year.

**NEW SECTION. Sec. 97. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
SPECIAL APPROPRIATIONS FOR SALARY INCREASES FOR FISCAL YEAR 1978**

General Fund Appropriation	\$ 37,628,123
Total Appropriation	\$ 37,628,123

The schedule used by the superintendent of public instruction during the 1977-78 fiscal year in computing the distribution of these funds for each school district shall be based on the following:

(1) The respective school district average salaries, including increments, for certificated and classified staff during 1976-77 shall be the base by which salary increase funding shall be determined;

(2) The state-wide average salary, including increments, for certificated staff and for classified staff during 1976-77 shall be increased by 5.5 percent;

(3) The total dollars available for salary increases for certificated staff and for classified staff shall be based on 1976-77 certificated and classified staffing levels multiplied by the adjusted average salary for certificated and for classified staff as provided for in subsection (2) of this section;

(4) The total dollars available for salary increases for all certificated staff and for all classified staff as provided for in subsection (3) of this section shall be distributed among the districts based on the following:

RANGE	CERTIFICATED			CLASSIFIED		
1	\$ 0 -	10,999	14.46%	\$ 0 -	7,999	10.38%
2	11,000 -	12,499	12.05%	8,000 -	8,999	8.65%
3	12,500 -	13,999	9.64%	9,000 -	9,999	6.92%
4	14,000 -	15,499	7.23%	10,000 -	10,999	5.19%
5	15,500 -	16,999	4.82%	11,000 -	11,999	3.46%
6	17,000 -	18,499	2.41%	12,000 -	12,999	1.73%
7	18,500 -	Plus	0%	13,000 -	Plus	0%

**NEW SECTION. Sec. 98. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
SPECIAL APPROPRIATIONS FOR SALARY INCREASES FOR FISCAL YEAR 1979**
General Fund Appropriation \$ 75,114,501
Total Appropriation \$ 75,114,501

The schedule used by the superintendent of public instruction during the 1978-79 fiscal year in computing the distribution of these funds for each school district shall be based on the following:

(1) The respective school district average salaries, including increments, for certificated and classified staff during 1977-78 (the 1977-78 district average salaries shall be determined by using average salaries in effect during 1976-77 plus the increases provided for in section 97 of this act) shall be the base by which salary increase funding shall be determined;

(2) The state-wide average salary, including increments, for certificated staff and for classified staff during 1977-78 shall be increased by 5.5 percent;

(3) The total dollars available for salary increases for certificated staff and for classified staff shall be based on 1978-79 certificated and classified staffing entitlements as provided for in section 96 of this act plus the certificated and classified categorical program staffing multiplied by the adjusted average salary for certificated and for classified staff as provided for in subsection (2) of this section;

(4) The total dollars available for salary increases for certificated staff and for classified staff as provided for in subsection (3) of this section shall be distributed among the districts based on the following:

RANGE	CERTIFICATED			CLASSIFIED		
1	\$ 0 -	11,999	12.41%	\$ 0 -	8,999	9.17%
2	12,000 -	13,499	10.50%	9,000 -	9,999	7.50%
3	13,500 -	14,999	8.59%	10,000 -	10,999	5.84%
4	15,000 -	16,499	6.68%	11,000 -	11,999	4.17%
5	16,500 -	17,999	4.77%	12,000 -	12,999	2.50%
6	18,000 -	19,499	2.86%	13,000 -	Plus	0%
7	19,500 -	Plus	0%			

(5) Funds provided in this section shall be distributed to ensure that districts receive \$870 for each certificated and classified categorical staff unit and an additional amount for payroll benefits equal to 6.23% of each district's certificated average salary and 13.90% of each district's classified average salary.

**NEW SECTION. Sec. 99. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR: APPROVED VOCATIONAL EDUCATION IN GRADES 9-12; SCHOOL DISTRICTS ENROLLING NOT MORE THAN 250 STUDENTS IN GRADES 9-12; REMOTE AND NECESSARY SCHOOL DISTRICTS AND SMALL SCHOOL PLANTS WITHIN SCHOOL DISTRICTS; STUDENTS RESIDING ON TAX EXEMPT PROPERTY; AND INTERDISTRICT COOPERATIVE PROGRAMS**

General Fund Appropriation \$ 40,307,580
Total Appropriation \$ 40,307,580

The schedule used by the superintendent of public instruction during the 1977-79 biennium in the distribution of the appropriation contained in this section shall be based on the weighting factors set forth in section 149(6), chapter 269, Laws of 1975 1st ex. sess. (unmodified) multiplied by the projected 1977-78 full time equivalent student enrollment level in the programs enumerated herein multiplied by \$578 for each of the following:

- (1) Approved vocational education in grades 9-12;
- (2) School districts enrolling not more than 250 students in grades 9-12;
- (3) Remote and necessary school districts and small school plants within school districts;
- (4) Students residing on tax exempt property;
- (5) Interdistrict cooperative programs.

**NEW SECTION. Sec. 100. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR HANDICAPPED EXCESS COSTS**

General Fund Appropriation—State \$ 87,285,000
General Fund Appropriation—Federal \$ 12,594,000
Total Appropriation \$ 99,879,000

(1) The number of students receiving special education for learning language disabilities shall not exceed 1.75 percent of the total student enrollment during the 1977-78 school year, and 2.0 percent of the total student enrollment during the 1978-79 school year.

(2) The superintendent shall distribute sufficient funds to provide for an increase in approved aide hours from 2.6 to 3.0 aide hours per day.

(3) The superintendent shall distribute sufficient funds to provide for a 535 student increase in preschool handicapped enrollment.

(4) The superintendent shall distribute not more than \$75,000 for implementation of the eye safety program.

(5) The superintendent shall distribute not more than \$36,000 for continuation of the program to instruct teachers and school nurses in techniques for recognizing and caring for epileptic students.

**NEW SECTION. Sec. 101. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR GIFTED SPECIAL PROGRAMS**

General Fund Appropriation	\$ 1,540,675
Total Appropriation	\$ 1,540,675

(1) The enrollment supported by this appropriation shall increase from 1,300 students in 1976-77 to 3,100 students in 1977-78 and to 4,000 students in 1978-79 in special programs approved by the superintendent.

(2) The superintendent shall distribute an amount not to exceed \$225 per student to support the approved additional costs of special programs for gifted students.

(3) The superintendent shall reimburse districts in an amount not to exceed \$25 per student in approved programs for purposes of screening and assessment.

**NEW SECTION. Sec. 102. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR STUDENT TRANSPORTATION**

General Fund Appropriation	\$ 92,641,108
Total Appropriation	\$ 92,641,108

(1) The appropriation contained in this section shall be expended exclusively for transportation of students "to and from" public schools and/or to approved learning centers and shall be expended in accordance with the provisions of chapter 392-141 WAC as such chapter exists on the effective date of this act. Sufficient funds are provided to reimburse school districts at a rate not to exceed 80 percent during the first year of the biennium and at a rate not to exceed 100 percent during the second year of the biennium: PROVIDED, That the superintendent shall make such reimbursements only to the extent necessary to reach the funding levels herein provided. Any portion of this appropriation not required to fund the respective reimbursement levels shall be placed in reserve and revert to the general fund at the end of each respective fiscal year.

(2) The appropriate reports required by chapter 392-141 WAC in existence on the effective date of this act shall be certified by the respective school district as being in compliance with the said chapter of the WAC.

**(3) The superintendent shall distribute not more than \$415,544 for regional transportation coordinators.
NEW SECTION. Sec. 103. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-
TECHNICAL INSTITUTES**

General Fund Appropriation	\$ 31,011,312
Total Appropriation	\$ 31,011,312

The superintendent shall distribute not less than 7 percent of this total appropriation in each year of the biennium exclusively for the purchase of instructional equipment. The superintendent shall recognize the differences among the programs at the vocational-technical institutes in distributing funds for instructional equipment: PROVIDED, That such distribution shall be exclusively for the support of core curriculum programs.

**NEW SECTION. Sec. 104. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State	\$ 10,903,188
General Fund Appropriation—Federal	\$ 3,654,170
Total Appropriation	\$ 14,557,358

**NEW SECTION. Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR URBAN RURAL RACIAL DISADVANTAGED PROGRAMS**

General Fund Appropriation	\$ 9,980,104
Total Appropriation	\$ 9,980,104

**NEW SECTION. Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR CULTURAL ENRICHMENT PROGRAMS**

General Fund Appropriation	\$ 1,178,488
Total Appropriation	\$ 1,178,488

**NEW SECTION. Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR THE STATE-WIDE DATA PROCESSING PROGRAM**

General Fund Appropriation	\$ 828,225
Total Appropriation	\$ 828,225

**NEW SECTION. Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation	\$	6,707,246
Total Appropriation	\$	6,707,246

**NEW SECTION. Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR THE PACIFIC SCIENCE CENTER FOR MATHEMATICS AND SCIENCE EDUCATION
SERVICES TO BE PROVIDED PUBLIC SCHOOL STUDENTS AND TEACHERS**

General Fund Appropriation	\$	236,700
Total Appropriation	\$	236,700

This appropriation shall be expended exclusively for the purpose of implementing the contract for educational services between the Pacific Science Center and the superintendent of public instruction. The transfer of title to the astronomy education facility and equipment to the Pacific Science Center Foundation or its successor shall be at such time as the value of educational services provided to public school students and teachers exceeds the costs reimbursed by the superintendent of public instruction and participating school districts by an amount equivalent to at least the cost to the superintendent of public instruction for the construction and acquisition of such facility and equipment: PROVIDED, That not more than \$61,700 of this appropriation shall be expended for the operating cost of the Regional Astronomy Education Laboratory.

**NEW SECTION. Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation	\$	12,755,519
Total Appropriation	\$	12,755,519

Not more than \$330,000 shall be expended for regional coordinators.

**NEW SECTION. Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State	\$	5,882,575
General Fund Appropriation—Federal	\$	55,199,480
Total Appropriation	\$	61,082,055

**NEW SECTION. Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal	\$	72,727,980
Total Appropriation	\$	72,727,980
Elementary and Secondary Education Act of 1965	\$	68,356,080
Education of Indian Children	\$	1,800,000
Adult Basic Education	\$	2,571,900

**NEW SECTION. Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—
FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal	\$	24,007,122
Total Appropriation	\$	24,007,122

NEW SECTION. Sec. 114. COMMUNITY COLLEGE EDUCATION.

The appropriations contained in sections 115 through 120 of this act shall be subject to the conditions and limitations set forth in this section and the conditions and limitations set forth in the section making such appropriations. Such conditions and limitations shall be strictly construed.

(1) The program funding levels for the community college system for each fiscal year of the biennium are based in part on special nonformula items and in part on the following formula entitlements:

- (a) Student services program—65% of formula entitlement;
- (b) Plant operations and maintenance program:
 - (i) 60% of formula entitlement for variable costs; and
 - (ii) 100% of formula entitlement for fixed costs;
- (c) Instruction and departmental research—General program:
 - (i) 81.55% of formula entitlement for faculty staffing; and
 - (ii) 64% of formula entitlement for faculty support;
- (d) Libraries program:
 - (i) 55% of formula entitlement for staffing;
 - (ii) 54% for collections.

(2) In accordance with the provisions of this subsection the office of program planning and fiscal management shall use the allotment process during the 1977–79 biennium to control the funding of the formula portion of the instructional services program of all community colleges. Controls shall be applied to the community college education system as a total entity. For the purpose of the controls outlined in this section, full time equivalent student enrollment shall be the controlling factors. The "contract level" is defined as the average annual full time equivalent enrollment projection upon which the budget is based. The "base level" is defined as the prior year's actual average annual full time equivalent enrollment level. "Growth funding" is defined as that portion of the state general fund appropriation by which the contract level exceeds the base level. Growth funds shall be allotted at the beginning of each fiscal year. All unearned growth funds shall revert to the state general fund at the end of the fiscal year in which such enrollment fails to materialize.

Reversions are not required when the actual annual average full time equivalent student enrollment is within a set range of the contracted level. The allowable tolerance for the community college system as a single entity is three percent.

Contract enrollments for the second year of the biennium shall be revised by the office of program planning and fiscal management in the event the first year's actual average annual full time equivalent enrollment falls below the base level of the first year.

(3) The state board for community college education shall not transfer more than five percent of the funds generated by the formula entitlements set forth in subsection (1) of this section between programs. Such transfers are subject to review and approval by the office of program planning and fiscal management. If any transfers between programs, up to the limit authorized by this subsection, are made the state board shall report the amounts and purposes of such transfers to the senate ways and means committee and house appropriations committee at the beginning of each session of the legislature.

(4) The aggregate cost of remunerated professional leaves awarded at any institution during any year, including the cost of replacement personnel, shall not exceed the cost of salaries which otherwise would have been paid to personnel on leaves.

(5) The office of program planning and fiscal management, upon the failure of SSB 2435 (or a similar measure) to become law, shall reduce the allotments of state general funds for each fiscal year in amounts equal to the revenues which would have otherwise been available in the state general fund.

(6) The legislature directs that Olympia Technical Community College shall not become a comprehensive community college and shall offer only those courses essential to vocational education.

NEW SECTION. Sec. 114A. The state board for community college education and the boards of trustees for community college districts thirteen and fourteen may waive the payment of nonresident fees by residents of Clatsop, Columbia, Washington, Multnomah, and Hood River counties, Oregon, for the duration of the 1977-79 biennium, contingent upon evidence that similar waivers are made for residents of Cowlitz, Clark, Pacific, or Wahkiakum counties, Washington, to attend any of the following Oregon institutions: Clatsop, Portland, or Mount Hood community colleges, or Portland state university.

The council for postsecondary education, in cooperation with the state board for community college education, shall undertake a study of the effects on costs and participation rates of such reciprocity arrangements, as well as the feasibility of other reciprocity agreements involving the states of Idaho and Oregon. The council for postsecondary education shall work with the above referenced Oregon institutions and their governing bodies to secure maximum participation by the state of Oregon. The council shall, to the extent possible, involve interested legislators, groups, and institutions in such efforts. The council for postsecondary education shall present its report with recommendations to the 46th regular session of the Washington state legislature.

NEW SECTION. Sec. 115. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM

General Fund Appropriation	\$	2,772,297
1975 Community College Capital Construction Fund Appropriation	\$	47,000
Total Appropriation	\$	2,819,297

\$306,430 from the general fund appropriation shall be expended exclusively for the development and installation of a comprehensive payroll/personnel system for community colleges which will become the model for a future common higher education payroll/personnel system.

NEW SECTION. Sec. 116. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTIONAL SERVICES PROGRAM

General Fund Appropriation	\$	169,746,099
Total Appropriation	\$	169,746,099

An amount not to exceed \$159,432,244 from this appropriation shall be expended for instruction. An amount not to exceed \$10,313,855 from this appropriation shall be expended for primary support.

\$1,818,000 shall be expended for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Skagit Valley Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 81.55% base level for each 100 full time equivalent students below the 2,500 enrollment level, except that no college shall be funded in excess of 98.54% of formula.

NEW SECTION. Sec. 117. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE LIBRARY SERVICES PROGRAM

General Fund Appropriation	\$	14,637,439
Total Appropriation	\$	14,637,439

NEW SECTION. Sec. 118. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE STUDENT SERVICES PROGRAM

General Fund Appropriation	\$	28,361,192
Total Appropriation	\$	28,361,192

\$1,472,957 shall be distributed by the state board and expended for the continuation of programs for minority and disadvantaged students.

NEW SECTION. Sec. 119. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTITUTIONAL SUPPORT PROGRAM

General Fund Appropriation	\$	31,968,294
Total Appropriation	\$	31,968,294

NEW SECTION. Sec. 120. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM

General Fund Appropriation	\$ 33,042,071
Total Appropriation	\$ 33,042,071

NEW SECTION. Sec. 121. HIGHER EDUCATION.

The appropriations contained in sections 122 through 152 of this act shall be subject to the conditions and limitations set forth in this section and the conditions and limitations set forth in the section making such appropriations. Such conditions and limitations shall be strictly construed.

(1) The program funding levels for each four year institution of higher education for each fiscal year of the biennium are based in part on special nonformula items and in part on the following formula entitlements:

- (a) Student services program—75% of formula entitlement;
- (b) Plant operations and maintenance program:
 - (i) 60% of formula entitlement for variable costs; and
 - (ii) 100% of formula entitlement for fixed costs;
- (c) Instruction and departmental research—General program:
 - (i) 80% of formula entitlement for faculty staffing at Western Washington State College, Central Washington State College, The Evergreen State College, and Washington State University; 82.8% of formula entitlement for faculty staffing at Eastern Washington State College; and 85.2% of formula entitlement at the University of Washington; and
 - (ii) 64% of formula entitlement for faculty support;
- (d) Libraries program:
 - (i) 55% of formula entitlement for staffing at the state colleges, 60% at Washington State University, and 75% at the University of Washington;
 - (ii) Formula entitlement for collections as follows: 80% at the University of Washington, 70% at Washington State University, 85% at Eastern Washington State College, 90% at Central Washington State College, 97% at The Evergreen State College, and 89% at Western Washington State College.

(2) In accordance with the provisions of this subsection the office of program planning and fiscal management shall use the allotment process during the 1977-79 biennium to control the funding of the formula portion of the instructional services program of all the four year institutions of higher education. Controls shall be applied to each four year institution separately. For the purpose of the controls outlined in this section, formula faculty entitlements shall be the controlling factors. The "contract level" is defined as the average annual full time equivalent enrollment projection upon which the budget is based. The "base level" is defined as the prior year's actual average annual full time equivalent enrollment level. "Growth funding" is defined as that portion of the state general fund appropriation by which the contract level exceeds the base level. Growth funds shall be allotted at the beginning of each fiscal year. All unearned growth funds shall revert to the state general fund at the end of the fiscal year in which such enrollment fails to materialize.

Contract enrollments for the second year of the biennium shall be revised by the office of program planning and fiscal management in the event the first year's actual average annual full time equivalent enrollment falls below the base level of the first year.

(3) The four year institutions of higher education are hereby authorized to request the approval of the office of program planning and fiscal management to transfer up to five percent of the amount of state general funds appropriated for any specific program to other programs. The office of program planning and fiscal management shall not approve any transfer request which would result in an expenditure of state general funds in any program in excess of 105% of the appropriation for such program. The office of program planning and fiscal management shall not approve any transfer request which would result in the operation of the instructional services program at any institution in excess of 80 percent of staffing formula entitlement. The office of program planning and fiscal management shall immediately report the amount and purpose of each such transfer to the senate ways and means committee and the house appropriations committee.

(4) No funds appropriated by sections 122 through 152 of this act shall be used for the inauguration or operation of any new degree program until such program has been reviewed and recommended by the council for postsecondary education.

(5) The aggregate cost of remunerated professional leaves awarded at any institution during any year, including the cost of replacement personnel, shall not exceed the cost of salaries which otherwise would have been paid to personnel on leaves.

(6) The office of program planning and fiscal management, upon the failure of SSB 2435 (or a similar measure) to become law, shall reduce the allotments of state general funds for each fiscal year in amounts equal to the revenues which would have otherwise been available in the state general fund.

(7) The average full time faculty direct classroom contact hours shall be at least 12 hours per week for the two universities and 14 hours per week for the four state colleges. Faculty direct classroom contact hours are defined as the actual number of hours of weekly instructional contact between the full time faculty member and the class in the case of scheduled classes and between the full time faculty member and the student enrolled in individual instruction courses. Office hours and informal student/faculty contact shall not be included except where specifically related to individual instruction courses. The council for postsecondary education shall develop uniform guidelines and reporting requirements to carry out the provisions of this subsection and shall monitor, each quarter or semester, institutional conformance to the provisions and

guidelines. The council for postsecondary education shall provide a report to the house appropriations committee and the senate ways and means committee by February 1, 1978, on the fall quarter 1978 experience and a similar report by October 1, 1979, on the 1978-79 average annual experience.

NEW SECTION. Sec. 122. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTIONAL SERVICES PROGRAM

General Fund Appropriation	\$ 150,244,945
Accident Fund Appropriation	\$ 748,055
Medical Fund Appropriation	\$ 748,055
Total Appropriation	\$ 151,741,055

An amount not to exceed \$126,759,116 from these appropriations shall be expended for instruction. An amount not to exceed \$1,955,344 from these appropriations shall be expended for research. An amount not to exceed \$3,459,788 from these appropriations shall be expended for public service. An amount not to exceed \$16,970,697 from these appropriations shall be expended for primary support. An amount not to exceed \$1,100,000 from these appropriations shall be expended exclusively for Family Medicine Education and Residency Programs provided for by chapter 70.112 RCW.

NEW SECTION. Sec. 123. FOR THE UNIVERSITY OF WASHINGTON—FOR THE LIBRARIES PROGRAM

General Fund Appropriation	\$ 15,976,521
Total Appropriation	\$ 15,976,521

NEW SECTION. Sec. 124. FOR THE UNIVERSITY OF WASHINGTON—FOR THE STUDENT SERVICES PROGRAM

General Fund Appropriation	\$ 7,966,982
Total Appropriation	\$ 7,966,982

NEW SECTION. Sec. 125. FOR THE UNIVERSITY OF WASHINGTON—FOR THE UNIVERSITY HOSPITAL PROGRAM

General Fund Appropriation	\$ 16,206,789
Total Appropriation	\$ 16,206,789

NEW SECTION. Sec. 126. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTITUTIONAL SUPPORT PROGRAM

General Fund Appropriation	\$ 25,497,996
Total Appropriation	\$ 25,497,996

NEW SECTION. Sec. 127. FOR THE UNIVERSITY OF WASHINGTON—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM

General Fund Appropriation	\$ 32,592,886
Total Appropriation	\$ 32,592,886

NEW SECTION. Sec. 128. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM

General Fund Appropriation	\$ 90,351,543
Total Appropriation	\$ 90,351,543

An amount not to exceed \$56,948,336 from this appropriation shall be expended for instruction. An amount not to exceed \$16,749,503 from this appropriation shall be expended for research. An amount not to exceed \$9,010,335 from this appropriation shall be expended for public service. An amount not to exceed \$7,643,369 from this appropriation shall be expended for primary support.

NEW SECTION. Sec. 129. FOR WASHINGTON STATE UNIVERSITY—FOR THE LIBRARIES PROGRAM

General Fund Appropriation	\$ 8,153,015
Total Appropriation	\$ 8,153,015

NEW SECTION. Sec. 130. FOR WASHINGTON STATE UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM

General Fund Appropriation	\$ 5,496,642
Total Appropriation	\$ 5,496,642

NEW SECTION. Sec. 131. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM

General Fund Appropriation	\$ 11,338,569
Total Appropriation	\$ 11,338,569

NEW SECTION. Sec. 132. FOR WASHINGTON STATE UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM

General Fund Appropriation	\$ 17,981,806
Total Appropriation	\$ 17,981,806

NEW SECTION. Sec. 133. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM

General Fund Appropriation	\$ 22,191,264
Total Appropriation	\$ 22,191,264

An amount not to exceed \$18,865,567 from this appropriation shall be expended for instruction. An amount not to exceed \$51,673 from this appropriation shall be expended for research. An amount not to exceed \$709,971 from this appropriation shall be expended for public service. An amount not to exceed \$2,564,053 from this appropriation shall be expended for primary support.

NEW SECTION. Sec. 134. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM

General Fund Appropriation	\$	2,330,280
Total Appropriation	\$	2,330,280

NEW SECTION. Sec. 135. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM

General Fund Appropriation	\$	2,263,641
Total Appropriation	\$	2,263,641

NEW SECTION. Sec. 136. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM

General Fund Appropriation	\$	4,490,968
Total Appropriation	\$	4,490,968

NEW SECTION. Sec. 137. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM

General Fund Appropriation	\$	6,926,266
Total Appropriation	\$	6,926,266

NEW SECTION. Sec. 138. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM

General Fund Appropriation	\$	20,219,999
Total Appropriation	\$	20,219,999

An amount not to exceed \$17,991,000 from this appropriation shall be expended for instruction. An amount not to exceed \$51,397 from this appropriation shall be expended for research. An amount not to exceed \$81,339 from this appropriation shall be expended for public service. An amount not to exceed \$2,096,253 from this appropriation shall be expended for primary support.

NEW SECTION. Sec. 139. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM

General Fund Appropriation	\$	3,172,500
Total Appropriation	\$	3,172,500

NEW SECTION. Sec. 140. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM

General Fund Appropriation	\$	2,133,974
Total Appropriation	\$	2,133,974

NEW SECTION. Sec. 141. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM

General Fund Appropriation	\$	4,265,474
Total Appropriation	\$	4,265,474

NEW SECTION. Sec. 142. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM

General Fund Appropriation	\$	5,576,206
Total Appropriation	\$	5,576,206

NEW SECTION. Sec. 143. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM

General Fund Appropriation	\$	8,477,999
Total Appropriation	\$	8,477,999

An amount not to exceed \$7,606,181 from this appropriation shall be expended for instruction. An amount not to exceed \$21,071 from this appropriation shall be expended for public service. An amount not to exceed \$850,747 from this appropriation shall be expended for support services.

NEW SECTION. Sec. 144. FOR THE EVERGREEN STATE COLLEGE—FOR THE LIBRARIES PROGRAM

General Fund Appropriation	\$	2,194,159
Total Appropriation	\$	2,194,159

NEW SECTION. Sec. 145. FOR THE EVERGREEN STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM

General Fund Appropriation	\$	991,763
Total Appropriation	\$	991,763

NEW SECTION. Sec. 146. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM

General Fund Appropriation	\$	2,767,007
----------------------------------	----	-----------

Total Appropriation	\$	2,767,007
NEW SECTION. Sec. 147. FOR THE EVERGREEN STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM		
General Fund Appropriation	\$	4,107,102
Total Appropriation	\$	4,107,102
NEW SECTION. Sec. 148. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM		
General Fund Appropriation	\$	27,697,932
Total Appropriation	\$	27,697,932
An amount not to exceed \$25,677,795 from this appropriation shall be expended for instruction. An amount not to exceed \$221,889 from this appropriation shall be expended for research. An amount not to exceed \$119,302 from this appropriation shall be expended for public service. An amount not to exceed \$1,678,946 from this appropriation shall be expended for primary support. An amount not to exceed \$96,077 from the moneys for instruction shall be expended exclusively for the Fairhaven College bridge project.		
NEW SECTION. Sec. 149. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM		
General Fund Appropriation	\$	3,021,729
Total Appropriation	\$	3,021,729
NEW SECTION. Sec. 150. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM		
General Fund Appropriation	\$	3,019,774
Total Appropriation	\$	3,019,774
NEW SECTION. Sec. 151. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM		
General Fund Appropriation	\$	5,582,301
Total Appropriation	\$	5,582,301
NEW SECTION. Sec. 152. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM		
General Fund Appropriation	\$	5,851,543
Total Appropriation	\$	5,851,543
NEW SECTION. Sec. 153. FOR THE COMPACT FOR EDUCATION		
General Fund Appropriation	\$	34,000
Total Appropriation	\$	34,000
NEW SECTION. Sec. 154. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION		
General Fund Appropriation—State	\$	13,529,874
General Fund Appropriation—Federal	\$	2,290,000
Total Appropriation	\$	15,819,874
NEW SECTION. Sec. 155. FOR THE COMMISSION ON VOCATIONAL EDUCATION		
General Fund Appropriation—State	\$	2,806,000
General Fund Appropriation—Federal	\$	18,310,000
Total Appropriation	\$	21,116,000
NEW SECTION. Sec. 156. FOR THE HIGHER EDUCATION PERSONNEL BOARD		
Higher Education Personnel Board Service Fund Appropriation	\$	909,915
Total Appropriation	\$	909,915
NEW SECTION. Sec. 157. FOR THE STATE LIBRARY		
General Fund Appropriation—State	\$	5,174,482
General Fund Appropriation—Federal	\$	2,196,332
General Fund Appropriation—Private	\$	840,000
Washington Library Network Data Processing System Revolving Fund Appropriation—State	\$	1,188,227
Washington Library Network Data Processing System Revolving Fund Appropriation—Private/Local	\$	4,502,984
Total Appropriation	\$	13,902,025
NEW SECTION. Sec. 158. FOR THE WASHINGTON STATE ARTS COMMISSION		
General Fund Appropriation—State	\$	675,425
General Fund Appropriation—Federal	\$	845,000
Indian Cultural Center Construction Account Appropriation—State	\$	1,000,000
Total Appropriation	\$	2,520,425

The appropriations contained in this section shall be subject to the following conditions and limitations:
 (1) Not more than \$419,900 including \$269,425 from the state funds and \$150,475 from federal funds shall be expended exclusively for administration.

(2) Not more than \$1,100,525 including \$406,000 from the general fund appropriation—state and \$694,525 from the general fund appropriation—federal shall be expended exclusively for grants.

(3) No bonds authorized by chapter 128, Laws of 1975-'76 2nd ex. sess. shall be sold until not less than \$2,700,000 in additional federal and private funding is provided or secured.

(4) The Indian Cultural Center Construction Account Appropriation contained in this section shall be expended exclusively for a grant to the city of Seattle for planning, acquisition, design, construction, furnishing, and landscaping of a regional Indian cultural and educational facility designated as the "People's Lodge" and located at Discovery Park or any site in Seattle, agreed to by the city.

NEW SECTION. Sec. 159. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	454,837
Total Appropriation	\$	454,837

NEW SECTION. Sec. 160. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	408,000
Total Appropriation	\$	408,000

NEW SECTION. Sec. 161. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

(1) ADMINISTRATION AND SUPPORT SERVICES PROGRAM.

General Fund Appropriation	\$	363,000
General Fund—State Capitol Historical Association Museum Account		
Appropriation	\$	46,000
Total Appropriation	\$	409,000

(2) STUDY PROGRAM.

General Fund Appropriation	\$	25,000
Total Appropriation	\$	25,000

The appropriation contained in this subsection shall be expended exclusively for a study to be submitted no later than November 1, 1978, to the senate ways and means committee and the house of representatives appropriation committee and the standing state government committees of the legislature to determine the potential of developing a self-supportive basis for the state capitol museum through permissible business enterprises or other activities which will provide profit to the museum. The intent of this study is to determine whether or not it is possible for a state museum to provide for its own financial support without state support. The study will include what is being done in other states, an economic assessment of the potential in this state, an implementation plan, and a draft of proposed enabling legislation.

NEW SECTION. Sec. 162. FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the Washington Library Network Data Processing System Revolving Fund	\$	1,188,227
General Fund Appropriation: For transfer to the Reserve for Accrued Revenue Account pursuant to chapter 70, Laws of 1975-'76 2nd ex. sess.	\$	34,420,000
State Treasurer's Service Fund Appropriation: For transfer to the state general fund on or before July 20, 1979, an amount up to \$5,000,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1980, for credit to the fiscal year in which earned.	\$	5,000,000
General Fund—Investment Reserve Account Appropriation: For transfer to the state general fund on or before June 30, 1979, pursuant to chapter 50, Laws of 1969	\$	9,200,000
General Fund—State and Local Improvements Revolving Account—Public Recreation Facilities Appropriation: For transfer to the General Fund—Outdoor Recreation Account on or before June 30, 1979, pursuant to the provisions of section 4(2), chapter 129, Laws of 1972 ex. sess.	\$	6,000,000
General Fund—State and Local Improvements Revolving Account—Public Recreation Facilities Appropriation: For transfer to the General Fund—Outdoor Recreation Account on or before June 30, 1979, pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess.	\$	6,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the Utilities and Transportation Commission for the 1977-79 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291	\$	582,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the Department of Highways and the Washington State Patrol during the period July 1, 1977, through June 30, 1979	\$	2,000,000

NEW SECTION. Sec. 162A. FOR THE HORSE RACING COMMISSION—TRANSFERS

Horse Racing Commission Fund Appropriation	\$	900,000
--	----	---------

For transfer to the general fund unless revised revenue estimates indicated to the office of program planning and fiscal management indicate a lesser amount should be transferred.

NEW SECTION. Sec. 163. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1977, to June 30, 1979.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims and for the reason that the state of Washington recognizes a moral obligation to these claimants. These appropriations are to be disbursed on vouchers approved by the chief fiscal officer of the executive branch, except as otherwise provided, as follows:

- | | |
|---|---------------|
| (1) RUTH B. PEDERSON, For payment to widow of policeman in lieu of pension | \$ 1,535.00 |
| (2) KEN'S PHARMACY, Payment for prescriptions provided to state applicants | \$ 1,305.55 |
| (3) BARRY J. DAHL, Payment of cost bill for State v. Charles Lesnick | \$ 416.80 |
| (4) PATRICIA J. ORSBORN, Payment of transcription fee for Anderson v. Morris | \$ 78.00 |
| (5) DONALD E. EARNEST, Payment for overcharge for 1973 travel trailer license fees | \$ 49.00 |
| (6) CLERK OF THE SUPERIOR COURT, County of Spokane, costs assessed against the state pursuant to Supreme Court Remittitur No. 43685 | \$ 222.94 |
| (7) CLERK OF THE SUPERIOR COURT, County of Cowlitz, Costs assessed against the state pursuant to Supreme Court Remittitur No. 1655-II | \$ 185.62 |
| (8) VALEN H. HONEYWELL, Judgment against the state in Pacific National Bank v. State | \$ 5,978.46 |
| (9) J. STEVEN THOMAS, Costs assessed against the state | \$ 42.00 |
| (10) RICHARD E. SNYDER, Payment for loss of personal property during robbery at state liquor store | \$ 40.75 |
| (11) RUSSELL A. AUSTIN, JR., Judgment against the state in Y.A.F. v. C.O.P.E. | \$ 5,551.59 |
| (12) MARLIN L. VORTMAN, Judgment against the state in Geary S. Thompson v. Wenatchee Valley College | \$ 2,592.70 |
| (13) HANS C. H. JENSEN, Payment for cost bill pursuant to Iverson v. Marine Bancorporation | \$ 300.00 |
| (14) WILLIAM B. CAMERON, Payment for construction work at Skagit Valley College: PROVIDED, That payment is hereby authorized and shall be made from Skagit Valley College Reserve Funds | \$ 28,708.23 |
| (15) MICHAEL C. CHRISTIE and JOHN M. WATSON: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Michael C. Christie and John M. Watson prior to the release of the warrant, which voucher shall state: "By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment for relief of unjust imprisonment" | \$ 100,000.00 |
| (16) JAMES V. KESSLER, Payment for crop damage caused by elk over a two year period: PROVIDED, That \$732.00 shall be for damages caused in calendar year 1975 and \$802.50 shall be for damages caused in calendar year 1976: PROVIDED FURTHER, That two separate payments shall be made from Department of Game Funds, established for that purpose pursuant to RCW 77.12.280 | \$ 1,534.50 |
| (17) SCOTT R. WARD, Payment for crop damage caused by elk | \$ 2,500.00 |
| (18) JOE AND LAFE WILSON, Damage to fruit trees by beaver | \$ 5,000.00 |
| (19) PAULINE McCLELLAN, Damage to coats by mice | \$ 115.00 |
| (20) ROBERT A. KIESZ, Payment for legal services for representing a client on behalf of the state | \$ 938.39 |
| (21) RICHARD McKINNEY, Payment for relief for the death of the daughter of Mr. and Mrs. Alfred Kinghammer: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Alfred Kinghammer and Richard McKinney prior to the release of the warrant, which voucher shall state: "By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the death of the daughter (Nancy Kinghammer) caused by James Edward Ruzicka" | \$ 120,000.00 |
| (22) KINNE F. HAWES, Payment for relief for death of daughter of Edward and Geraldine Haddenham: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Edward and Geraldine Haddenham and Kinne F. Hawes prior to the release of the warrant, which voucher shall | |

state: "By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the death of the daughter (Penny Haddenham) caused by James Edward Ruzicka"	\$ 120,000.00
(23) WILLIAM C. MEECE and HOWARD K. MICHAELSEN: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be signed by William C. Meece and Howard K. Michaelsen prior to the release of the warrant which voucher shall state: "By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof and their agents and all parties to Cause No. 180299, Superior Court of Spokane County, from any future claims with regard to payment for the relief of personal injuries received by William C. Meece at Circle Bar J Ranch, except that William C. Meece may seek satisfaction of judgment in Cause No. 180299 against Circle Bar J Ranch in an amount not to exceed \$10,000.00. The undersigned further agree to file with the Spokane County Superior Court a release of judgment satisfying Cause No. 180299 entered on the 24th day of July, 1974, in all amounts except \$10,000.00 which will remain the obligation of the defendant in said action."	\$ 100,000.00
(24) HELEN LEE HOLCOMB, DONALD J. HOROWITZ, JUDITH JEFFERS, and GERALD L. BANGS: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be signed by Helen Lee Holcomb, Donald J. Horowitz, Judith Jeffers, and Gerald L. Bangs prior to the release of the warrant which voucher shall state: "By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof and their agents from any further claims with regard to personal injuries suffered by claimant Helen Lee Holcomb on March 11, 1973. The undersigned attorneys, Donald J. Horowitz, Judith Jeffers, and Gerald L. Bangs further agree that they release claimant Helen Lee Holcomb from any claims against her for attorneys fees, costs, and expenses incurred on her behalf in connection with this claim or the injuries which are the basis thereof, in excess of one-third of the amount granted herein, notwithstanding the terms of any other agreement between the undersigned parties."	\$ 75,000.00
(25) CLERK OF THE SUPERIOR COURT, County of Pacific, Costs assessed against the state pursuant to Supreme Court Remittitur No. 44158	\$ 1,198.25
ELECTION COSTS	
General Fund Appropriation reimbursing counties for the state's share of election costs:	
ADAMS COUNTY	\$ 4,473.91
ASOTIN COUNTY	\$ 4,199.52
BENTON COUNTY	\$ 11,369.95
CHELAN COUNTY	\$ 11,890.51
CLALLAM COUNTY	\$ 13,029.46
CLARK COUNTY	\$ 17,486.58
COLUMBIA COUNTY	\$ 1,056.33
COWLITZ COUNTY	\$ 20,795.20
DOUGLAS COUNTY	\$ 7,170.00
FERRY COUNTY	\$ 8,090.85
FRANKLIN COUNTY	\$ 4,461.83
GARFIELD COUNTY	\$ 954.39
GRANT COUNTY	\$ 13,531.35
GRAYS HARBOR COUNTY	\$ 14,083.91
ISLAND COUNTY	\$ 7,529.94
JEFFERSON COUNTY	\$ 3,066.68
KING COUNTY	\$ 227,840.85
KITSAP COUNTY	\$ 19,344.98
KITTITAS COUNTY	\$ 6,411.35
KLICKITAT COUNTY	\$ 6,188.98
LEWIS COUNTY	\$ 25,348.08
LINCOLN COUNTY	\$ 9,605.24
MASON COUNTY	\$ 9,389.38
OKANOGAN COUNTY	\$ 9,413.22
PACIFIC COUNTY	\$ 8,006.85
PEND OREILLE COUNTY	\$ 5,668.38
PIERCE COUNTY	\$ 58,355.60
SAN JUAN COUNTY	\$ 3,313.04
SKAGIT COUNTY	\$ 17,308.53
SKAMANIA COUNTY	\$ 4,242.88

SNOHOMISH COUNTY	\$ 66,829.51
SPOKANE COUNTY	\$ 46,636.03
STEVENS COUNTY	\$ 5,517.66
THURSTON COUNTY	\$ 22,354.87
WAHKIAKUM COUNTY	\$ 3,767.29
WALLA WALLA COUNTY	\$ 8,161.71
WHATCOM COUNTY	\$ 13,615.56
WHITMAN COUNTY	\$ 12,337.62
YAKIMA COUNTY	\$ 23,645.42

NEW SECTION. Sec. 164. The office of program planning and fiscal management is hereby requested to cooperate fully with the legislative evaluation and accountability program committee in the areas of appropriation schedules, allotments, and estimated expenditure schedules as such items relate to the monitoring and evaluation by the LEAP data processing system of funds appropriated in this act. It is the intent of the legislature to cooperate with the governor in the implementation of RCW 43.88.070 which provides in part: "Appropriations shall be deemed maximum authorizations to incur expenditures... to ensure that expenditure rates are such that program objectives are realized within these maximums".

NEW SECTION. Sec. 165. Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess. the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1977. The provisions of this section shall be null and void if HB 54 (or a similar measure) becomes law.

NEW SECTION. Sec. 166. The word "agency" used herein means and includes every state government office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this act.

The phrase "agencies headed by elective officials" used herein shall mean those executive offices or departments of the state which are directly supervised, administered, or controlled by the governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, or insurance commissioner, but it shall not include those boards, commissions, or committees on which one or more of the above mentioned officials serve.

NEW SECTION. Sec. 167. In order to carry out the provisions of these appropriations and the state budget, the director of the office of program planning and fiscal management with the approval of the governor, shall:

(1) Allot all or any portion of the funds herein appropriated or included in the state budget, to the various agencies by such periods as he shall determine and may place any funds not so allotted in reserve: PROVIDED, That the director of the office of program planning and fiscal management shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Washington State Apple Advertising Commission; Washington State Fruit Commission; Washington Dairy Products Commission or any agricultural commodity commission created under the provisions of chapter 15.66 RCW; the legislative branch of state government including the legislative budget committee, the legislative evaluation and accountability program committee, the state actuary, the statute law committee, and any legislative committee; or the judicial branch of state government: PROVIDED FURTHER, That the aggregate of allotments for any agency shall not exceed the total of applicable appropriations and local funds available to the agency concerned. It shall be unlawful for any officer or employee to incur obligations in excess of approved appropriations or to incur a deficiency and any obligations so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revisions of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1977: PROVIDED, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1977.

NEW SECTION. Sec. 168. Unless prohibited by federal law the receipt of federal or other funds which are not anticipated in the appropriation bill enacted by the legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources. Any state funds replaced by federal or other receipts shall be placed in reserve at the end of the respective fiscal year to the credit of the appropriate state fund or account, and shall not be expended, unless authorized by law.

NEW SECTION. Sec. 169. In the event that receipts shall be less than those estimated in the budget from any source, expenditures shall be limited to the amount received. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

NEW SECTION. Sec. 170. State funds appropriated for the specific purpose of matching federal funds and which are not required wholly or in part to qualify for such federal funds shall be placed in reserve and shall revert to the general fund at the end of the respective fiscal year.

NEW SECTION. Sec. 171. In the event that federal funds received for a program or activity are less than the amount of federal funds appropriated for such program or activity, the total expenditure for such program or activity shall be reduced by an equal amount and no state funds shall be used to replace the federal funds.

NEW SECTION. Sec. 172. If a scheduled program or project funded by the appropriations contained in this act has not been fully implemented during any quarter of the respective fiscal year, then the office of program planning and fiscal management shall withhold the equivalent amount of the appropriation and full time equivalent staff years from such program or project and shall place the same in reserve at the end of the respective fiscal year.

NEW SECTION. Sec. 173. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

NEW SECTION. Sec. 174. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the director of the office of program planning and fiscal management shall direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriation shall be necessary to effect such repayment.

NEW SECTION. Sec. 175. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest, transfers, and interest on registered warrants, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

NEW SECTION. Sec. 176. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of program planning and fiscal management which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

NEW SECTION. Sec. 177. It is the expressed intention of the legislature that agency operational activity shall be regularly monitored by the office of program planning and fiscal management, under their statutory authority relating to the allotment control function, in order to limit fluctuations in the respective fiscal year spending patterns which tend to inflate the expenditures in the second fiscal year of the biennium. Particular control emphasis shall be placed on those instances in which the full time equivalent staff years authorization is deliberately delayed in order to increase the agency's full time equivalent staff years as substantiation for the second fiscal year or the ensuing biennial request. Unanticipated receipts, which are authorized by the governor and expended by any state agency, shall be allotted, monitored, controlled, and reported separately at the end of the respective fiscal year and at the end of the biennium to the governor and the house appropriations committee and the senate ways and means committee. Such report shall identify the full time equivalent staff years and the program and/or activity for which such funds were expended.

NEW SECTION. Sec. 178. To obtain maximum interagency use of aircraft, the Aeronautics Commission in accordance with chapter 39.34 RCW is hereby authorized to lease, purchase, or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Aeronautics Commission and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: PROVIDED, That the Aeronautics Commission is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance, and make such other provisions as necessary to provide aircraft and related services for multi-agency use: PROVIDED FURTHER, That in order to achieve economy in the use of the appropriations contained within this act no state agency may purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Aeronautics Commission and without prior approval of the director of the office of program planning and fiscal management.

NEW SECTION. Sec. 179. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act; the rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 180. 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. 181. 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 Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Becker, Bolt, Chandler, Charette, Ehlers, Hawkins, Heck, Keller, Maxie, Thompson, Valle, Vrooman, Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

May 6, 1977

REENGROSSED SENATE JOINT RESOLUTION NO. 104, Prime Sponsor: Senator Francis, amending the Constitution to adopt a new judicial article. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass with the amendment proposed by the Committee on Judiciary and with the following amendments to the amendment:

Amend the Judiciary Committee Amendment—on page 3, line 12 strike "six" and insert "four"

Amend the Judiciary Committee Amendment—on page 5, after line 36 insert a new section as follows:

"Article IVA, section 29. AUDITS. The financial transactions, records, and accounts of all courts and all other agencies of the judicial branch, however dominated, are and shall be subject to audit as the legislature may prescribe."

Renumber the remaining sections consecutively.

Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Sommers.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

SENATE AMENDMENTS TO HOUSE BILL

May 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 563 with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030 are each amended to read as follows:

'Benefit year' with respect to each individual, means the fifty-two consecutive week period beginning with the first day of the calendar week ((with respect to)) in 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)) in which the individual next files an application for an initial determination after the expiration of ((his)) the individual's last preceding benefit year: PROVIDED, HOWEVER, That the foregoing limitation shall not be deemed to preclude the establishment of a new benefit year under the laws of another state pursuant to any agreement providing for the interstate combining of employment and wages and the interstate payment of benefits nor shall this limitation be deemed to preclude the commissioner from backdating an initial application at the request of the claimant either for the convenience of the department of employment security or for any other reason deemed by the commissioner to be good cause.

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.

No benefit year will be established unless it is determined that the individual earned wages in (("employment" during his base year of not less than the "qualifying annual wage" computed for the calendar year preceding the last June 30th immediately preceding his benefit year and either had "employment" in not less than sixteen weeks of his base year in each of which he earned the "qualifying weekly wage" computed for the second calendar year preceding the calendar year in which each such week ends or had) 'employment' in not less than six hundred eighty hours of ((his)) the individual's base year: PROVIDED, HOWEVER, That a benefit year cannot be established if the base year wages include wages earned prior to the establishment of a prior benefit year unless the individual earned wages in 'employment' during the last two quarters of the new base year of not less than six times the weekly benefit amount computed for ((his)) the individual's new benefit year.

((As the change contained in the third paragraph of this section relating to the weeks worked qualification would invalidate basic data upon which benefit qualification determinations must be made the satisfaction of the weeks worked requirement will require as to base year weeks ending in the second two quarters of 1972 that the individual will have earned not less than the "qualifying weekly wage" computed for the calendar year 1971. Nothing in this paragraph or in the preceding paragraph shall be deemed to justify or support the redetermination of any monetary determination denying the establishment of a benefit year made prior to the effective date of this 1973 amendatory act.))

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 or her wages at regular intervals.

Sec. 2. Section 6, chapter 2, Laws of 1970 ex. sess. as last amended by section 1, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.04.355 are each amended to read as follows:

On or before the fifteenth day of June of each year an 'average annual wage', an 'average weekly wage', (~~(a 'qualifying annual wage', a 'qualifying weekly wage',)~~) and an 'average annual wage for contributions purposes' shall be computed from information for the preceding calendar year including corrections thereof reported within three months after the close of that year by all employers as defined in RCW 50.04.080. 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 if the result is not a multiple of one dollar, rounding the result to the next lower multiple of one dollar. The 'average annual wage' thus obtained shall be divided by fifty-two and if the result is not a multiple of one dollar, rounding the result to the next lower multiple of one dollar to determine the 'average weekly wage'. (~~(The 'qualifying annual wage' shall be computed by multiplying the 'average annual wage' by fifteen percent and if the result is not a multiple of fifty dollars, rounding the result to the next lower multiple of fifty dollars. The 'qualifying weekly wage' shall be computed by multiplying the 'average weekly wage' by fifteen percent and if the result is not a multiple of one dollar, rounding the result to the next lower multiple of one dollar.)~~) The 'average annual wage' for contribution purposes is the quotient derived by dividing total remuneration reported by all employers subject to contributions by the average number of workers reported for all months by these same employers and if the result is not a multiple of one dollar, rounding the result to the next lower multiple of one dollar.

Sec. 3. Section 46, chapter 35, Laws of 1945 as amended by section 2, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.12.070 are each amended to read as follows:

Each employing unit shall keep true and accurate work records, containing such information as the commissioner may prescribe. Such records shall be open to inspection and be subject to being copied by the commissioner or his or her authorized representatives at any reasonable time and as often as may be necessary. The commissioner may require from any employing unit any sworn or unsworn reports with respect to persons employed by it, which he or she deems necessary for the effective administration of this title. Each employer shall make periodic reports at such intervals as the commissioner may by regulation prescribe, setting forth the remuneration paid for employment to workers in its employ, the names of all such workers, and until April 1, 1978, the number of weeks for which the worker earned the 'qualifying weekly wage', and beginning July 1, 1977, the hours worked by each worker and such other information as the commissioner may by regulation prescribe.

In the event the employing unit fails or has failed to report the number of ((weeks)) hours in a reporting period for which a worker (~~(earned the "qualifying weekly wage")~~) worked such number will be computed by the commissioner and given the same force and effect as if it had been reported by the employing unit. In computing the number of such ((weeks)) hours worked the total wages for the reporting period, as reported by the employing unit, shall be divided by the dollar amount of the (~~"qualifying weekly wage"~~) state's minimum wage in effect for such reporting period and the quotient, disregarding any remainder, shall be credited to the worker: PROVIDED, (~~(That the total number of weeks credited to the worker for any quarterly period shall not exceed thirteen weeks. PROVIDED, FURTHER,)~~) That the computation so made will not be subject to appeal by the employing unit.

Sec. 4. Section 73, chapter 35, Laws of 1945 as last amended by section 21, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.050 are each amended to read as follows:

(1) An individual shall be disqualified from benefits beginning with the first day of the calendar week in which he or she has left work voluntarily without good cause and thereafter until he or she has obtained work and earned wages of not less than his or her 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)~~).

(2) An individual shall not be considered to have left work voluntarily without good cause when:

(a) He or she has left work to accept a bona fide job offer; or

(b) The separation was because of the illness or disability of the claimant or a member of the claimant's immediate family if the claimant took all reasonable precautions, in accordance with any regulations that the commissioner may prescribe, to protect his or her employment status by having promptly notified the employer of the reason for the absence and by having promptly requested reemployment when again able to assume employment.

(3) In determining whether an individual has left work voluntarily without good cause, the commissioner shall consider the degree of risk involved to the individual's health, safety, and morals, the individual's physical fitness, the individual's ability to perform the work, and such other work connected factors as the commissioner may deem pertinent, including state and national emergencies. Good cause shall not be established for voluntarily leaving work because of its distance from an individual's residence where the distance was known to the individual at the time he or she accepted the employment, nor because of any other significant work factor which was generally known and present at the time he or she accepted employment unless the related circumstances have so changed as to amount to a substantial involuntary deterioration of the work factor or unless the commissioner determines that other related circumstances would work an unconscionable hardship on the individual were he or she required to continue in the employment.

(4) Subsections (1) and (3) of this section shall not apply to an individual whose marital status or domestic responsibilities cause him or her to leave employment. Such an individual shall not be eligible for unemployment insurance benefits until he or she has requalified, either by obtaining work and earning wages of not less than the suspended weekly benefit amount in each of five calendar weeks or by reporting in person to the department during ten different calendar weeks and certifying on each occasion that he or she is ready, able, and willing to immediately accept any suitable work which may be offered, is actively seeking

work pursuant to customary trade practices, and is utilizing such employment counseling and placement services as are available through the department.

Sec. 5. Section 74, chapter 35, Laws of 1945 as last amended by section 22, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.060 are each amended to read as follows:

An individual shall be disqualified from benefits beginning with the first day of the calendar week in which he or she has been discharged or suspended for misconduct connected with his or her work and thereafter until he or she has obtained work and earned wages of not less than ((his)) the 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)). An individual who has been discharged because of a felony of which he or she has been convicted or has admitted committing and which is connected with his or her work shall be disqualified from receiving any benefits for which base year credits are earned in any employment prior to the discharge.

Sec. 6. Section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100 are each amended to read as follows:

Suitable work for an individual is employment in an occupation in keeping with the individual's prior work experience, education, or training and if the individual has no prior work experience, special education, or training for employment available in the general area, then employment which the individual would have the physical and mental ability to perform. In determining whether work is suitable for an individual ((or whether an individual has left work voluntarily without good cause)), the commissioner shall also consider the degree of risk involved to ((his)) the individual's health, safety, and morals, ((his)) the individual's physical fitness (and prior training, his experience and prior earnings, his)), the individual's length of unemployment and prospects for securing local work in ((his)) the individual's customary occupation, the distance of the available work from ((his)) the individual's residence, and such other factors as the commissioner may deem pertinent, including state and national emergencies.

Sec. 7. Section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. 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 ((his)) the individual's 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 an amount equal to one twenty-fifth of ((his)) the average quarterly wages of the individual's total wages during ((that)) the two quarters of ((his)) the individual's 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)) fifty-five percent of the 'average weekly wage' for the calendar year preceding such June 30th: PROVIDED, That if as of any June 30th the unemployment compensation trust fund balance has improved so that the employer contribution as determined pursuant to RCW 50.24.010 is less than three percent, the maximum amount payable weekly for benefit years beginning with the first full calendar week in July next following shall be sixty percent of the 'average weekly wage' for the calendar year preceding such June 30: PROVIDED FURTHER, That if any 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 adjusted to the next higher multiple of one dollar.

NEW SECTION. Sec. 8. There is added chapter 35, Laws of 1945 and to chapter 50.20 RCW a new section to read as follows:

Any individual registered at an established school in a course of study providing scholastic instruction of twelve or more hours per week, or the equivalent thereof, shall be disqualified from receiving benefits or waiting period credit for any week during the school year commencing with the first week of scholastic instruction or the week of leaving employment to return to school, whichever is the earlier, and ending with the week immediately before the first full week in which the individual is no longer registered for classes: PROVIDED, That this nonregistration will be for a period of sixty days or longer. The term 'school' includes primary schools, secondary schools, and 'institutions of higher education' as that phrase is defined in RCW 50.44.040.

This disqualification shall not apply to any individual who:

(1) Is in approved training within the meaning of RCW 50.20.043; or
(2) Demonstrates to the commissioner by a preponderance of the evidence his or her actual availability for work, and in arriving at this determination the commissioner shall consider the following factors:

- (a) Prior work history;
- (b) Scholastic history;
- (c) Past and current labor market attachment; and
- (d) Past and present efforts to seek work.

Sec. 9. Section 89, chapter 35, Laws of 1945 as last amended by section 13, chapter 3, Laws of 1971 and RCW 50.24.010 are each amended to read as follows:

Contributions shall accrue and become payable by each employer (except employers as described in RCW 50.44.010 who have properly elected to make payments in lieu of contributions and those employers who are required to make payments in lieu of contributions) for each calendar year in which ((he)) the employer is subject to this title at the rate of two and seven-tenths percent of wages paid each employee, except for such rates as determined for qualified employers according to chapter 50.29 RCW: PROVIDED,

That if, as of any June 30th, the amount in the unemployment compensation fund is less than three and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, contributions for the following calendar year for all employers shall be payable at the rate of three percent of wages subject to tax.

The amount of wages subject to tax for each individual as of January 1, 1971, shall be four thousand two hundred dollars. If the amount in the unemployment compensation fund on any June 30th, after January 1, 1971, is less than four and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, the amount of wages subject to tax shall increase on the January 1st next following by six hundred dollars: PROVIDED, That the amount of wages subject to tax in any calendar year shall not exceed (~~seventy-five~~) eighty percent of the 'average annual wage' for the second preceding calendar year rounded to the next lower multiple of three hundred dollars.

In making computations under this section and RCW 50.29.010, wages paid based on services for employers making payments in lieu of contributions shall not be considered remuneration. Moneys paid from the fund, based on services performed for employers who make payments in lieu of contributions, which have not been reimbursed to the fund as of any June 30 shall be deemed an asset of the unemployment compensation fund, to the extent that such moneys exceed the amount of payments in lieu of contributions which the commissioner has previously determined to be uncollectible: PROVIDED, FURTHER, That the amount attributable to employment with the state shall also include interest as provided for in RCW 50.44.020.

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. 10. There is added to chapter 35, Laws of 1945 and to chapter 50.24 RCW a new section to read as follows:

Only during the 1978 and 1979 calendar years, contributions payable by employers under the provisions of RCW 50.24.010 shall be payable at the rate of three and three-tenths percent of wages subject to tax, rather than in accordance with the rates therein.

NEW SECTION. Sec. 11. The provisions of this 1977 amendatory act are necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect ninety days after adjournment sine die of the 1977 1st Extraordinary Session (forty-fifth legislature) of the Washington State Legislature: PROVIDED, That the first paragraph of section 1 of this 1977 amendatory act shall take effect immediately and the remaining portion of section 1 of this 1977 amendatory act and all of section 2 of this 1977 amendatory act shall take effect commencing with benefit years beginning on and after October 1, 1978; section 7 of this 1977 amendatory act shall take effect commencing with benefit years beginning on and after July 3, 1977; sections 3, 4, 5, 5, and 8 of this 1977 amendatory act shall take effect on and after July 3, 1977."

On page 1, on line 1 of the title, after "compensation;" strike all matter down to and including "50.24.010;" on line 12 and insert:

"amending section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030; amending section 6, chapter 2, Laws of 1970 ex. sess. as last amended by section 1, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.04.355; amending section 46, chapter 35, Laws of 1945 as amended by section 2, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.12.070; amending section 73, chapter 35, Laws of 1945 as last amended by section 21, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.050; amending section 74, chapter 35, Laws of 1945 as last amended by section 22, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.060; amending section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.120; amending section 89, chapter 35, Laws of 1945 as last amended by section 13, chapter 3, Laws of 1971 and RCW 50.24.010; adding a new section to chapter 35, Laws of 1945 and to chapter 50.20 RCW; adding a new section to chapter 35, Laws of 1945 and to chapter 50.24 RCW;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

Mr. Lux moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 563, and ask the Senate to recede therefrom.

Mr. Berentson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 563.

Mr. Berentson spoke in favor of the motion to concur, and Representatives Lux and King spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 563, and the motion was carried by the following vote: Yeas, 58; nays, 38; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Leckenby, Lee, Martinis, McCormick, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Salatino, Sanders, Schmitten, Shinoda, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, Nelson D., Pearsall, Pruitt, Sherman, Shipoch, Smith, Valle, Warnke, Williams.

Not voting: Representatives McKibbin, Moreau.

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. 563 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 563 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 67; nays, 29; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Knedlik, Knowles, Leckenby, Lee, Martinis, McCormick, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Salatino, Sanders, Schmitten, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Burns, Charette, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Gruger, Hurley G. S., Keller, Kilbury, King, Kreidler, Lux, Lysen, Maxie, May, Nelson D., Pearsall, Pruitt, Shipoch, Valle, Williams.

Not voting: Representatives McKibbin, Moreau.

Engrossed Substitute House Bill No. 563 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

May 5, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 2082, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Ehlers, the House insisted on its position with regard to Substitute Senate Bill No. 2082, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Ehlers, Walk and Taller as conferees on Substitute Senate Bill No. 2082.

MESSAGE FROM THE SENATE

May 5, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to page 1, line 6 of SENATE BILL NO. 2208, and has passed the bill as amended by the House, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Kilbury, the House accepted the Senate position with regard to Senate Bill No. 2208.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY HOUSE

The Speaker stated the question before the House to be final passage of Senate Bill No. 2208 with the House amendment to page 1, line 6.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2208 with the House amendment to page 1, line 6, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representatives McKibbin, Moreau, Newhouse, Owen, Sommers.

Senate Bill No. 2208 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

May 5, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 287 with the following amendments:

On line 9 after "of" and before "traffic" insert "electrical"

On line 11 after "exceed" strike everything down to and including "hundred" on line 12 and insert "ten thousand"

On line 19 after "of" and before "traffic" insert "electrical"

On line 21 after "exceeding" strike everything down to and including "hundred" on line 22 and insert "ten thousand" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendments to Engrossed House Bill No. 287.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 287 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 287 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 6; not voting, 5.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Charette, Leckenby, Newhouse, Polk, Williams.

Not voting: Representatives Amen, Flanagan, McKibbin, Moreau, Zimmerman.

Engrossed House Bill No. 287 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Bender, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 36, by Committee on State Government (Originally sponsored by Representatives Warnke, O'Brien and Smith - by Governor Ray request):

Amending the Constitution to allow the state, its political subdivisions, and municipal corporations to lend their credit to the extent of certain special revenues.

The resolution was read the third time.

The Speaker stated the question before the House to be reconsideration of final passage of the resolution.

Representatives Ehlers, O'Brien, Warnke, Lux and Sanders spoke in favor of the resolution, and Representatives Leckenby, Flanagan and Greengo spoke against it.

Mr. Ehlers spoke again in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Substitute House Joint Resolution No. 36, and the resolution passed the House by the following vote: Yeas, 67; nays, 28; not voting, 3.

Voting yea: Representatives Adams, Bauer, Berentson, Blair, Burns, Charette, Charnley, Conner, Deccio, Douthwaite, Ehlers, Enbody, Erickson, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Bender, Boldt, Bond, Chandler, Clayton, Clemente, Craswell, Dunlap, Eng, Erak, Fancher, Fischer, Flanagan, Greengo, Hawkins, Knedlik, Leckenby, Lysen, Nelson G. A., Pardini, Polk, Shipoch, Tilly, Winsley.

Not voting: Representatives McKibbin, Moreau, Smith.

Substitute House Joint Resolution No. 36, having received the constitutional two-thirds majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1191, by Representatives Charnley, Haley, Chandler, Hawkins, Blair, Boldt, Valle, Ehlers, Hanna and Zimmerman:

Providing for the creation and management of a scenic river system.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1191, and the bill passed the House by the following vote: Yeas, 72; nays, 23; not voting, 3.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Charette, Clemente, Craswell, Deccio, Erak, Fancher, Flanagan, Fortson, Gilleland, Hansen, Keller, Nelson G. A., Oliver, Patterson, Schmitt, Shinoda, Tilly, Whiteside, Wilson.

Not voting: Representatives Conner, McKibbin, Newhouse.

Engrossed House Bill No. 1191, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1252, by Representatives Shinpoch, Blair and Thompson:

Authorizing bonds for certain detention and correction facilities.

The bill was read the third time and placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1252, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Leckenby, Tilly.

Not voting: Representatives Deccio, Gruger, McKibbin.

Engrossed House Bill No. 1252, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

May 9, 1977

SUBSTITUTE SENATE BILL NO. 2435, Prime Sponsor: Senator Donohue, providing for disposition of operating fees charged at institutions of higher education. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments, and the amendment proposed by the Committee on Appropriations not be adopted:

On page 1, after line 4 insert the following new sections:

***NEW SECTION.** Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

Each board of community college trustees shall appoint a treasurer who shall be the financial officer of the board and who shall hold office during the pleasure of the board. Each treasurer shall render a true and faithful account of all moneys received and paid out by him or her, comply with the provisions of section 2 of this 1977 amendatory act, and shall give bond for the faithful performance of the duties of his or her office in such amount as the trustees require: **PROVIDED**, That the respective community colleges shall pay the fees for any such bonds.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

In order that each community college treasurer appointed in accordance with section 1 of this act may make vendor payments, the state treasurer will honor warrants drawn by each community college providing for one initial advance on September 1, 1977, of the current biennium and on July 1st of each succeeding biennium from the state general fund in an amount equal to ten percent of each institution's average monthly allotment for such budgeted biennium expenditures as certified by the office of program planning and fiscal management, and at the conclusion of each such initial month, and for each succeeding month of any biennium, the state treasurer will reimburse each institution for actual expenditures incurred and reported monthly by each community college treasurer in accordance with chapter 43.83 RCW: **PROVIDED**, That the reimbursement to each institution for actual expenditures incurred in the final month of each biennium shall be less the initial advance."

Renumber the remaining sections consecutively.

On page 1, beginning on line 29 after "in the" strike the remainder of the section through line 15, page 2, and insert "state general fund: **PROVIDED**, That required matching moneys from operating fees for federal and state financial aid programs shall be exempt from such deposit."

On page 2, after line 15 insert the following new section:

***NEW SECTION, Sec. 4.** If any provision of this 1977 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.*

Renumber the remaining section consecutively.

On page 1, line 3 of the title after "28B.15.031;" insert "adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW;"

Signed by Representatives Erickson, Chairwoman; Enbody, Grimm, Haley, Oliver, Thompson.

To Committee on Rules for second reading.

MOTION

Mr. Newhouse moved that the Judiciary Committee be relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 2744, and that the bill be rereferred to Committee on Rules.

Mr. Newhouse spoke in favor of the motion, and Mr. Knowles spoke against it.

Mr. Patterson demanded an electric roll call on the motion, and the demand was sustained.

Representatives Blair and Haley spoke in favor of the motion, and Representatives Douthwaite and King spoke against it.

Ms. Becker demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to relieve the Committee on Judiciary of Engrossed Substitute Senate Bill No. 2744 and rerefer it to Committee on Rules, and the motion was lost by the following vote: Yeas, 37; nays, 59; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Grimm, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tally, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives McKibbin, Smith.

MOTION

On motion of Mr. King, the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 77-30, by Representative Hurley (George):

WHEREAS, Karen and Mickey Taylor of White Swan, Washington have contributed substantially to the national sport of horse racing by their skillful selection of racing steeds; and

WHEREAS, The Taylors have honored and contributed renown to the northwest, to Seattle our principal city, and to our state, by the naming and successful training of Seattle Slew;

NOW, THEREFORE, The members of this House do commend the Taylors and their staff for the memorable contributions above noted.

Mr. Hurley (George) moved adoption of the resolution.

Mr. Boldt moved adoption of the following amendment to the resolution by Representatives Boldt and Hansen:

On page 1, line 5 after "Seattle" strike "our principal city"

Mr. Boldt spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Boldt and Hansen to House Resolution No. 77-30, and the amendment was adopted by the following vote: Yeas, 56; nays, 35; not voting, 7.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Berentson, Boldt, Bond, Charette, Clemente, Craswell, Deccio, Dunlap, Ehlers, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Grier, Grimm, Hansen, Hawkins, Heck, Hughes, Hurley M., Kilbury, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Salatino, Schmitten, Shinoda, Shinpoch, Smith, Struthers, Thompson, Valle, Walk, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Barnes, Bender, Blair, Burns, Charnley, Clayton, Conner, Douthwaite, Enbody, Eng, Fischer, Gaines, Gilleland, Greengo, Gruger, Hanna, Hurley G. S., Keller, King, Leckenby, Lux, Nelson D., North, O'Brien, Pearsall, Polk, Pruitt, Sanders, Sherman, Sommers, Taller, Vrooman, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Erak, Haley, Knedlik, McKibbin, Moreau, Tilly.

Representatives Hurley (George) and Newhouse spoke in favor of the resolution as amended, and it was adopted.

MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Tuesday, May 10, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.